The following ACCOUNTS *and* PAPERS, *printed by Order of The House, in this Session, are done up in a separate Volume.*

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33.—*February* 8th.—Exports to India, of Bullion and Merchandize, on account of the Company, from 1757 to 1793.

3.—*March* 11.—Report from Committee of Correspondence to Court of Directors, dated 9 Feb. 1813; on the subject of the Trade with the East Indies and China.

83.—*March* 12.—Papers relating to the Company's Charter; 1808-12.

84.—*March* 15.—Ships launched in the River Thames for the Service of the Company, in each year, from 1770 to 1812; with the Tonnage of each Ship.

85.—*March* 16.—Boards of Customs and Excise Returns relative to the Trade with the East Indies and China.

90.—*March* 18.—Correspondence respecting the Renewal of the Company's Privileges.

93.—22 *March* 1813.—East India—PROPOSITIONS.

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102.—*March* 23.—Revenues and Charges in India, under the usual Heads, for 1811-12; also Estimate of probable Amount of same for 1812-13.

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104.—*March* 23.—Estimate of Profit or Loss upon all Goods sold by the Company, from 1793-4 to 1811-12; distinguishing India from China; &c. &c.

116.—*March* 27.—Mr. Wittwer's Report, dated 8 March 1813, to Lords of Treasury, on an Account between Government and the E. I. Company.

125.—*March* 31.—Letter from the Chairman and Deputy Chairman to the Right Hon. the Earl of Buckinghamshire; and his Lordship's Reply thereto.

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House of Commons.

MINUTES of EVIDENCE

TAKEN BEFORE THE COMMITTEE OF THE WHOLE HOUSE,

To whom it is referred, to consider of the Affairs of The *East India* Company;—and to whom the several PETITIONS, which have been presented in this Session of Parliament, relating to the Trade and Shipping of The *East India* Company, and the Renewal of their Charter, were referred;—and also, the PETITION of The *East India* Company, praying to be heard by Counsel before the said Committee.

Martis, 30° die Martij 1813.

STEPHEN RUMBOLD LUSHINGTON, Esq. in The Chair.

THE Counsel were called in; and Mr. *Adam* and Mr. *Jackson* appeared as Counsel on behalf of the East India Company.

WARREN HASTINGS, Esquire,
Was called in, and Examined as follows:

Warren Hastings Esq.

Mr. Adam.] When you were in the Council of Madras, had you an opportunity of observing what effect the Europeans, not in the service of the Company, sojourning in India, might have produced to the British settlements in India?—I do not remember any effect that was produced by the few Europeans, not in the service of the Company, that did reside in any part of the Carnatic while I was there.

Is the Committee to understand that there were very few Europeans, other than those in the service of the Company, who resided at Madras, or in the neighbourhood of Madras, at the period referred to?—At Madras there was very little distinction with respect to the state of society, or the manners of the people that mixed in it, between the Europeans in the Company's service, and Europeans that were out of the service; I speak of the town of Madras only; there were several battalions of sepoys belonging to the Nabob; if I recollect he had European officers belonging to them. I am afraid I do not quite understand the question: if it respects Europeans living in the capital, there could be no difference of manners, nor any thing that could distinguish them, or could make them improper inmates of the capital.

Have you, from your residence in India when you were in the council at Madras, and since, from your residence in India during the time you presided at Bengal in the government there, had the means and opportunity of considering what the effect would be, of Europeans settling in the manner stated?—I do not know the manner in which you have stated their settling.

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If Europeans were permitted to sojourn in India, according to their own pleasure, and without any restraint, have you, from your long experience in that country, the means of stating to the Committee what the effect of that would be?—Most hurtful and most ruinous, both to the Company's interest, to the Government, and to the peace of the country. Nothing could be more opposite than the characters of Europeans (I will confine it to the English) and that of the natives of India. I can speak more properly to the natives of that part of India which forms our principal establishment in it, Bengal and its dependencies there. The native Indian is weak in body and timid in spirit; he is not unsusceptible of resentment, but without that feeling of shame, which, under the appellation of honour, in the breast of an European, makes resentment a species of law, and which overrules the fear of law, pain, danger and death. This is not the absolute character of the people taken in the mass; the native Indian is as I have described him; but there are cases in which a provocation of general grievance would excite a whole people, and even a detached number of them, to all the ferocities of insurrection. I speak this only as distinguishing the general character of the people in the mass, from their individual characters; individually they are meek and submissive. The Englishman is quite a different character in India; the name of an Englishman is both his protection and a sanction for offences which he would not dare to commit at home. There is, besides, the highest idea of a common participation in the sovereignty of the Company, which possesses, I believe, with very little difference, the mind of every Englishman in it; this idea, in the lower orders of the people, rises to despotism, and is liable to all the excesses of despotism, where the prerogative attached to it can be asserted with impunity. The aggrieved Indian has no chance with such a disparity; he may apply to the nearest provincial court of justice, but there difficulties, which could hardly be apprehended in any other country, arrest and impede him: the distance of his residence often from the magistrate requiring more time than he can spare; the expenses and delays of the established courts would be an impediment to many an Indian to have recourse to it: the difficulty of obtaining the attendance of witnesses, would be very great and almost insurmountable, from the same cause, and, added to the other causes, would be more likely to prevent his complaining at all, than to quicken a sense of injury to induce him to complain on slight occasions; besides, the affinity of national appellations, language, manners, dress, and possibility of social intercourse between his oppressor and his judge, would impress him with an awe, which the other would either not feel or feel in a very small degree. Such I know would be the effect of a single European, not dependent upon the Company's service, residing at a distance from the seat of Government, among the natives of India. But if it is proposed to let loose hordes of men of that character, I think the consequence can be no less than ruin to the peace of the country and to the interests of the Company.

Do you consider that this unrestrained liberty of Europeans sojourning in India, would lead generally to acts of tyranny and oppression upon the natives, by the Europeans or Englishmen so sojourning at liberty?—I have no doubt but it would; it certainly would.

What do you consider the probable effect of this would be, upon the British power in India; I mean always an unrestrained sojourning of Europeans or Englishmen in India, not in the Company's service?—I suppose that the strength of every government, however constituted, must always depend in a great degree upon the affections of the people, and the satisfaction which they feel under the pressure of it. I should think that any great dissatisfaction or disaffection of the people, would be a temptation to any of the neighbouring states, if they saw any opportunity, and opportunities often will happen in the best protected countries, to invade it. There is no tracing the disaffections of a people, through all the chances of internal and external warfare; but that it would be attended with bad consequences, I believe is a theoretical effect that will apply to all states.

Do you conceive it to be possible practically to restrain Europeans sojourning in India according to their own pleasure, to such a residence at the principal settlements or seats of government, as would counteract the effects which you apprehend from such sojournment?—I think it not practicable: this was not always my opinion; I did think that Europeans not in the Company's service, might be confined to the principal settlements, or to certain boundaries without them, by certain well defined and unqualified restrictions; and that with such a guard, the admission of free

traders

traders into the country would not only be innoxious, but even beneficial; but this opinion was founded upon the conception that the authority of the Company remained unchanged, and that all British subjects in India, residing in their territories, were virtually as well as legally amenable to it: But if a law should be enacted against the sense and remonstrance of the Company, empowering British adventurers without distinction to go to India, confining them to the principal settlements, I think they would transgress the bounds of that law; that with such an independent right, no restrictions whatever would bind them, or prevent them from making inroads into the country, and from disturbing the peace of the inhabitants. The government might interfere: there would be an appeal to the supreme court; in many cases the Company might attempt to assert a power which is vested in them, I believe, by the present Charter, if continued to the next, of sending them prisoners to England; but there are many ways by which that might be evaded. The power of the supreme court might afford them protection in many ways, by their becoming either suitors or defenders to it, or in any other way under its immediate authority; and in every instance of the kind, an appeal from the supposed aggrieved adventurers would not always be made to any of the courts of justice, or at least not confined to them, but rather made to the people at home. The public mind, something more than jealous of power, would receive with a prepared and ready assent, every charge of oppression. The remembrance of the opposition which was made by the Company to prevent that licence being generally granted, would be an encouragement to falsehood in the complainant, and received as a presumptive proof, that all their acts, and the acts of their servants on such occasions, were prompted by rivalship or resentment. Thus the authority of the Company would be counteracted, their constituted servants would be embarrassed and weakened; and their time, of which they never have much to spare, wasted in petty contests with lawless individuals.

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Would not the opening the export and import trade, from every port in this country to every port in India, as is now proposed, necessarily lead to such an unrestrained sojournment of Europeans in India, as would become dangerous to the British Government there?—Of the effect which an export and import trade from the outports to India would produce upon the safety of the government of the Company, I cannot speak; but if Europeans were allowed to go to the country, and to reside where they please, I speak with certainty, that the peace of the country and the safety of the Company would be endangered by it.

From your knowledge of the Indian character and habits, are you able to speak to the probability of a demand for European commodities, by the population of India, for their own use?—The supplies of trade are for the wants and luxuries of a people; the poor in India may be said to have no wants; their wants are confined to their dwellings, to their food, and to a scanty portion of clothing, all which they can have from the soil that they tread upon, and their apparel almost without any cost. I am not acquainted with the present state of society in India, but I should conclude that the only opulent of the people are the zemindars, who are almost all, if not all, Hindoos; and the Hindoo officers of the revenue; all their habits are similar, and such as require no aid from our trade. Of the Mahometans, who once constituted the most opulent part of the community, few now remain, I should suppose, but the survivors of the pensioners that we found when we first became masters of the country; and those, from their present impoverished state, certainly would not be able to purchase any of the articles of luxury which our ships could furnish them: I do not believe, therefore, that the demand would be increased by it.

At the time you resided in India, had you an opportunity of knowing the mode in which the wealthy part of the native Indians disposed of their superfluous wealth?—By such means as are common to all countries, with no other difference than that of the common modes of life; they would expend it in dissipation, in their pleasures, in state, but not, I think, in the luxuries of the table, nor in drunkenness; my recollection carries me no further.

Were the natives of India in the habit of spending any part of their superfluous wealth in the purchase of European commodities, or did they consider it as part of their luxury, to provide themselves with such articles as Europe furnishes?—Some, most undoubtedly; laces, broad cloth to a certain amount: European furniture was

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at one time in some request, but not in very great, at the courts of the native princes; few of those articles now would meet a sale there.

Was this general throughout the country, or was it confined to Indians connected with the principal British settlements?—The country is a term of vague interpretation; if I was to confine it to the country of Bengal, which I know better than any other, I should say, that in Calcutta many European articles would meet with a purchase, but little beyond, except what I have mentioned in my answer to the preceding question.

According to your observation, is not the character of the native Indians in its nature stationary and immutable, and not apt to vary from the original habits of the country?—It certainly is very stationary, I do not know whether it can be pronounced immutable; any constitutional alteration in the system of polity and jurisprudence, as it may afford an opening to new hopes or excite new fears, may give a new direction to their tempers; still the Hindoo would remain materially the same: the general conformation of their bodies, on which the physical and moral character of man depends, is not likely to undergo any alteration: in effect I believe that the Indians now are in their dress, their manners, and in all the habits of life, just what they were at the commencement of the period of their present juge or age, which is perhaps as far as the history of that country extends.

Are the native Indians of the higher or lower orders, who have constant intercourse with Europeans, liable, in consequence of that intercourse, to adopt European manners, habits and fashions?—I have seen instances of that in men who from a servile principle affected to imitate the European manners and habits, but instances of that kind are very rare.

During the period of your residence, was there an exportation of European or English common articles exposed, in the principal settlements, for sale?—Certainly; there always was in all the principal settlements, and is so now.

Can you state what degree of vent or sale those articles had among the native population?—I cannot; I should conceive that the European inhabitants would be equal, if not the principal purchasers. May I be permitted to add one observation, as a close to the evidence which I have given in answer to the questions which have been put to me respecting the consequences of an unrestrained intercourse of Europeans, not in the service of the Company, with the natives of India; for, from I believe the uniform tenor in which my opinions have been delivered, it is possible, but I hope not that suspicion might be entertained, that I have delivered them under the bias of an attachment to the East India Company: it is necessary that I should obviate the possibility of such an imputation to the credit of the evidence which I have delivered. An attachment to the Company I certainly do feel; an attachment of gratitude for the service which has given me bread, and employed what I possessed of talent, during all the active part of my life; and for the bounty from which, though its source is now closed, I still draw my subsistence; but neither is this the place, nor the present an occasion, to admit of the influence of that sentiment: I wish to prove that this profession is not loosely stated, nor the declarations which I have made, made on slight grounds; and that my opinions are neither new, nor drawn from me by the occasion. Twenty years ago, when the present Charter was under consideration, I addressed a letter to the Chairman or Chairmen for the time being of the Court of Directors upon this very subject; in which, so far as I can trust to my recollection, I strongly urged the necessity of providing against the irruption of British adventurers into India, and beyond the bounds of our settlements; arguing from it, that they would molest and oppress the people, and plunder the country; and I believe I expressed a wish that some provision should be made against it, in the Charter then depending. I have either lost or mislaid the letter, so that I have no access to any copy of it; therefore I can only speak to its identity, and to the general import of it. I mention this to show that it is not a novel doctrine which I humbly deliver to this honourable House. My letter I know was seen, and I have a pleasure in thinking that it was approved by the gentleman that then presided over the Board of Commissioners for the affairs of India; a man, who certainly, if it could be said of any man, required no light from the judgment of another to aid his own; and therefore it would be the height of arrogance in me to suppose that I claimed any share of merit in the event which followed. I have

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...y to show how early my opinion was formed, and with ... earnestness I acted upon it. A clause was inserted by ... the Act of Parliament and in the Charter constituted from it, by ...nacted, "that no British subject not being a servant of the East ...pany should be allowed to reside in India, except at the principal settle-...nless by a special license from the Company or the governors of India." ...nse I thought defeated the essential purpose of the prohibitory clause; but ...d till another occasion induced me again to address the Court of Directors ...ugh the similar official channel of the chairman and deputy chairman of that body; which I did, in a letter dated the 12th of March 1802, strongly remonstrating against this exception to the general clause, as liable to be productive of greater mischiefs from the few favoured Europeans who were allowed the benefit of it, than if all men indiscriminately were allowed to possess the same privilege. Again, on the 28th of April last, I a third time took up the same subject, and addressed a letter upon it to the present chairman of the Court of Directors, reiterating my former objections, and the arguments connected with them, and proposing as a means of preventing the deprecated abuses, certain restrictions to which I have alluded in my answer to one of the first questions proposed to me; this letter contains all that I had written upon the same subject in my preceding letter of March 1802, in a quotation from it; this will, and the first letter which I have mentioned would (if I could produce it) strongly prove that such always was my opinion. This honourable House will have ample means of knowing, from more recent testimony than mine, whether the mischiefs which I apprehended have actually come to pass, and the records of the Court of Directors will afford a more authentic evidence still of their existence, if they have existed. I have the permission of the Court of Directors, in whose possession the last letter is, and I humbly refer this honourable House to it; and if this shall appear to be clearly the case, the inferences that I drew, so long ago as twenty years past, of the connexion between the allowance of British adventurers in India, not in the service of the Company, with its influence on the peace of it, and the reiteration of the same opinion through so long a series of time, to be no longer argumentative, they were predicted, and in that sense are an irrefragible proof, that such consequences must inevitably follow such premises.

(Examined by the Committee.)

DO you recollect, during the time of your residence in India, whether any persons employed themselves as missionaries in converting the natives to the Christian religion?—I do; I remember a very worthy gentleman in that character, Mr. Swartz, in the Carnatic; another in Bengal, named Kiernander; I do not know whether I can call him a missionary; he was sent out from London, and supported, I believe, by the society for propagating the gospel. I remember his conversion of one Indian, because it was announced with great pomp and parade. I also recollect a Catholic priest, who resided somewhere in the district of Dacca, and had a large flock of men, whom he called Christians, about him; but he himself appeared to me to be ignorant of the common languages of the country; and that his converts were Christians only in name and dress, but could not have acquired a knowledge of our religion from a man who had no medium of language to communicate it. I do not recollect any others; I know there were more of the Catholic missionaries.

Were the persons so employing themselves as missionaries, under the control and subject to the restraint of the East India Company?—I do not know that Mr. Swartz could be considered as a subject of the Company; he visited, and occasionally resided, I believe, in every part of the peninsula, and was every where respected. Mr. Kiernander, whom I too inconsiderately named as appertaining to this character, was a constant resident in Calcutta, and equally amenable with every other inhabitant of it, to the British laws and government. The Catholic priest I have mentioned, I knew during the time in which the Nabob Jaffeer Ally Cawn held the nizamut; he was then very old; I do not know whether he survived the revolution that afterwards took place in the government of that country.

From your knowledge and experience of the manners and habits of the natives of India, what in your opinion would be the consequences, if persons were allowed to employ themselves as missionaries in converting the natives to the Christian religion, unlicensed, and subject to no restraint on the part of the East India Company?—

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Unlicensed and under no restraint; I do not know how that possibly could be, therefore I beg that that may be expressed with a little greater latitude.

Unrestrained as to the mode which they may think proper to adopt for effecting their object of converting the natives to the Christian religion?—I cannot tell what the effect would be generally; if such a case had happened when I held the first place in the government of India, and such persons demeaned themselves properly, I should have taken no notice of them; but if they gave occasion to a belief that the government itself tacitly encouraged their designs, from an apprehension of the consequences which such a belief would produce upon the minds of the people, and especially the irritable spirits of the Mahommedans, I certainly should have checked the attempt, and withdrawn him to Calcutta, or, if he afforded sufficient cause for it, compelled him to quit the country: when I speak of myself in the first person, I mean I should have recommended that conduct to the members of the government over which I presided.

Upon what grounds do you form your opinion, that the residence of certain persons in India by licence, would be more dangerous to the interests of the East India Company in India, than the indiscriminate resort of all Europeans to India?—If it refers to the licence which is made an exception from the prohibitory clause in the Act of Parliament, my objection is a very strong one; other adventurers would go under the jealous eye of Government, and would excite their attention, and Government would certainly use the most effecient means in its power to keep them under control; but if none were allowed to go into the country with a permission and licence to trade in it, to erect factories and dwelling houses, and to carry on a traffic with the natives, but such persons as went out patronized by the Company, or by the Governors of the Presidency, those are the worst men you could let loose amongst them; they would go armed with power and an influence which no man would dare to resist; and those are the men that I should apprehend more danger from, than an indiscriminate rabble let loose upon the country: in opposing the attempts of such men, every man would think that he was acting in opposition to their patron.

Are you acquainted with the 9th Report of the Select Committee of this House, made in or about the year 1782, upon the subject of the Company's mode of carrying on its India trade?—I do not recollect it.

Are you aware, of any strong opinion expressed by any Committee of this House, in their Report, upon the Company's dealing in its own tribute, as affecting both the Indian and British interests?—I do not recollect any thing of that Report.

Did you or did you not, as Governor General of Bengal, at different periods after the Company began its practice of laying in investments from its tribute, remonstrate by letter to the Court of Directors, upon the pernicious effects of this system?—I remember no such remonstrance; and if I clearly understand the intent of the question, I think I could not have made such remonstrance; at the same time I am well aware that something implying it must exist in that Report, or the question would not thus be put to me. I ought long ago to have apologized to this Honourable House, and to have bespoken its indulgence for any inaccuracies, or for any hesitations or mistakes which I may have committed in delivering my evidence. I have never, in any part of my life, been accustomed to speak in public, and I am now less qualified for it at my very advanced time of life; with this apology, I hope it will not give offence, if I say that I do not clearly understand what the Company's tribute is.

By tribute is meant dealing in the superfluous rent, after paying all charges civil and military, applying the superfluous rent in the purchase of investment?—It was the custom of our government ultimately to bring all receipts of money, however produced, into one indiscriminate head of Treasury; all our advances for the different services of the government were made from this general mass; and I do not know how, in such advances, any discrimination could have been made of the peculiar fund from which it had been supplied. I am afraid I speak from weakness of apprehension; but I am very willing to refer to the documents themselves, which will better show than any comment I could make upon them, if I saw them, whether my conduct and opinions, delivered at that time, were contrary to the general mode which I have described.

What

opinion as to the political effect of the measure proposed, respecting establishment for India?—The question is one of great intricacy, and of that I should almost fear to speak to it; but that my respect for this House enjoins it; because, though it specifically mentions only political yet it intimates no allusion to the nature of the office itself; of the religious ses or present necessity of such a creation, I cannot be a judge, and therefore an say nothing to it; and unless I knew both circumstances, and the objects of the creation, it would be impossible for me to conjecture in what way they could effect the peace of the country. May I say without offence, that I wish any other time had been chosen for it. A surmise has gone forth, of an intention in this government to force our religion upon the consciences of the people in India, who are subjected to the authority of the Company; it has pervaded every one of the three establishments of Bengal, Fort St. George, and Bombay, and has unhappily impressed itself with peculiar force upon the minds of our native infantry, the men on whom we must depend in the last resort for our protection against any disturbances which might be the effect of such surmises. Much would depend upon the temper, conduct, and demeanour of the person elevated to that sacred office. I dare not say all that is in my mind upon this subject; but it is one of great hazard.

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Would there be, in your opinion, the same danger now, as twenty years ago, from the admission of Europeans into India, considering the great political changes which have taken place in that country?—I think there would be as great danger; from circumstances, I think the danger would be greater. There were not the same pretensions then raised as have since been; and any such adventurers now would go out armed with rights, which at that time were not thought of.

Do you think there would be any danger to the British interests in India, from the residence of a few additional European merchants and agents at the different presidencies, or from their admission occasionally into the interior of the country for mercantile purposes, under the present restrictive regulations of the honourable Company?—I think there would; I think I have already said so, and assigned my reasons.

What is your opinion of the effect of the union of the sovereignty and commerce of India, in the hands of the honourable Company; is it beneficial, or otherwise, to the interests of that country?—The sovereignty of the Company is certainly beneficial to the country. The union of its commercial with its political interest in it, has never yet produced, to my knowledge or belief, any detriment to the inhabitants; I do not know how it should. Their investment affords a livelihood to thousands; it animates the industry of the people, and is equally beneficial to both. I know not whether this question alludes to a trite maxim, that a government can never take upon itself the conduct of mercantile concerns, without injustice and oppression. I suppose the meaning of this maxim is, that it would apply all its authority and influence to exclude or oppress all its competitors. The Company have no competitors yet; and I know not in what other sense the union of the two concerns can be deemed incompatible.

Are you of opinion that the commerce of India, as at present regulated, is as advantageous to that country and to Great Britain, as it would be, if free and equal to all the subjects of Great Britain?—Certainly, as much, and much more so.

Do you recollect having written a review of the state of Bengal, many years ago?—I do.

Do you recollect having stated, in that review, that although we had been so long in possession of the sovereignty of Bengal, yet we had not been able so far to change our ideas with our situation, as to quit the contracted views of monopolists; and that thence, in all the correspondents of the Board of Trade were found constant complaints of private merchants making advances to the Company's weavers, and their giving greater prices than had been hitherto given by the Company; upon which occasion did you express, as your opinion, that it was of less consequence that the investment should be procured cheap, than that the commerce of the country should flourish; insisting upon it, as a fixed and incontrovertible principle, that commerce could only flourish when free and equal?—I do not remember those words in the publication of mine alluded to; I have no doubt they are there, but I do not come here to defend my own inconsistencies; if I have expressed myself in the terms which I

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have listened to, and clearly understand them, I clearly abjure them; they are not my present sentiments; my sentiments are, and I cannot say when I changed them from others of a different description, that the commerce of every country, how much soever extended, is beneficial to it abstractedly considered, without any other circumstances connected with it. With this sentiment I was of opinion, when the rumour first existed, of an intention in the Americans to send ships to the port of Calcutta; that they should be admitted, and that they should be even encouraged to come: I think such admission, if allowed as an indulgence, and not conceded or enacted as a right, would be good policy, not only with the Americans but with every other country; but I should think it a very unwise policy to grant it as a right, because in the first instance, the government would hold an effective control over the trade to prevent the abuse of it; and in the latter they would have the national interest to contend with in every disagreement, and involve its own parental state in the contest.

Would it be consistent in your opinion, with the security of the British Empire in India, to allow missionaries to preach publicly, with a view to the conversion of the native Indians; that Mahomet is an impostor, or to speak in opprobious terms of the Brahmins and their religious rites?—It would neither be consistent with the security of the British Empire in India, to treat the religions established in the countries of their dominion with contempt and opprobium, nor with common humanity; if such a declaration of war was made between the religions of the country, between the professors of ours and those of the established religions, I know not what would be the consequence. There have been among the mahometans, bigots more ferocious than any that have shed the blood of their brethren in Europe; if a fanatic should arise amongst them, and preach the doctrines inculcated in their koran, I do not think it impossible that he might excite the zeal of thousands of abettors, and a religious war be the consequence of the first provocation. I do not say that such an event is likely to happen, but such have happened; and our government is not exempt from the chances of their recurrence.

Was the Christian dress worn by the converts, to whom you alluded in your former answer, of European manufacture?—I never saw them; but they were of the meanest of the people, and I should doubt whether they had any garments at all, more than the most necessary and scanty portions of dress, such as belonged to that order of the Bengalees.

In your calculation of the mischiefs that will arise, in consequence of individuals residing in India, who are not servants of the Company, can you make any distinction between Americans and British subjects?—By individuals, I meant British subjects only.

Can you state to the Committee, any distinction between Americans and British, or Europeans?—If at any time I have mentioned Europeans, which I do not recollect, Americans could not have been at that time in my recollection, or I should have included them as participating in character, though not in name, of the same order of people; I certainly make a distinction between Americans and British.

In what does that distinction consist?—In the right of appeal, which an Englishman could make to the laws of his country, or the prejudices of his countrymen. I do not mean that our government should not be amenable to the laws, but at the distance of India from the parent state such appeals wantonly made, would prove vexatious to government, and uncontroulable in many instances. The American competitor possesses no such advantages; but if peace being restored with America they shall be allowed a right, under the sanction of a treaty with our nation, to trade in all the territories of the Company in India, I think American adventurers of the same character as those whom I have described in speaking of adventurers from Great Britain, would be equally mischievous: that I understand did not happen when the Americans were allowed, I forget on what terms, but I believe of a right, to trade with our settlements in India; nor do I know that they ever went beyond the capital settlements, or that they afforded any ground of complaint.

[The witness withdrew.

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The Right Honourable Lord TEIGNMOUTH,

called in; and a Chair being placed for his Lordship within the Bar, was Examined as follows:

Rt. Honble. Ld Teignmouth.

Mr. Jackson.] How long was your Lordship in the service of the East India Company?—From 1768 to 1798, about thirty years altogether; I was not the whole time in India, but constantly in the service of the Company during that period; of that period I was twenty-four years resident in India.

During your Lordship's residence in India, in what parts did you reside?—Chiefly in Bengal.

How long did your Lordship fill the office of Governor General?—About four years and a half.

During any part of your Lordship's service, were you in the revenue department?—I was chiefly employed in that department before I succeeded to the situation of a member of the supreme council.

Did such employ afford to your Lordship an ample opportunity of studying the characters, manners and habits of the natives?—I certainly endeavoured to form an opinion of the character and habits of the natives.

Did your Lordship acquaint yourself with their languages?—I was acquainted with the common language of India, and the Persian.

Looking to such character, manners and habits, and supposing an influx of Europeans to have access, according to their discretion, to every part within the limits of the charter of the East India Company, and to sojourn there, according to that discretion and their own opinions, what effect do you suppose that such sojournment might have upon the general interests of the East India Company, or of the British empire in India?—I should think that an unrestrained influx of Europeans into India would be prejudicial to the interests of this country, as connected with India. People unacquainted with the habits and characters of the natives, are not disposed to give that weight to their prejudices, which people brought up in the country are disposed to give.

Supposing that influx to consist of seamen and traders, would those evils to which you refer be likely to occur?—Not in the same degree, in my opinion, as would occur from an unrestrained admission of Europeans into the interior of the country.

Are there not many sea ports on either side of the peninsula, at a considerable distance from either of the principal seats of government?—I believe there may be some, both on the Coromandel and the Malabar coast; but I do not recollect at present, any sea ports where there is not some established authority on the part of the Company.

Supposing such an influx to have access to such ports, might it not be difficult to restrain them from making their way into the country?—Under the present system of regulations established in Bengal, I should think that they might be, in a great measure restrained from penetrating into the country; or if they succeeded, that the police would discover them, they might be stopped, and would be sent back.

Supposing a free trade to take place from every port in the United Kingdom to every port within the limits of the Company's charter, at the discretion of the adventurers, is it not likely that the numbers would increase in a very considerable degree?—At first, the numbers I think would be great; but the disappointment which I should conceive would asise in the commercial speculations, supposing them to be carried on to the extent specified in the question, would prevent that great influx of Europeans which it supposes.

While those numbers should continue great, would not the difficulty be considerable of restraining them, either as to conduct or place of abode?—It would be difficult in proportion to the numbers, but not altogether impracticable.

Supposing such adventurers to meet with the disappointment alluded to, would not they be driven to seek other means of maintenance in India?—They probably would attempt it, and some might contrive to obtain a residence in India.

Rt. Honble. Ld. Teignmouth.

If such free trade be allowed not only directly to the ports within the [illegible]s; the Company's charter, but coastwise from port to port, would not then the difficulty be increased, or rather would not such restraint become wholly impracticable?—I do not think the restraint would be impracticable, where the Company's authority extends.

Supposing that authority should fail as to restricting either residence or conduct, and referring to the circumstances, habits and prejudices of the natives, what does your Lordship suppose might be the consequence of such failure in point of restriction?—I really hardly know how to answer that question; I am not sure that I quite understand it.

Supposing, under the circumstances stated, of coasting from port to port, and the unlimited communication which has been described, the restraint should not be found sufficient, what do you then apprehend from the unrestrained intercourse which would take place between such persons and the natives?—If there were an unrestrained intercourse between such persons and the natives, that is, an intercourse that could not be restrained, it would imply a defect in the exercise of the superintending powers of the government that would in fact amount to a suspension of its functions; and in that case an unrestrained multitude would certainly be dangerous, in many points of view.

Supposing such defect to exist, will your Lordship state the evils you apprehend would arise from such intercourse with the natives?—There is one general consequence which I should think likely to result from a general influx of Europeans into the interior of the country and their intercourse with the natives, that, without elevating the character of the natives, it would have a tendency to depreciate their estimate of the general European character: Such an effect I should think highly dangerous in a country, where the estimate of the power of the government depends greatly upon opinion, in a country where the proportion of the natives to the number of Europeans is probably not less than two thousand to one; other inconveniencies would arise in this way, from a disregard to the peculiar prejudices of the natives, and by a conduct calculated to irritate them.

Does your Lordship think that such intercourse would tend to shake that opinion, upon which you have stated so much to depend?—It certainly would have a tendency to it, which tendency would be very much increased by the number of Europeans.

Would not also much depend upon the station in society that such persons filled?—I think it might; but probably the evil would be less likely to arise from people in a higher station of society, than from those in low ranks of society.

If they were composed of seamen and traders?—If they were composed of seamen and traders, the danger would be proportionably great, I conceive.

Would there be danger of oppression towards the natives, among other dangers?—Occasionally acts of oppression might be exercised, but in the present efficient state of the administration of justice in Bengal, I should suppose few acts of oppression could be exercised, for which redress might not be obtained.

At present are Europeans answerable for their conduct in any criminal courts, except the supreme courts at Calcutta or Madras, and the recorder's court at Bombay?—European foreigners, not British subjects, are subject, I believe, to the native courts established in the interior of the country; British subjects, in criminal matters, to the supreme court of judicature in Calcutta only, to the court at Madras, and to the recorder's court at Bombay. In civil suits, British subjects are amenable to the country courts in Bengal.

If violence or oppression were to take place up the country, would the native have any means of bringing the oppressor to justice, unless he could afford to indict him in one of the supreme courts, or the court of the recorder at Bombay?—I would wish to confine my answer to Bengal only, with which I am better acquainted than with Bombay: A native, under the circumstances described, would be obliged to apply for redress to the supreme court of judicature in Calcutta, if it were a criminal action.

If adventurers were to make their way in any numbers up into the country, is it your Lordship's opinion that the present power of the magistrates would be equal to their

their entire controul, or the prevention of their intrigue?—In proportion to their numbers, the difficulty of controuling them would be great; but by a proper exertion of authority, I think it might in a considerable degree be effectual. *Rt. Honble. Ld. Teignmouth.*

If persons were allowed to travel up the country, in order to sell their commodities, or settle correspondents, so as materially to pervade the interior of the peninsula, does your Lordship feel any apprehension from such a circumstance as that?—I would wish to know how the word apprehension applies.

Does your Lordship apprehend any evil consequences to arise from such persons being allowed, for the purposes of trade, or the professed purposes of trade, to pervade any material part of the interior of the peninsula?—I should suppose that no persons would be allowed to go into the interior, but by the knowledge and consent of the governing power, exclusive of those inconveniencies which I have already stated as possible to result from a general intercourse of Europeans with the natives of India, no others occur to me at present.

Supposing them for the circumstances of the free trade, and their consequent numbers, to elude that vigilance, what are the evils which you apprehend?—The evils which I have already stated to arise from a general intercourse of Europeans with natives.

Considering the habits, the manners, and general character of the natives, does your Lordship suppose that opening the trade to India would lead to a much greater degree of consumption of European articles by the natives of India, than takes place at present?—I certainly do not

Will your Lordship have the goodness to state your reasons for that opinion?—Those reasons are founded upon the particular habits and customs of the natives. I know very few articles of European manufacture that are used by the natives in general, or that are likely to be used by them in any considerable degree.

Does your Lordship know of any wants of that description, that have not been most amply supplied by the existing system of commerce to India, with regard to European articles for the consumption of the natives, as far as that consumption may go?—I am not aware of any wants that have not been sufficiently supplied by the trade as now carried on.

Does your Lordship conclude, from your knowledge of the manners and customs of the natives, and from your long experience, that any material increased consumption of European articles upon the part of the natives, is wholly unlikely?—I think very improbable.

Has the intercourse between the natives and the Europeans, at the principal seats of government, apparently induced any taste or desire towards the greater use of European articles?—There may have been some few instances in which the natives, out of compliment to Europeans, those natives in particular who are in the habit of giving entertainments to them, may have introduced some European articles of furniture. The Nabob of Oude had amassed a very large collection of European articles, but I do not recollect any other native in the place who had imitated his example, from my own experience, I should not suppose the desire or taste mentioned in the question, to exist in any but a very limited degree.

With regard to the great bulk or mass of the population, have they it in their power so to indulge, were it their desire?—I should think not.

Looking to general experience, have those who have had the means of accumulating some property, directed their expenditure towards European articles?—Not according to my experience.

Supposing the natives to have a wish for the purchase of European articles, do they not at present enjoy ample and sufficient opportunity for such purpose?—I believe the opportunity is fully equal to the extent of their wishes.

Does your Lordship know of any material want of European articles that generally speaking is not in the course of being supplied by the existing system?—I do not recollect any.

(Examined

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(Examined by the Committee.)

Would it be consistent with the security of the British empire in India, that missionaries should preach publicly, with a view to the conversion of the native Indians, that Mahomet is an impostor, or should speak in opprobrious terms of the Brahmins or their religious rites?—I think the practice of preaching publicly the doctrines as stated in the question, would be attended with danger; but I do not think it is at all necessary that such doctrines should be publicly preached for the purpose of converting the natives of India; there is nothing, as far as my experience goes, in the character of a missionary, that is offensive to the people of India; and if his conduct is regulated by prudence and under the influence of that piety which he professes to teach, I think that he will be highly esteemed by the natives. The question states, public preaching. there is a distinction between public preaching and conferences with individuals; what might be said in conversation to an individual upon these topics safely, might not be said safely when publicly preached to a multitude. I recollect in an account which was printed of the first Danish missionaries, I believe about the year 1717, there are conversations between the missionaries and natives, and this at a period I believe, when the authority of the natives was established in India; all those conversations go upon this principle, that the religion which the missionaries meant to preach was true, and that which they meant to oppose was false. I do not recollect that any ill consequences appear to have happened from such conferences between those Danish missionaries and the natives on the Malabar coast.

Would the dangers that might result from the exercise of an indiscreet zeal, to change the national religions, be greater or less in India than most other countries, from the peculiar habits and feelings of the people?—I have no hesitation in saying, that the dangers attending an indiscreet zeal would be considerable; at the same time, we have proofs, that a judicious and prudent zeal may be exercised effectually, and to the conversion of the natives.

Would it be desirable, in your Lordship's opinion, that persons professing to teach Christianity in India, should act under the licence and control of some ecclesiastical authority residing in that country?—I should think it would be more advisable to leave the control at the discretion of the government of the country, who would be much better judges how to exercise that discretion prudently.

Is your Lordship aware that an opinion prevails in India, that it is the intention of the British government to take means to convert the natives of the country to the Christian religion?—I never heard it, nor suspected it.

Has not your Lordship heard, that one of the chief causes of the mutiny at Vellore, in which a British regiment was massacred, was an opinion of that kind?—I certainly did see it asserted in print in this country, but I took some pains to clear up that point, and cleared it up completely to my own satisfaction, that the assertion was totally without foundation; I would beg leave to mention, that my opinion upon the subject is in print, in a pamphlet that does not bear my name, but was very well known to be written by myself, entitled, "Consideration on the practicability, "policy and obligation, of communicating the knowledge of Christianity to the "natives of India." I refer to that pamphlet, as containing an answer to the question put to me.

Allowing the opinion, stated before, to have existed in India, of the intention of this government to force the Christian religion on the natives of India, would not the sending out a Bishop to India, tend to strengthen that opinion?—I should think it would be viewed with perfect indifference by the natives.

Your Lordship having stated, that you have known proofs of persons being converted from the Hindoo to the Christian religion; will you have the goodness to state where have those instances occurred?—The proofs to which I referred, were the conversions by Swartz on the Coromandel coast.

Does your Lordship know any instance of a respectable Hindoo being converted to the Christian religion?—When I was in Bengal, I do not recollect that there were any missionaries from this country in that part of India, excepting for a short time

before

before I left India, and I had had no knowledge of them, so that I cannot speak of any conversions of my own personal knowledge in India. *Rt Honble. Ld Teignmouth*

Should any provision be made in an act of parliament, empowering missionaries or others from this country to go to India for the purpose of converting the Hindoos to Christianity, do not you think it would be a document placed in the hands of our enemies, of the agents of France, or any other agent, of which they would make an ample handle to set that country in a flame?—I do not think that the agents of France or any other public enemies would be able to make that use of it.

Your Lordship does not then think, knowing India as you do most perfectly, that were the Hindoos possessed with an idea that we had an intention of changing their religion and converting them into Christians, that it would be attended with any bad consequences at all?—I will expatiate a little in my answer to that question: Both the Hindoos and Mahometans, subject to the British government in India, have had the experience of some years, that in all the public acts of that government every attention has been paid to their prejudices civil and religious, and that the freest toleration is allowed to them, that there are many of the regulations of government which prove the disposition of government to leave them perfectly free and unmolested in their religious ordinances, that any attempt at an infringement upon their religion or superstitions would be punished by the government of India; with that conviction, which arises from experience, I do not apprehend that they would be brought to believe that this government ever meant to impose upon them the religion of this country.

[His Lordship was directed to withdraw.
His Lordship was again called in.]

Is it relying upon the good opinion that the natives have of our conduct hitherto towards them, your Lordship has answered; or will you give a direct answer to the question, without, that should the state of things be altered, and we not observe that conduct we have hitherto observed, but introduce new modes and enact new laws for the carrying into effect the converting the natives to Christianity, that that would not be attended with disagreeable consequences to us?—If a law were to be enacted for converting the natives of India to Christianity, in such a manner as to have the appearance of a compulsory law upon their consciences, I have no hesitation in saying that in that case it would be attended with very great danger.

Is it not rather your Lordship's opinion, that the good effects to be derived from inculcating the precepts of the Christian religion amongst the natives of India, had better be attempted by what is termed conferences, than by any enactment in an Act of Parliament?—If that enactment goes only to allow persons to reside in India, for the purpose of instructing the natives in the doctrines of Christianity, I mean as far as they are willing to receive them, I should see no danger in it; in truth I believe that all attempts at conversion are by conferences between missionaries and individuals, and that public preaching is seldom resorted to, till there is a congregation of converted Christians.

Does your Lordship know of any converted societies or congregations?—I understand the question to have a reference to my personal knowledge; I have no personal knowledge, but I have heard and read of conversions since I left Bengal, which I received as credible and authentic.

Does your Lordship know of any missionaries, who have conducted themselves indiscreetly?—I recollect some years ago, hearing one or two instances alleged of misconduct in the missionaries; I do not recollect now of what nature they were; probably instances of injudicious zeal.

Is it not usual for Europeans, on obtaining permission from government to go into the interior of the country, to enter into a penalty bond to hold themselves amenable to the courts of adawlut in all civil cases, with the view of protecting the natives from injustice and oppression in their commercial dealings with Europeans?—I do not recollect whether they enter into a penalty bond or not, but that they are amenable in civil causes to the courts of adawlut in point of fact, which gives the same protection as if they entered into a penalty bond.

Has it, or not, been found fully to answer the purposes intended?—I recollect no instance to the contrary.

Rt. Honble Ld. Teignmouth.

Would there not be in your Lordship's opinion, a greater consumption in India, of our manufactures, if they could be supplied cheaper?—I hardly know what articles of our manufactures are consumable by the natives, excepting perhaps some woollen cloths; certainly some people, if they were much cheaper, might be induced to purchase them, who do not now purchase them: but as to manufactures in general, I really do not know what manufactures of this country are used by the natives in India.

Would not our woollens in particular, be acceptable to all classes of natives, and of all religions, in the cold and rainy seasons, if they could afford to purchase them?—I know of no objection on the score of religion to the use of woollens in that country; but if the natives had preferred them to their own manufactures, I should think they would have used them in a much greater degree than they have hitherto done: if they were much cheaper than they have been hitherto sold, the sale of them might probably in some degree be extended.

Does not your Lordship think the natives would prefer our woollen manufactures to their own cotton manufactures, in cold weather?—I think some of the natives, who could afford it, would prefer the woollen to the cotton; but the poorer people cannot afford to purchase them, and the higher class prefer their own shawls.

When your Lordship speaks of regulations and restrictions, by which the influx of Europeans may be prevented into India, do you speak of India generally, or only of Bengal?—Whenever I have mentioned India, I meant particularly that part of India in which I have resided; but in all those parts where the Company's authority extends, those regulations and restrictions might be adopted.

Would your Lordship have the goodness to state what are the sort of regulations and restrictions to which you allude, when you speak of providing against the influx of Europeans into the interior, provided an open trade were established by law?—The regulations would be, that the commander of every ship would give an account of all his passengers; and the police would be directed to prevent any European, or, under the present regulations, would stop any European from penetrating into the country, without a pass or authority for that purpose.

Your Lordship has spoken of other ports on the coast of Malabar or Coromandel; does your Lordship think regulations of that kind could be practically enforced at those ports?—At those ports where the Company have a settlement and a jurisdiction, where there are police magistrates.

Are there any ports, where the Company have no such police magistrates, though they have a jurisdiction, into which ships might run, who had it in contemplation to land passengers to go into the interior?—The whole extent of the coast from Madras to the Bay of Bengal, I believe, is open to ships, where Europeans might be landed; but I do not recollect any port, except ports where the Company have authorities on the spot.

Then the securities to which your Lordship alludes, are securities which will take place in the event of a ship going to one of the established ports in India, and to none others?—To none others.

Supposing a ship to go with a view of landing passengers in India, is your Lordship aware of any present regulations, or which could be enforced, to prevent an influx of strangers into the interior of India?—Strangers might certainly go into the interior in the manner described in the question, but they could go to no place where they would be without the cognizance of the police in India, and they would be amenable to that police.

What is the nature of that police, and the strength of it at present?—An European under the title of a magistrate, has a certain jurisdiction; and there are natives who act under his authority, and who will make their report to him of all the occurrences within their particular superintendence, as for instance, the arrival of an European, or any thing else that might happen; but I really speak without sufficient recollection of the regulations for the police magistrates, which regulations are in print, and would explain the matter very clearly.

By an open trade, would your Lordship understand a trade subjected to such regulations, that no person could go at all into the interior of India, without being liable to recal, provided he had not the special licence of the magistrate at the port at which

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which he landed?—Under the existing regulations of the government, no European can go into the interior of India, without permission from the government at the port at which he lands; and I should suppose that some such permission would be required under any opening of the trade whatever.

Does your Lordship apprehend, that any magistrate would be bound to assign a reason for interfering with the progress of any person going into the interior of India, or that it would be necessary for him to state only that he found him in the interior?—Without a permission or passport, nothing further; he would be justified in apprehending him, if he found him in the interior of India without a passport.

Has every magistrate such as your Lordship alludes to, the power of granting passports of this kind, or are they only to be granted by the three governments in India?—I should suppose by the head government of the settlement, and not by the magistrates; I really speak from recollection.

Is your Lordship of opinion that great danger would arise to the security of our possessions in India, if persons should go into the interior of India without such passports?—I think, if an unrestrained admission of Europeans into India, were permitted, that it certainly would be attended with danger, and with the consequences which I before pointed out as resulting from an unrestrained admission of Europeans into the interior of India.

Is your Lordship of opinion, that any regulations can be devised of a nature altogether practical, and to prevent strangers going into the interior of India, the whole coast of India being open to them?—I have already said, that I think they may obtain admission into the interior of India, under the circumstance of the coast being open to them, and that no regulations could be established probably that would prevent it altogether; but that when they get into the interior of India, the vigilance of the police might detect them, and they might be apprehended and sent back again.

By the vigilance of the police, your Lordship means the native officers attendant upon the magistrates, whom you have spoken of as being the persons to give the information?—Not altogether, though principally so; because, if a European were to go to any place, the residence of a police magistrate, he might know it by other means than that of his own officers.

Is there any magistrate under whose cognizance he would fall, if he were to go to Poonah or Hydrabad?—When I spoke of the interior of India, I meant that part of the interior of India which is subject to the Company's jurisdiction or authority; I did not mean to allude to any places in the possession of the Mahrattas, or without the jurisdiction of the Company.

Supposing the case of a person landing on the coast of India, being desirous of going to a place where those magistrates do not reside, what difficulties would those persons encounter?—Without a better recollection of the nature of the country than I at present possess, I hardly know how to answer that question: in some cases it might be very difficult for him to penetrate to any place beyond the jurisdiction of the Company; and in some places there might be a facility for it; but I should suppose that, generally speaking, no great number of Europeans could proceed into the interior, beyond the jurisdiction of the Company, without great probability of their being detected by the way.

Does that answer allude to Bengal and its dependencies, or to India generally?—To India generally; the difficulty would be much greater in Bengal than in any other part of India.

From your Lordship's knowledge of the nature of the government in India, do you conceive, that if, by an act of the legislature, the right of every person in the British empire to go to India were recognized, it would not materially weaken the power of the government, to enforce the regulations of which your Lordship has spoken?—I think it would.

Does not your Lordship know of any ports on the peninsula of India, belonging to native powers on the coast of Malabar?—I believe there may be, but I really do not recollect; I speak from want of recollection; if I had a map before me I could answer the question satisfactorily.

Rt. Honble. Ld Teignmouth.

Does your Lordship know of any regulation of the Company, that could prevent Europeans landing at those ports?—None; unless there should be some specific treaty between the Company and the native powers, in whose possession those ports are.

Referring to the low rate of wages of labour in India, is it your Lordship's opinion that the purchase of our woollens is within the reach of the means of the great mass of the population of that country?—I should think certainly not.

Does your Lordship believe that there are any other articles of European manufacture which are within their reach, so as to give a prospect of extending considerably, in the case of a free and open trade, the export of those articles to India?—I do not recollect any.

Does your Lordship happen to know what the rate of wages is in India?—I certainly once knew, but have forgotten; I know that subsistence in India may be procured easier than in any other part of the world, and that a native of that country for 3*s.* a month, may live luxuriously; that may be some rule for estimating the rate of labour.

Your Lordship having stated 3*s.* a month to be sufficient for the subsistence of a labourer in India, does your Lordship happen to know what further sum may be necessary for his cloathing and his other necessary expenses?—I have not a sufficient recollection to say what further might be necessary for supplying him with cloathing; it could not be much, because cloth is very cheap in that country, and the quantity which a labourer wears is very little.

Does your Lordship suppose that it would require more or less than 3*s.* a month to cloath him?—I really cannot answer that question with any satisfaction to myself, or I should be happy to do it.

In reference to your Lordship's personal acquaintance with the Gentoo natives of Hindostan, what is the general standard of their moral character, in comparison with the inhabitants of Christian countries in general?—My estimate of their moral character is very low, and certainly I should say greatly below the standard of Christians in this country.

Can your Lordship specify any particular vices for which they are remarkable?—Falsehood is a very prominent part of their character; I have very often drawn their character which has appeared in the public records of the government; but I feel some difficulty to do it *viva voce* at present; my opinion of the moral character of the Hindoos is very low indeed, I think it is a compound of servility, fraud and duplicity.

Does your lordship think, that their religious faith has any direct influence upon that character?—That character may have originated, in a considerable degree, in the despotism of the ancient government, which would naturally produce servility and deception, as the only guard against extortion; I do not think that their religion is calculated to correct it.

Are there any particular crimes that are directly inculcated by their religion?—Certainly; what would be called crimes in this country; for instance, such as the burning of widows on the funeral pile of their husbands.

Is that a very common practice in India?—From my own experience, I should not think it very common, but from the information which I have obtained from other sources, and which I believe to be authentic, it is very common.

Is not the practice of infanticide very common in Hindostan?—Not, I believe, by any means general; it has been practised by some particular districts; it was practised in a particular district of the province of Benares, till it was prohibited, I believe, by an express law of the Bengal government; I think it was by a regulation of the Bengal government.

Did that interference of the government, in preventing infanticide, create any popular tumult or discontent in that country?—I said a regulation of government, but I am not certain that it was; in the first instance, I believe an application was made to the pundits or priests of the Hindoo religion, and they declared it to be contrary to their religion; and they gave an opinion, which was used by government,

as

as a means of putting an end to it; I speak with some difficulty as to an accurate recollection of the circumstances. *Rt Honble. Ld. Teignmouth.*

Is it not a practice, enjoined or encouraged by the religion of the Hindoos, to immolate themselves as a sacrifice to some of their deities or idols?—I believe it was practised at the festival of Jaggernaut, when they throw themselves under the wheels of the car in which the idol is carried, and suffer themselves to be immolated.

They prostrate themselves under the wheels of a heavy car, and are crushed to death?—Such, I understand, to have been the practice.

And that is a religious rite enjoined or encouraged by their religion?—How far it is sanctioned by their books, I cannot say; but it was considered as a religious rite and meritorious sacrifice, by the Hindoos themselves; there are many practices which, I believe, are not sanctioned by their books of religion.

Do their brahmins or priests sanction it, by their precepts or their presence?—I should suppose (though I never was present at an exhibition of the kind, and I only speak from what I have heard) their brahmins or their priests did certainly sanction and approve it.

Are there not other modes of suicide or murder, as by throwing themselves into the Ganges, that are in common practice among them?—I believe there are; but I do not speak from my own knowledge on the subject, but what I have collected from others.

Are not some of their religious festivals celebrated by rites of unnatural obscenity?—I never was witness to any such myself. I have known very indecent pictures in their temples, but I never was present at any indecent rites, nor can I speak to them with any certainty.

The question relates for your Lordship's information and belief upon the subject, during your residence in India?—I have heard so; but I cannot speak to my own knowledge, in that part of India where I have been.

Is not the Brahminical law, a rule of very great oppression upon the other casts in India?—The laws of the Hindoos are certainly peculiarly favourable to the Brahmins who are their priests; they have exemptions and immunities, which the other casts have not; but I do not know that the Brahminical law operates as oppressive upon the other Hindoos, further than in the mode I have mentioned, if that can be called oppression.

Is the murder of an individual of another cast by a Brahmin, or the murder of a Brahmin by an individual of another cast punished in the same way, or what are the distinctions between them?—They are certainly not punished in the same way; for, I believe, by the Hindoo law, a Brahmin cannot be put to death; he may suffer punishment that shall be worse than death, but he cannot be put to death. If a person kills a Brahmin, he is guilty of a crime which is inexpiable; and is, moreover, liable to all the temporal punishments of the law.

Does your Lordship speak there of malicious killing or murder, or killing a Brahmin under any circumstances?—I certainly meant to consider it as murder; as killing with an intent to kill: how far the accidental killing of a Brahmin might be expiable, I really do not know.

Is there not such a prejudice upon that subject, that a Brahmin will sometimes threaten to put himself to death, in consequence of a quarrel with an individual of an inferior cast, so as to bring upon that individual the guilt of an inexpiable crime?—Instances certainly have occurred of that, in which Brahmins have used that threat as a means of extortion, or to gain a particular point; that is, they have threatened to kill themselves, unless the point which they meant to gain, should be conceded to them.

In your Lordship's judgment, is not the distinction of casts, enforced by the religion of the Hindoos, an insuperable obstacle to their advancement in civilization, and in moral character?—I do not know whether it is an insuperable impediment; but it certainly is a very great impediment to the improvement of the moral character.

Rt. Honble. Ld. Teignmouth.

What is the condition of the female sex among the Gentoos, as affected by their religion and prejudices?—They are so concealed, that we really know little or nothing of them; nor is it usual to talk with the Gentoos about their female sex: I believe that their state in general is merely that of slaves to their husbands.

In your Lordship's judgment, would the introduction of Christianity among the Gentoos tend materially to the improvement of their civil condition?—I think it would tend to the improvement of their civil condition.

During your Lordship's acquaintance with India, were any efforts made by the East India Company, for the propagation of Christianity in Hindostan?—None that I recollect.

Were the missionaries, of whom your Lordship spoke, sent out and maintained by the Company, or by the charity of individuals?—When I was in India I did not know them; for the greatest part of the last year that I was in India, I was absent from Calcutta; they certainly were not sent out by the Company, but must have been sent out by individuals.

In your Lordship's judgment, would the discreet and well-regulated efforts of missionaries, as they have generally conducted themselves hitherto in India, be dangerous to the peace or security of the British dominions in that country?—I think not.

Does it fall within your Lordship's knowledge or information, that other Christian countries, possessing dominions in India, have been more or less active than Great Britain, in the attempt to propagate Christianity in that country?—From what I have read, I should suppose much more so.

Did not the Danish government, while it possessed settlements in India, use some efforts for that purpose?—I believe it did; but those efforts were materially assisted by the Society for promoting Christian knowledge in this country.

Did your Lordship ever hear of any inconveniencies or evils that followed the efforts of the Danish government to teach Christianity in India?—I never did.

Are there not at present in India, considerable numbers of Christians, natives of the country?—I believe a great many in the southern parts of the peninsula, particularly the Syrian Christians.

Are there not considerable bodies of Christians in the island of Ceylon, who have been converted under the dominion of the Dutch?—I believe there are.

Has your Lordship ever heard of any political evils that attended the efforts of the Dutch in that line?—I have not: but, at the same time, I am totally unacquainted with the Dutch proceedings.

Are there not considerable bodies of Christians, who were converted to Christianity under the dominion of the Portuguese, while they had territories in India?—They certainly made great numbers of converts; and, I believe, there are many of their descendants now remaining to this day.

Was any opposition made by the native powers; or did any convulsions follow in those parts of India, in consequence of the introduction of Christianity by the Portuguese?—I know very little of the history of the introduction of Christianity by the Portuguese. When I say I did not hear of any convulsions, allowance must be made for my ignorance of the history.

Having given it as your Lordship's opinion, that the gradual introduction of Christianity among the Hindoos would tend to improve their civil and moral condition, is your Lordship of opinion, that the improvement of their civil and moral condition, would tend to encrease their consumption of the various manufactures of their own or of any other country?—I do not know that it would, in any considerable degree.

Would it have a tendency to that effect?—I do not think it would have a tendency.

Can your Lordship give the Committee any information, respecting the general character of the Danish mission in India?—There were two of the missionaries, Swartz and Gericke, who were men that possessed the esteem of the natives in the greatest degree; and with respect to the general character of the Danish mission, the impression upon my mind is highly favourable to it.

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Does your Lordship know, whether either of those missionaries was able, at any time, from the influence which he possessed with the natives, to render any material services to the British government?—Swartz I believe was, in a very considerable degree. *Rt Honble Ld Teignmouth.*

What is the comparative moral character of the Hindoo natives of India, and the converted natives?—I have had no opportunities of making the comparison.

Does your Lordship confine the description you have given of the character of the Hindoos, to the Hindoos of Calcutta, or generally?—To the Hindoos as generally known to me on that side of India, not merely Calcutta.

Is the Committee to understand, that the Hindoo women are kept in confinement, shut up?—I believe perfectly so; in a perfect state of seclusion.

Does your Lordship conceive that the translation of the Scriptures into the native languages of India, would be attended with any dangerous consequences?—None at all in my opinion.

Your Lordship was understood to say, that the government in the East Indies had never lent itself directly to the encouragement of Christianity among the Hindoos; from your own knowledge, or any information you have had the means of acquiring there, was the government in India ever known to give any discouragement, or to show any aversion to any fair, reasonable and discreet attempts, on the part of judicious persons, to introduce Christianity?—I do not recollect that I said the government had never lent themselves to the encouragement of the introduction of christianity in India; because when I was in India there were no missionaries, nor any attempts made in India, that I know any thing of. The missionaries who arrived at that time employed themselves principally in learning the languages; which it was necessary for them to know, before they could talk to the natives, or attempt to convert them.

Have the government ever shown any discouragement to a fair and judicious attempt on the part of discreet persons to introduce Christianity?—When I was in India, the question never occurred, for them to show either encouragement or discouragement; I have never heard, since I left India, that they have shown any discouragement.

From your acquaintance with the native character, if they were to entertain the apprehension, that the government of India were secretly favourable to the propagation of Christianity among them, what effect, in your Lordship's mind, would it produce upon them?—I do not think it would produce any material effect upon the natives of India, as long as they were convinced that no forcible attempts would be made to convert them.

Would not the appearance of bishops, or of an ecclesiastical hierarchy among them, tend to encourage that apprehension among the natives, that force would ultimately be used to establish Christianity amongst them?—It does not occur to me that any such idea could possibly arise from the appearance of a bishop in that country.

Have there not been, for a considerable number of years, bishops of the Roman Catholic persuasion in different parts of India?—Not in the part of India in which I have resided; on the Malabar coast there have.

Does your Lordship know of any discontents having been occasioned by a jealousy of those bishops or ecclesiastics?—I certainly do not; but, at the same time, I have to say that I have heard very little about them at all.

Was the missionary Swartz in India at the time when your Lordship was there?—He was; but not in the same part of India.

Does your Lordship know whether Mr. Swartz went into various parts of India, professing to teach the people about Christianity among whom he went?—In the part of India in which he resided, which was the southern part of the peninsula, he certainly did profess, as I have understood, to teach the people Christianity; and I believe since his death, the Rajah of Tanjore has granted a spot of ground for building a church within his dominions, for the use of native Christians, out of respect to the memory of Swartz.

Rt Honble. Ld. Teignmouth.

Does your Lordship know that any dissatisfaction was expressed by any number of people in India amongst whom Mr. Swartz lived, or to whom he attempted to teach Christianity?—I never heard of any dissatisfaction of any kind, expressed at the conduct of Mr. Swartz.

Does not your Lordship know that the missionary Swartz was highly esteemed by the Rajah of Tanjore?—I have always heard so, and believe it.

Does not your Lordship know that he was in the greatest credit with the natives of Tanjore?—I have always understood so.

Not merely credit as a respectable character; but does your Lordship know whether, at a period when the English had lost their credit with the natives of that country, the natives did not enter into contracts with the missionary Swartz; and whether they did not take his word for the fulfilment of those contracts, when they would not take the word of any other person?—The circumstance, as it has been represented to me, has this difference, that they took the word of Swartz when they would not take the engagement of their own Rajah. Before I withdraw, I beg leave to state, that many questions have been proposed to me, upon which, if they had been given me beforehand, I should have taken two or three days to consider of them, before I returned my answers. I have given the best answers which occurred to me at the instant; and I trust the nature of the questions will be my apology for any mistakes I may have made in my answers.

[His Lordship withdrew.

The Chairman was directed to report Progress, and ask leave to sit again.

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Martis, 30° die Martij 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Warren Hastings, Esq. - - p. 11.
The Right Honourable Lord Teignmouth - - - - p. 9.

Ordered, by The House of Commons, to be printed,
31 *March* 1813.

House of Commons.

MINUTES of EVIDENCE

TAKEN BEFORE THE COMMITTEE OF THE WHOLE HOUSE

To whom it is referred, to consider of the Affairs of The *East India* Company;—and to whom the several PETITIONS, which have been presented in this Session of Parliament, relating to the Trade and Shipping of The *East India* Company, and the Renewal of their Charter, were referred;—and also, the PETITION of The *East India* Company, praying to be heard by Counsel before the said Committee.

Mercurij, 31° *die Martij* 1813.

STEPHEN RUMBOLD LUSHINGTON, Esq. in The Chair.

WILLIAM COWPER, Esquire,
Was called in, and Examined as follows:

William Cowper, Esq

Mr. Adam.] HOW long were you in the service of the East India Company, in India?—Upwards of thirty years.

In what settlement?—Bengal.

How long have you retired from the East India Company's service?—Upwards of twelve years.

When you resided in Bengal, was your residence in the provinces only, or in Calcutta, and likewise in the provinces?—In Calcutta, and in the provinces.

In what provinces?—Bengal, Orissa, and Oude.

Were you at any time in the revenue board?—I was president of the board of revenue for nearly five years.

Were you afterwards in council?—During ten years I was in council.

From your knowledge and experience of those provinces and settlements of the East India Company, in which you resided, can you speak to the probable effect of an unrestrained intercourse of Europeans in those settlements?—I should apprehend that such an unrestrained intercourse would endanger the peace of the country. It certainly would create the greatest embarrassments to the local governments, and to the authorities under them.

Do you conceive that such an unrestrained intercourse would affect the happiness of the native Indians; and, if so, in what manner do you think it would affect them?

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them?—Undoubtedly it would subject them to every kind of persecution on the part of the new adventurers.

Do you mean, that oppression to the natives by the new adventurers, would be the likely effect of the unrestrained intercourse of Europeans?—It certainly would. Perhaps I ought to mention, that I understand by the word unrestrained, that they should be subject to no particular regulations, and only liable in case of any actual offence against the law, to the punishment which the law might ordain; that they would of course have the liberty of going into the interior, and conducting themselves there at their own discretion, until such time as they might commit any act of oppression, when, of course, they would be rendered subject to the authorities in Calcutta.

Are offences, by Europeans against the native Indians, triable any where but at the supreme court in Calcutta?—It was with reference to my understanding that they are not triable except at Calcutta, that my answer to the last question was formed: Such was the regulation when I quitted India, that Europeans committing offences in the interior, could be tried for those offences only at Calcutta.

Do you understand that the distinction with respect to jurisdiction over Europeans or natives of Great Britain and Ireland in India is, as to civil matters, open to the provincial courts, but as to criminal matters, only to the supreme court at Calcutta?—I really cannot answer that question precisely: Certainly in respect to criminal matters, such offences in Europeans were cognizable only by the supreme court at Calcutta; but I cannot charge my memory at this distance of time, whether civil suits were triable by the provincial courts.

Can you state from your local knowledge, the distance from the extreme part of the English possessions dependent upon the Bengal government, from Calcutta; how far is it from Calcutta to the province of Oude, for instance?—About 700 miles, I believe.

How far is it from Calcutta to Delhi?—Eight or nine hundred, probably; but I cannot speak accurately at this distance of time.

Do the possessions of the Company, dependent upon the Bengal government, extend to Delhi and Oude?—I believe they do; I have heard so; they did not when I was in India.

Can you state the number of miles across, from side to side, of the possessions of the Company, under the Bengal government, west and east of Calcutta?—I really cannot, because I do not know where the western boundary now terminates; I should imagine it cannot be in any part of its breadth more than 500 miles.

Can you state the probable effect of Europeans being frequently subjected to punishment, upon the European authority in India?—The obvious consequence of such frequent punishments, would be to degrade the European character in the eyes of the natives of Bengal: I understand the question to refer to the punishment of Europeans residing in the interior.

If there was a large resort of Europeans to the interior of India, do you conceive that in case of their misconduct becoming general, it would be easy to remove them, or to regulate them?—I should think it extremely difficult to regulate them, if not impossible, in the circumstances stated by the question; it would be easier to remove them than to regulate them, most undoubtedly.

Have you had any opportunity of judging, from the situations you held in India, of the probable consumption of European commodities there by the natives, in case of a free trade?—I should imagine that the consumption of European commodities by the natives would always be very trifling; the poverty of the infinitely greater part of the population, renders it impossible that they should indulge themselves by the purchase of such commodities; and, even if they had the means, it is my opinion that their habits, their prejudices, and their customs, would all operate to prevent their consuming any quantity of such commodities.

Had you an opportunity, during your residence in India, of knowing the general price of labour in the provinces in which you resided?—Generally speaking, it was extremely low in all, but it varied of course, depending on local circumstances; for instance, in the province of Chittagong, which is the eastern dependence of the Bengal

Bengal empire, a labourer certainly, twenty-five years ago, thought himself extremely well paid, if his labour procured him to the amount of three shillings a month: At Calcutta, the same description of person would have earned five shillings or six shillings, perhaps; of course the wages of labour must depend a good deal upon the nature of the profession exercised: If the question means to advert to the husbandmen in the provinces in Bengal, the sums mentioned I should imagine pretty correct. *William Cowper, Esq*

Do their habits of living, provided their manners and customs would permit, admit of any saving sufficient to enable them to become purchasers of European commodities?—I should think, certainly not.

Is the Committee to understand from you, that the great bulk of Indian population never can become purchasers of European commodities?—I think so.

Are you enabled to state, from the knowledge you had of India when you resided there, whether the natives, residing in towns where there were European settlements, assimilated themselves at all to the manners of the Europeans?—With the exception of Calcutta, perhaps, and one or two other of the larger cities, certainly not; and even in those, more I should apprehend from a desire to please the European gentlemen than from any real predilection for their manners.

Can you state whether in Calcutta, and in those places to which you refer, such an assimilation has been general, or confined to a few persons?—Confined to a very small proportion of the inhabitants.

Have those Indians been persons of rank and wealth?—They have been of that description of persons.

Can you state in what particulars those Indians have conformed to the manners or fashions of Europeans?—Principally, I believe, in the furniture of their houses.

Have they conformed to European manners, in their dress, their table, or any other article of their living, besides the furniture of their houses?—Not to my knowledge, except in a very few instances, where the superior class may occasionally have made a practice of receiving and entertaining the gentlemen of the settlement.

Have those persons been Hindoos or Mahometans?—Both the one and the other; but in Calcutta I mean to speak principally of the Hindoos.

The instances of furniture being very few, and the instances of conformity to European manners being very rare, is it likely that if there was a general open trade to that part of the world, there would be, from those causes, any considerable demand for European manufactures?—I should think not.

Had you any opportunity of observing in what manner the wealthy natives, Indians, applied their superfluous wealth?—Certainly not in the purchase of European articles; of course they employed their superfluous wealth in the same manner as the higher ranks of people in other countries, on their pleasures, their state and ostentation; often vast sums are squandered by them in the obsequies of their relations; on the death of a mother particularly, a man has been known to consume his whole patrimony, though in every other respect sordid, and a miser.

Have you, from your knowledge of India at the time you resided there, the means of being able to state, what the probable political effects of an open trade and free intercourse, in point of commerce between Great Britain and India, would be?—The political effects arising from such an influx as the question supposes, would ultimately, I conceive, be dangerous to our dominion there.

In what manner would it endanger our dominion there?—I apprehend that the introduction of such multitudes of Europeans into the interior, would be productive of everlasting quarrels and dissensions between the new adventurers and the natives, which in the end might goad and exasperate the latter into resistance against their oppressors.

Would that intercourse of Europeans to the ports to which the trade would be carried, without their penetrating to the interior of the country, be attended with proportionable evil?—I should think very great embarrassments might arise to the local governments in India from such an intercourse with such ports, as it would tend to involve those local governments in disputes with the native powers. I

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suppose the question to relate to the intercourse between Bengal and the eastern peninsula.

The question relates to the intercourse between Great Britain and the coasts of India, the Malabar and Coromandel coasts?—Does the question intend our own possession on those coasts, or refer to an influx of Europeans into that part of the coast which may yet belong to the native powers.

Both to our own possessions and to others?—I should apprehend that it would have the same tendency with respect to those in possession of native powers, that of embroiling the local governments in India with those powers; nothing can be more jealous than those powers are in their intercourse with us.

Is the conduct of Europeans, without any intention of offence towards the natives, likely, from the great difference of their manners and habits, to be offensive to the native Indians?—Certainly they might become offensive, from the ignorance of the European; in his intercourse with the natives, he might give offence ignorantly in a thousand ways.

Have you had any occasion to consider how far it would be possible, by regulations, to prevent the evil consequences which would be the result of that influx of Europeans that is apprehended?—I think it would be extremely difficult to form any regulations that would be efficient to this purpose; I do not mean to say that it is absolutely impossible to frame such.

Do any regulations occur to you, that could tend towards producing this end?—Certainly not; standing at this bar, it would be impossible for me to state any such regulations.

Do you conceive that the present existing regulations would at all answer the purpose?—Such an immense change may have taken place, since I left India, in those regulations, it is impossible for me to say how far they are or are not applicable: the honourable Committee will recollect that I have stated to them, it is now nearly thirteen years since I left that country.

Are you acquainted, or were you acquainted at the time you were in India, with the extent, in number of miles, of the police districts in the provinces with which you were connected?—The extent varied in every separate district; I speak only from memory; I do not exactly understand what is intended by the question.

The district referred to is a district under a magistrate, supported by a police establishment?—I really cannot at this distance of time state the extent; I believe it was regulated by some fixed standard of twenty, thirty, or forty miles; but it is impossible for me at this distance of time to state any thing accurately on this subject.

Were the police establishments in general calculated, in point of strength and force, to keep in order such a state of population as might arise from the apprehended influx of Europeans?—I should think not at that time, I know not to what extent they may have been augmented since I left Bengal.

Did not that police force consist of native troops?—It consisted at different times of different descriptions of police officers; the system, while I was in Bengal, had been often changed; of course it was rendered as efficient as the means of the government would permit.

Did it not consist of an irregular native undisciplined force?—I have already said there were various modes in which the police was constituted at various times; I believe at one time it consisted in the description of persons mentioned in the question; it did so at the time I left Bengal, as well as I recollect.

(Examined by the Committee.)

Would the habits, prejudices, and customs of the individual Hindoos, which you consider the great obstacle to their becoming great consumers of European commodities, be materially changed by the conversion of those individuals to the Christian religion?—I really cannot give any opinion; I can form no judgment whatever, what might be the effect of such conversion.

What

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What is your opinion with respect to the moral character of the Hindoos?—I think it is at least upon the level with the character of other nations I have been acquainted with.

What, in your opinion, would be the political effect of the proposed Church establishment for India?—I suppose the question refers to the introduction of a bishop and archdeacons: Had that question been put to me two days ago, I should probably have answered it by saying, that provided the utmost care was observed in the selection of a proper person for that situation, and that it was expressly understood that the appointment was intended to support the dignity of our own Church, and there was no intention to interfere in any form with the religion of the natives, I could see none, or very little objection to it; but some publications which I have seen in the public papers of to-day and yesterday, have altered my opinion upon that subject entirely; I am now very apprehensive that such an appointment might be liable to great misconstruction, as it is highly probably the natives of that country would couple such an appointment with the sentiments and resolutions expressed in the papers to which I allude. If the Committee will give me leave, I will state the particulars to which I refer: In the Morning Post of this day, I find the following advertisement or notification: "At a very numerous meeting of persons friendly to the "religious instruction, moral improvement, and civilization of the inhabitants of our "Indian empire, held at the City of London Tavern, on Monday the 29th instant, "the Right honourable Lord Gambier in the Chair," I find the following Resolution: "That there are more than fifty millions of inhabitants subject to the British "empire in India, under the influence of inhuman and degrading superstitions, which "form an effectual bar to their progress in civilization." I take it for granted that in a very short space of time this advertisement, with comments upon it, will find its way into every province under our authority; should this happen, it is easy to foresee what must be the effect of it. I am decidedly of opinion that the first Resolution I have now read to the Committee, would have the effect of exciting a general ferment among the Hindoos; and I am very apprehensive they would couple the sentiments expressed in this Resolution, with the appointment of the new ecclesiastical establishment, and they would infer that the former was intended in aid of the latter.

What is your opinion of the probable success of any attempt that may be made by this country for the conversion of the Hindoos, whether by missionaries, or any other means?—Supposing that such missionaries came into the country as they have hitherto done, without any authority or support from government, I am of opinion that they would make no converts, and do no mischief; but, on the other hand, if they were sent to India under the authority of the government here, professedly to assist in converting the natives to Christianity, I have no doubt that the utmost danger to our dominion there would be the consequence.

In your opinion, would they be likely to make any progress to that conversion?—Very little, I should apprehend; and I believe that any such attempt, or the least idea of any attempt, under authority, to convert the natives, would be followed by our expulsion from Bengal, and from all our possessions in India.

What reason have you to suppose that the advertisement, to which you have just referred, will be circulated throughout India?—Of course hundreds of these newspapers will go out with the first ship that sails; and as there are many natives who were very conversant in the English language, even before I left the country, I should apprehend now that numbers of them converse in that language, and read it as well as ourselves; of course nothing more alarming to the whole class of Hindoos could possibly occur, than the contents of the advertisement to which I am speaking. Very many of the persons I have already described are Brahmins.

As you have been long resident in India, and must know very well that there have been many Christian missionaries in that country, have you been in the habit of paying attention to their proceedings at all during your residence there?—When I was in India, the missionaries were very few indeed; I recollect only one in the vicinity of Calcutta. I believe there were others at the Danish settlement; I can mention one by name, with whom I had no personal acquaintance, a Mr. Kiernander.

Do you know that any evil consequences have ever originated from any proceedings of missionaries in India?—Certainly not; nor would any ever arise, in my

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opinion, provided, as I have already stated, the influence of government was not employed in aid of them, or to countenance them in their objects of converting the natives.

Do you know that any converts have been made in India to the Christian religion?—I do not, I could not state a single instance.

You have not been in the habit of applying your attention at all to that subject?—I have not particularly applied my attention to it, but I think I must have heard if there had been any number of the natives so converted.

Do you not know that there are upwards of 200,000 Christians in India?—I do not know that fact, I have heard of it in publications that have come out since my return to England, and I have read of such conversions in former French publications, but I cannot vouch for their authenticity in any particular case.

Did you ever hear of that circumstance, when you were yourself in India?—When I said I had heard of it in publications since I returned from India, I allude to the publication of Dr. Buchanan; I have not read that work myself, but I understand it is so stated in that book, that there are that number, or a great number of Christians; I had before, during my residence in India, read a French publication, entitled, Lettres Edifiantes, and in them there is certainly a long account of converts made in the Tanjore country, and I believe on the island of Ceylon; but I speak from memory only, at the distance of at least five and twenty years.

Do you understand that the advertisement to which you have referred, proposes or implies any thing in the nature of compulsion, either on the part of government, or on the part of individuals, in proposing the Christian religion to the natives of India?—I think certainly it would be so construed, not on the part of government, but on the part of individuals.

Will you state what individuals you allude to?—The persons who formed those resolutions.

Do you then understand, that the persons in this country forming these resolutions, could have any compulsory power in India?—I do not say that they would; but I say, the construction which the natives would put upon this advertisement, backed as it would be by the great alteration about to take place in the ecclesiastical establishment, might be construed by the natives into a design on the part of government to interfere relatively to their religion, and to give their support to the suggestions of this paper, wherein it is stated, that such and such measures would be highly expedient. I wish to read the paper.

[It was read, as follows:]

"At a very numerous meeting of persons friendly to the religious instruction, moral improvement, and civilization of the inhabitants of our Indian empire, held at the City of London Tavern on Monday the 29th instant,—The Right Hon. Lord Gambier in the Chair;—The following resolutions were unanimously adopted.

"1st. That there are more than 50 millions of inhabitants subject to the British empire in India, under the influence of inhuman and degrading superstitions, which form an effectual bar to their progress in civilization.

"2d. That it appears to this meeting, that the only remedy which can be successfully applied to this enormous evil, is to diffuse through this portion of our fellow-subjects the blessings of Christian knowledge, and of moral, social, and domestic improvement.

"3d. That this meeting does therefore most cordially concur in the Resolutions expressed by the honourable House of Commons in the year 1793:—("That it is the peculiar and bounden duty of the Legislature to promote, by all just and prudent means, the interest and happiness of the inhabitants of the British dominions in India; and that for these ends, such measures ought to be adopted as may gradually tend to their advancement in useful knowledge, and to their religious and moral improvement.")

"4th.

" 4th. That this meeting, coinciding as it does in these just and humane sentiments, persuaded as well of the political wisdom, as of the religious duty of giving them effect, and lamenting that so little should have been hitherto done to that end, feels it to be a sacred obligation to exert itself to the utmost of its power, in order to procure such provisions in the new Charter to be granted to the East India Company, as may afford an opening for the gradual communication, by safe and prudent means, of our superior religious light and social improvements, and more especially such as shall afford sufficient opportunities to those benevolent persons who shall be desirous of going to India for these purposes; and also such provisions as shall prevent the obstruction of their endeavours for promoting their object in that country, so long as they shall conduct themselves in a peaceable and orderly manner. *William Cowper, Esq.*

" 5th. That although this meeting has reason to hope that His Majesty's government is favourably disposed to the principles asserted in the preceding Resolutions, yet, as the terms of the renewal of the East India Company's Charter are now the subject of discussion in Parliament, and all the conflicting interests and opinions involved in those discussions are supported by petitions from all parts of the kingdom, it is the sense of this meeting, that petitions to both Houses of Parliament, from persons anxious to obtain, and willing to promote the religious, moral, and civil improvement of the inhabitants of India, will be seasonable and proper.

" 6th. That a petition to Parliament, founded on the Resolutions which have been passed, be adopted by this meeting, and that it be left for signature at the bar of this house; and also at the bars of the Crown and Anchor, the Free Masons Tavern, and the St. Alban's Tavern.

" 7th. That the following gentlemen be a committee, with power to add to their number, for carrying into execution the objects of this meeting; and that the committee be open to all members of both Houses of Parliament who are friendly to those objects, and to all clergymen, and other ministers.

" Wm Alers, esq.	Samuel Mills, esq.
" Thomas Allan, esq.	John Miller, esq.
" William Allen, esq.	J. O. Oldham, esq.
" Tho G. Babington, esq.	Thomas Pellatt, esq.
" Joseph Bunnell, esq.	Joseph Reyner, esq.
" William Burls, esq.	William Samles, esq.
" David Cook, esq.	H. P. Sperling, esq.
" Tho. F. Forster, esq.	Richard Staniforth, esq.
" J. W. Freshfield, esq.	Robert Steven, esq.
" Joseph Gutteridge, esq.	John Thornton, esq.
" L. Hoslope, esq.	E. N. Thornton, esq.
" W. H. Hoare, esq.	W. B. Trevylion, esq.
" Z. Macauley, esq.	John Weyland, jun. esq.
" Robert Marsden, esq.	Samuel Woods, esq.

" 8th. That the Right honourable Lord Gambier be requested to present the said petition to the House of Lords; and Sir Thomas Baring, bart. M. P. that to the House of Commons.

" 9th. That the committee be authorized to advertise, at their discretion, the proceedings of this meeting; and to adopt such other means of giving effect to its objects, as to them shall seem expedient.

" 10th. That a subscription be now entered into, in order to defray the expense of carrying into effect the objects of this meeting.

" 11th. That the cordial thanks of this meeting be given to the Right honourable Lord Gambier, for his able conduct in the chair."

" The following is a copy of the petition, which the meeting resolved to adopt:—

" That your petitioners are deeply impressed with the moral degradation of the immense population of the British dominions in India, and

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" lament that so little has hitherto been done to remove it, although the " honourable the House of Commons was pleased, in the year 1793, to " resolve,—(" That it is the peculiar and bounden duty of the British " Legislature to promote, by all just and prudent means, the interests " and happiness of the inhabitants of the British dominions in India; " and that, for these ends, such measures ought to be adopted, as may " gradually tend to their advancement in useful knowledge, and to their " religious and moral improvement.")

" That your petitioners most cordially concur in the just and humane sentiments " contained in the above Resolutions.

" Your petitioners, therefore, implore your Lordships, that such " provisions may be inserted in the new charter to be granted to " the East India Company, as shall afford sufficient facilities to " those benevolent persons, who shall be desirous of going to " India for the purpose of communicating to its population the " blessings of useful knowledge, and moral and religious improve- " ment; and also such provisions as shall prevent the obstruction " of their endeavours for promoting their object in that country, " so long as they shall conduct themselves in a peaceable and " orderly manner.

" And your petitioners shall ever pray, &c. &c. &c.

" Subscriptions are received by the members of the Committee; by " Messrs. Down & Co. Bartholomew Lane; Messrs. Hoare, Fleet-street; " Messrs. Ransom & Co. Pall Mall; Mr. Hatchard, Piccadilly; and " Messrs. Z. Macaulay & Babington, 26, Birchin Lane."

Mr. COWPER.—This Paper, I apprehend, may be open to great misconstruction, and will have the effect I have already stated, of alarming the natives into an idea that an intention is entertained in this country to interfere with their religious tenets; in short, to make proselytes and converts; and that, supposing it to come from any authority, will have, in my opinion, the most dangerous consequences.

Does not this paper, upon the face of it, propose to refer the opinions of the persons there met, to Parliament, for their decision; proposing only to them, what in their wisdom shall seem fit upon the subject?—It certainly does.

Can a paper of this import, going only to the proposition of the subject to Parliament, supposing it were to circulate in India, be supposed to be the act of any set of beings on the face of the earth, but only a proposition?—Undoubtedly such a proposition would, in my opinion, tend to create the greatest possible alarm among the native Hindoos.

Before the opinion of Parliament could be passed upon it?—Certainly; ignorant as they are, they might suppose it to come from authority, or at all events that something was in agitation which went to interfere with their religion.

Does not this very paper quote a Resolution of this honourable House in the year 1793, twenty years ago, purporting the very same object which this meeting proposed; and do you know of any agitation created in India by that Resolution of the House of Commons itself?—It remained a dead letter, at least as long as I was in India; I know of no measures, having the least tendency to interfere in any form with the religion of the natives, having been taken in consequence of that Resolution in the year 1793: had any measures been taken which could have induced the smallest suspicion on the part of the natives, that any interference whatever with their religious tenets was intended in consequence of this Resolution, I am satisfied that the most dangerous effects would have been produced by it.

Then the Committee is to understand you to say, that this Resolution of the House of Commons in 1793, not having been followed up by any active measures, it did not produce any effect in India?—It did not; it was, I apprehend, absolutely unknown that any such clause or resolution ever had been taken.

The act of the House of Commons itself, not having been followed up with any positive measures in India, having produced no effect, how do you apprehend that

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an act of such individuals meeting in the city of London, proposing only to address the House of Commons, should produce any violent agitations in India?—Because I believe events have taken place in the interval, between the passing of the first Resolution, the Resolution of 1793, calculated to alarm the Hindoo population of India, and to create in their minds suspicions that there is an intention to interfere with respect to their religious rites. *William Cowper, Esq.*

What are those events?—I principally allude to the events that took place at the mutiny of the troops at Vellore.

How do you understand that that has any connection with the propagation of Christianity?—I do not mean to put any such construction upon those events; but I understand (I may have been misinformed) that that mutiny originated in some offence given to the Hindoo troops with respect to the marks of their casts.

[The Witness was directed to withdraw.

(The further examination of Mr. Cowper was postponed.

The Right Honourable Lord TEIGNMOUTH,

Attending, was called in, at his own request, and a Chair placed for him within the Bar.

LORD TEIGNMOUTH.—I would beg leave, with the permission of the House, to explain an inaccuracy in my testimony yesterday. I will first read the Question that was proposed to me, and the Answer which I gave; and then the Answer which I would propose to substitute for it. The Question proposed to me was, "Has "not your Lordship heard that one of the chief causes of the mutiny at Vellore, "in which a British regiment was massacred, was an opinion of that kind, that is, "of an intention to force the Christian religion upon the natives?" the answer which I gave was, "I certainly did see it asserted in print in this country; but "I took some pains to clear up that point, and cleared it up completely "to my own satisfaction, that the assertion was totally without foundation. "I would beg leave to mention, that my opinion upon the subject is in print, "in a pamphlet that does not bear my name, but was very well known to be written "by myself, entitled, 'Considerations on the Practicability, Policy, and Obligation "'of communicating the Knowledge of Christianity to the Natives of India. "I refer to that pamphlet, as containing an answer to the question put to me." The explanation I would wish to give upon the point is this: "That I did hear that an intention, imputed to the English government, of forcing Christianity upon the native troops, was the cause of the mutiny at Vellore; that it had been so explained by some designing persons to the troops; and that, being at the same time coupled with a public order, from which it derived weight and plausibility, it had had an effect in producing that mutiny. I can explain to the Committee, if they will allow me, the cause of the mistake; my recollection was carried back to that pamphlet, to which I referred, in which I had endeavoured to refute an opinion, that the great increase of missionaries on the coast of Coromandel, with the publication of the Scriptures and other tracts, have been a concurrent cause in producing the mutiny at Vellore; but my recollection not being clear on the subject, I transferred the refutation to the other part of the argument, instead of confining it to that which I have now stated." *Rt. Honble. Ld Teignmouth.*

Does your Lordship think it would be advisable to allow persons to take upon them the character of preachers and teachers of Christianity in India, without some previous examination as to their fitness for the undertaking, in respect to religious knowledge and discretion?—I think they should not be allowed, without testimonies to their fitness for the business.

Will your Lordship have the goodness to state from what quarter those testimonies should be granted, as to that fitness in religious knowledge and discretion?—That is a question I am not prepared to answer.

Does your Lordship think that any qualification could justify sending preachers to preach the Christian religion in that country; that it could be done with safety to the

Rt. Honble. Ld. Teignmouth.

government of the country?—Certainly I do; I think upon that subject I may appeal to experience; there have been missionaries now in Bengal, from this country, 17 years; they have circulated among the natives various copies of the Scriptures in the dialects of India, with many other pamphlets; and I have not heard that any thing that they have done has been the cause of alarm among the natives in India.

[His Lordship withdrew.

The Chairman was directed to report Progress, and ask leave to sit again.

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Mercurij, 31° die Martij 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

William Cowper, Esq. - - - - p. 21.
The Right Honourable Lord Teignmouth - - - - - p. 29.

Ordered, by The House of Commons, *to be printed,*
31 *March* 1813.

House of Commons,

MINUTES of EVIDENCE

TAKEN BEFORE THE COMMITTEE OF THE WHOLE HOUSE,

To whom it is referred, to consider of the Affairs of The *East India* Company;—and to whom the several PETITIONS, which have been presented in this Session of Parliament, relating to the Trade and Shipping of The *East India* Company, and the Renewal of their Charter, were referred;—and also, the PETITION of The *East India* Company, praying to be heard by Counsel before the said Committee.

Jovis, 1° *die Aprilis* 1813.

STEPHEN RUMBOLD LUSHINGTON, Esq. in The Chair.

WILLIAM COWPER, Esquire,

Was again called in.

William Cowper, Esq.

MR. COWPER.—I am extremely apprehensive, lest, in discussing the subject of those Resolutions which I had occasion to cite yesterday, any expressions that may have escaped me, may by possible construction be interpreted into an intention to impeach the motives of the gentlemen who framed those resolutions; on the contrary, I am satisfied that one and all of the most respectable gentlemen whose names were signed to that paper, were actuated by the purest spirit of benevolence, and that they were under the strongest conviction that the greatest blessings would result from their exertions.

[The last Question and Answer, in the Minutes of yesterday, were read over to the Witness.]

MR. COWPER.—I particularly alluded to the mutiny, among the native troops at Vellore, originating as was very generally believed in some orders or military regulations forbidding the sepoys when under arms or on duty to make use of their distinctive marks of cast: This mutiny, as well as the cause assigned for it, whether true or false, must have been public in the Carnatic, over the Coromandel coast, in Bengal, and indeed throughout India; in point of time, this deplorable event is too recent to allow a hope that it can have been forgotten, or the impression obliterated which it was calculated to produce among all ranks of the Hindoo persuasion.

YOU entertain the apprehension rather from what passed in the Carnatic and in Vellore, than from any thing you have yourself seen or experienced in Bengal, where

William Cowper, Esq.

your residence was?—Certainly; it is only the event that I have mentioned, that I am apprehensive would operate in the way I have had the honour to state last night. From all my own experience of the natives of that country, I am persuaded that nothing is so likely to produce even the expulsion of the English from India, as any interference with their religious tenets: I could cite instances of persons, whenever the subject of religion has come into question, losing all that respect and deference which at all other times marks their demeanour with respect to their superiors in India.

Would it be agreeable to you to specify one or two of those instances?—I will: It happened to myself to be conversing with a Mussulman native, who held a high situation in the Nizamuter Adawlut; in the course of conversation, some unguarded expressions unfortunately escaped me, which he misinterpreted into some disrespect to his prophet; instantly his eyes glared, his countenance altered in the most extraordinary manner, and he looked at me with an aspect so ferocious, and indeed was so visibly agitated by passion, that I am convinced, unless I had immediately endeavoured, by soothing expressions and an acknowledgment that the offensive words had undoubtedly escaped me, I have hardly a doubt that he would, had he had a weapon, have employed it against me; this person was a learned Mussulman gentleman; circumstances had occurred, which had enabled me to be instrumental in his elevation to the situation which he at that time possessed, and which was in fact one of the highest stations that, latterly, our government had it in its power to confer upon that class of natives; but neither the recollection of this, nor any other consideration, the moment there was any question of disrespect to his prophet, seemed to operate upon him. I mean to infer from this, that there is almost equal danger of giving offence in matters of religion, to Mussulmen and Hindoos. I cannot now specify any number of instances, but, from all my intercourse with them, I know they will greatly bear and forbear; their endurance is without limit almost, where the government and governors of the country are concerned; but if once it was to enter the imagination, either of Mussulman or Hindoo, that there was any design or intention to interfere with the exercise of their religion, as I have already stated over and over again to the Committee, I am satisfied there is no extreme to which either class might not be driven.

Can you state any instance of an Hindoo?—A person in my own employ for a great length of years, a Bramin of a very high cast, was used to talk with me, and with every body, on the subjects of his own religious persuasion: He was always in extreme good humour as long as I seemed to acquiesce in all the points that he thought proper to state to me; but whenever it happened, as it did sometimes, that I grew weary, and took an opportunity to point out some inconsistency or absurdity, as either might strike me, in the mere trifling rites and ceremonies which it was his custom to talk upon, I can hardly state in too strong terms the way in which this operated upon him; it seemed to harass and afflict him to the greatest degree.

These appear to be instances of direct insult or disrespect to these religions; do you conceive that a simple proposition of the principles of Christianity, by a missionary, without any power or any influence from government, or any sort of disrespect to those religions, simply proposing the doctrines of Christianity, would be likely to be attended with those effects?—As I recollect, I have also had the honour to state to the Committee, in the course of my evidence last night, that a missionary, or any number of missionaries, described as the honourable Member has now described it, utterly unconnected with any of the ruling powers, would be a perfectly harmless being; but supposing these propositions to be so made under the sanction of government, in any form, the case would entirely be altered: It would be very difficult to make an Hindoo understand that a recommendation was not imperative upon him, inasmuch as in that country, as far as I am acquainted with it, whatever emanates from the ruler is considered by them as imperative; an expression of the most distant recommendation on the part of persons in power, is received by the Hindoos and the Mussulmen as a kind of order.

Was the Resolution passed by this House in 1793, relative to the conversion of the native Indians, ever publicly known in India?—It was not; and I now understand that it never received the sanction of government; a circumstance of which I was not apprised yesterday.

William Cowper, Esq.

Do you believe that the contents of any Act of Parliament to be now passed for the renewal of the Company's charter, or for the administration of the affairs of India, are likely to attract the attention of the natives of India, living under the British government?—Most undoubtedly.

Do you believe that fears and alarm and discontent are likely to be occasioned in the minds of our native subjects in India, by any expressions or provisions in such Act of Parliament, which should indicate an intention on the part of the British government to attempt their conversion to Christianity, or to encourage such attempts?—I think that the greatest alarm would be created in the minds of the natives of India, in the case specified by that question; I should even apprehend, that the very greatest danger would arise from any intention so formally expressed in an Act of the legislature, even to the endangering of our empire at no very remote period.

Do you think that such feelings in our native subjects would be sufficiently guarded against, by the insertion, in such Act, of a disavowal on the part of the British government to use force or compulsion for the purpose of such conversion? —Certainly not.

Do you think that any alarm or discontent would be excited among our native subjects in India, by the addition of a few dignitaries to our own church government, if such addition were stated in the Act of Parliament to be necessary to supply the spiritual wants of our own European servants in that territory?—I say, certainly not; but, I believe, in the course of my evidence yesterday, I have already answered that question.

Are not subjects connected with the religion and religious customs of the natives of India, freely discussed in the college in India; and are not the following topics propounded and discussed by the students in that college, namely, "the Asiatics are capable of as high a degree of civilization as the Europeans; the suicide of Hindoo women, by burning themselves with the bodies of their deceased husbands, is a practice repugnant to the natural feelings, and inconsistent with moral duty; the distribution of Hindoos, in the casts, retards their moral improvement?"—I think the college had not been instituted above a year previous to my leaving India; I cannot certainly undertake to answer, that those were the subjects propounded for discussion by the professors of the college; I cannot answer that question of my own knowledge; I never was at any examination of the students, neither had I the honour to accompany the visitor at any of the disputations that took place.

If such subjects were the subjects of disputation publicly in the presence of the moulavies and pundits, the learned men of India, would not you infer considerable danger to our establishments in India?—I should.

As you have stated that an observation made by you to a Mahometan of rank was received by him with such indignation, what effect do you suppose that an observation of this kind, made in the presence of persons of rank and character and learning, in India, would produce; "Numerous indeed are the advantages to be derived from the ardent, diligent and unremitting toils of well-informed and zealous missionaries, impressed by the deepest sense of duty, and eager to diffuse the divine light of Revelation; may we not expect to see this night of more than Egyptian darkness succeeded by the cloud-dispelling dawn of Christianity; and may we not hope to see these ignorant and deluded people learning justice from its law and mercy from its gospel?"—I should think a very dangerous one.

In a former part of your evidence, you have stated that the Resolutions passed at a meeting in this Metropolis, were calculated to produce the most dangerous effects; which of the two declarations, that which has now been stated to you, or the resolutions which were published by the meeting referred to, was calculated to produce the greatest injury?—I should think that there would be very great danger in both.

Do you know, in point of fact, that the natives of India pay any attention whatever to any proceedings in this country?—I really cannot answer what degree of attention they may pay at this present time, as it is more than thirteen years since I left that country.

Do they read the papers either of this country or of India, the English papers? —I dare say they do, many of them inhabiting Calcutta.

William Cowper, Esq.

Do you know it as a fact?—I do not know it as a fact; but very many of them, from their knowledge of the English language, are very competent to read them.

Were not the questions alluded to, stated to be propounded to the college in Fort William, suppressed by the order of the governor general of that day, in consequence of the irritation they were likely to produce?—I have said I am totally ignorant that any such questions were ever agitated at all; I have given my opinion what would be the event, had they been so agitated; it is my simple opinion, *valeat quantum valere potest.*

You have been asked, whether you thought there would be a considerable consumption of British manufactures by the population of India, to which you answered, you thought very small; can you form an opinion what proportion of the fifty millions of native subjects there would be of that native population, that would have the means of purchasing articles of British produce and manufacture, supposing the prices of the same reduced to the lowest possible rate?—I have no idea of any consumption of such articles, beyond what is already imported into India by the Company's ships; but I am extremely ignorant upon that subject, never having, from my first going to India, held any situation with the smallest reference to commerce. I am not ashamed to say, that I really could not state what is the investment of one of the Company's ships, what the commodities are which they import; but this I know, that a few mirrors and lustres, a few covered carriages, are taken off by the natives, and those, as I have already stated, chiefly for the purpose of being enabled to entertain the British inhabitants and their friends, at particular times of the year during their festivals, in a way that they imagine we are used to, and thinking perhaps that unless so accommodated we should not be well pleased.

You will not take upon you to give any opinion as to what proportion of that population, whether one in a hundred or a thousand, or two thousand, would have the means of purchasing those articles?—I think it is beyond all calculation the smallest of the comparative numbers on the aggregate of fifty millions, I should imagine not one in two thousand.

In the fourth Report there is an account of the free merchants having formed establishments to carry on their trade; and that remonstrances of the strongest nature had been preferred to the government in India, and the government at home, of the restrictions and counteractions which those merchants meet with in carrying on their trade, to the degree, as they assert, that all the advantages expected to be derived, would be counteracted; and that, instead of the free merchants being able to promote the trade and revenue of this country to an unbounded degree, they were completely stopped; and carrying their opinion so far as to propose, that instead of those restrictions, the Company should give up their commerce entirely, and it should be brought into the hands of the free merchants, who would bring home the commodities with greater advantage; and that the Company should satisfy themselves with remitting through them their territorial rents, if, according to the Petitions on the Table, free scope is given to the enterprise and commerce of the British merchants to push it to its farthest possible extent, and of course to make settlements in different parts of the country; What would, in your opinion, be the consequence, if the East India Company are allowed to carry on any trade, as to the disputes and counteractions that may arise?—I apprehend that question goes to the unrestricted intercourse of the British merchants with India, and I have already, as I recollect, stated what would be the inconveniencies of such an unrestricted intercourse.

What difficulties do you imagine would occur, should any misunderstanding arise between them and the natives, in distant places from the seat of government?—All the difficulties which I have already stated. One great source of confusion would arise undoubtedly from the Europeans extending themselves without any restriction over the face of that vast dominion; for, according to our law, in all cases where criminal acts are committed, it is necessary that the offending party, being an European, should be sent down to Calcutta for trial in the supreme court: It must happen, supposing this unrestricted intercourse were permitted, that vast numbers, if any great advantage is to be derived from the plan which the British merchants are so eager to carry into effect, would find themselves in this predicament; many Europeans would have to travel the distance of about 800 or 1,000 miles, under

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the guard of two or three or half a dozen of the common police officers; this alone would be a most fruitful source of degradation to the English character in India. *William Cowper, Esq.*

Supposing any misunderstanding to arise between the British residing there under legislative enactment, and the natives, how far do you think that the English resident there would or not be easily controuled by the magistrate of that distant place?—It would depend in a great measure upon the number of Europeans in any one district.

The question supposes the British merchant sends his agent there, and forms an establishment to carry on a business there; supposing they should have a misunderstanding with the natives, how far, with the enactment in his hands, allowing him to have free scope for his enterprise and commerce, would the magistrate have the means of settling that dispute?—It might so happen, supposing the plan now in agitation to have full effect, and to answer expectation, a thousand Europeans might be found within a small extent of country, they might out-number tenfold all the force the Company could bring against them in the form of police, unless their police were so large as would consume their whole revenue; but I cannot possibly suppose such an occurrence would happen, I do not suppose that such an enormous influx of adventurers is likely to take place; the inconvenience of restraining them would always be in proportion to the numbers.

Can you give the Committee any information concerning a nation called the Sykes or Scheiks, in the north-west of India?—I really never had any opportunity, except in books which are in every body's possession, of learning any thing about them.

Is it understood that their religious tenets are the same with those of the Hindoos?—I believe there is a very considerable difference; in a conversation once with Mr. Wilkins, who is a person very well informed on the subject, he did state some differences, and I think some considerable ones; but that is twenty-five years ago, and I cannot state the difference: I believe there is a tract written by General Malcolm on that subject, which would give the fullest information as to their rites and ceremonies and customs.

Can you give any information concerning the Syrian Christians in the peninsula of India?—I cannot.

Can you give any idea of their numbers?—I have no idea of their numbers.

Can you state the number of the Roman Catholic Christians in that country?—Only by report; on the coast of Malabar, there are, as I have understood, a very considerable number; but I have also understood they are in the most degraded state.

In what you stated concerning the moral character of the Hindoos being pretty much the same as that of the nations in general, did you mean to apply that to their veracity or good faith, as well as their other moral qualities?—I really, as far as I communicated with them, am very much inclined to think that their moral qualities are very much upon a level with those of the inferior classes of people it has fallen in my lot to know of other nations.

Are you informed that there is a society in this metropolis, called the society for promoting Christian knowledge, of which the Archbishops and Bishops, and hundreds of the dignified clergy, are members?—I do not know of, my own knowledge, certainly, that there is any such institution.

Have not you heard that such a society, constituted as stated in the question, has existed in this metropolis for a hundred years past?—It may have existed, and I have heard that there are many institutions under different names, whose object it is to promote the Christian religion; but with respect to the specific appellation I am not informed.

Do not you know that the society mentioned for promoting Christian knowledge, has sent missionaries to India, and supported them there for nearly a hundred years past?—I do not know exactly; I certainly could not state from my own knowledge, what particular institution it was which enabled the few missionaries I have ever heard of or known in India, to go there for the purpose of propagating the Christian religion.

William Cowper, Esq.

Did you ever hear of a very eminent missionary of the name of Schwartz, in India?—I have; a most respectable person, universally respected and beloved; he was at Madras; but I had no personal acquaintance with him, nor ever saw him.

Have you ever been informed of the services which he rendered to the English government there, and to the natives of the country; and what was the nature of those services?—I know that this gentleman was attached to the court of Tanjore; and I have heard (I know nothing but on report, for I never was but once at Madras, and then only for a few days) that he was respected by all ranks of people; that he was a great favourite, and had a very great influence over the rajah of that country; but whether he ever had an opportunity of making any converts from among the natives I really cannot state.

Do not you know that the rajah of Tanjore was extremely desirous of making him the guardian of his son, at his death?—I think I do recollect that circumstance; I believe it occurred while I was in council at Calcutta; I recollect that some such proposition came to the governor general; but I speak merely from memory at this distance of time. If any such proposition was made on the part of the rajah of Tanjore, it would appear upon the records of the Company, either at Madras or Bengal; but as far as I can recollect, there was such a proposition.

Do not you know that an application was made by the rajah of Tanjore, after Mr. Schwartz's death, to Mr. Schwartz's friends in England, to desire that they would send out a monument, to be erected for Mr. Schwartz's memory, in Tanjore?—I have no knowledge of that fact whatever; I cannot charge my memory with having heard it.

Do not you know that the congregations of Christians, to whom Mr. Schwartz and Mr. Gericke constantly preached in Tanjore, amounted to some thousands of persons?—I have no knowledge of that fact, nor did I ever hear the name of Mr. Gericke before.

You have stated, that many of the Hindoos are well acquainted with the English language; do you think it might not tend to the improvement of the Hindoos, and to their civilization, if schools were established in different parts of India, for the purpose of teaching the native children the English language?—I certainly think that the institution would be a very good one, but I very much doubt whether you would be able to prevail upon them to send their chilldren, unless the persons instructing them were of their own persuasion; I should imagine, long before this period there must be a vast number of persons, in Calcutta at least, even among the Brahmins, who possess a very accurate knowledge of the language, both as to speaking it and reading it: Before I left Bengal, I met with several persons who could converse very familiarly in English, and I understood at that time there were seminaries, to which the children of a great number of the Hindoos particularly were sent for education; and I conceive, that being many years ago, the same plan probably having been pursued, that description of persons must now be very much multiplied.

During your residence in Calcutta, has it not come to your knowledge that whole investments, of masters and officers of Indiamen, have been sold considerably under prime cost?—I cannot answer that question affirmatively on my own knowledge, though most undoubtedly I have heard that a great proportion of that description of persons have, during my residence in India, been absolutely ruined from the impossibility of disposing of their cargoes at all in Calcutta, and have been obliged to send them to auction, and of course to sell them very much under the prime cost; but I cannot specify any particular instance, at this distance of time.

If there had been any possibility of finding a sale in any part of India for those commodities, are there not merchants, both European and natives, who would have been ready to have purchased those goods, and to transport them to other places?—Most undoubtedly.

[The Witness withdrew.

THOMAS GRAHAM, Esquire:
Was called in, and Examined as follows:

Thomas Graham, Esq

Mr. Jackson.] How long have you been in the service of the East India Company?—I was in the service of the East India Company from the year 1769 to 1808.

In what part of their territories has your residence been?—In Bengal.

What stations have you filled?—I have filled all the successive stations in the civil department.

How long were you a member of council?—I was in council during the government of Lord Cornwallis for about eight months, and in the government of Lord Wellesley for about eight months.

Have you had ample opportunities of studying the character of the native Indians?—No doubt.

Are their habits and prejudices, generally speaking, of a fixed and unchangeable nature?—Certainly they are.

Will you give some general description of the character of the natives; are they persons of quick sensibility with respect to those habits and prejudices?—They are no doubt of very quick sensibility.

Are they peculiarly susceptible of affront with respect to their religious prejudices?—Unquestionably.

Are they persons who are impatient of opposition with regard to their religious superstitions?—Most undoubtedly.

Are they quick and jealous of affront with respect to their women?—They are so.

Is the Company's authority at present of that strict nature, that, generally speaking, it preserves them from such affront with regard to the conduct of their servants?—It certainly is.

Supposing a considerable influx of Europeans, in consequence of an open trade from every port in this kingdom to every port within the limits of the Company's charter, would you apprehend any consequence to happen from such influx towards the natives?—I think a promiscuous intercourse of Europeans with the natives of India might lead to the most mischievous consequences.

Describe the sort of consequence you apprehend?—I apprehend that they would in their common pursuits interfere with their religious prejudices in a manner that would cause commotion.

Supposing the trade to India to be opened in the manner described, would it not be necessary for the new adventurers to have houses and warehouses, and other means of settlement?—I apprehend it would be absolutely necessary, unless they were to employ those agents, although established at the Company's settlements.

If unlimited intercourse was allowed with every port in India, would they be inclined to transact their own concerns?—They might endeavour to transact their own concerns, but I do not think that they would be successful, inasmuch as, having no agents, nor finding any agents at those places previously established, they would not be able to purchase any articles of commerce.

Are there not many of the ports, on either coast of the peninsula, at a great distance from the principal seats of government?—A great many.

Do you apprehend that any material influx of new settlers could be kept (either with regard to their conduct, or emigration into the interior, or intrigue with persons living in the interior) in sufficiently strict controul and coercion to prevent such consequences?—I conceive it would be exceedingly difficult to prevent them from improper interference in the affairs of the country.

Supposing them to have this licence of going to every port in India according to their discretion, do you think they could be kept from getting into the interior of the country, if such were their object?—Unless restrictions were to be imposed upon them previously to their going to India, I do not think that they could.

Thomas Graham, Esq.

To what kind of restrictions do you allude?—Without the permission of the existing government in India.

Do you think, with this general license of visiting every port, that it would not be in their power to elude such authority, if they were so disposed?—I have no doubt they might.

Supposing them to succeed in thus eluding the authority of government, and getting into the interior, what are the consequences which you would apprehend to result therefrom?—That they would get into personal quarrels with the natives, which might be productive of general insurrection.

Supposing a native to be treated with violence or oppression by an European, can they prosecute an European but in one of the three principal courts?—They cannot a British subject.

Are not some of the inland settlements several hundred miles from either of the supreme courts?—Some of them as far as 1000 miles.

Looking at the general circumstances of the natives, with whatever degree of violence or oppression they might be treated, would it be in their power so to prosecute; could they afford it?—They could have no other means of prosecuting but by proceeding to the principal stations where the courts of judicature were established, and that they would be obliged to do at a very heavy expense and inconvenience to themselves and families.

From their general situations in life, are they persons who by any possibility could afford such expense?—Most probably they are not.

Supposing them, from the want of capacity or other cause, to be thus disappointed of obtaining legal redress, what do you apprehend might be the consequence?—That they would revenge themselves upon the individual who had been the cause of the offence.

Supposing redress to be practicable, and the punishment of the European the consequence, what do you apprehend with regard to the European character, in the estimation of the natives, should such punishments frequently take place?—I think it would tend very much to degrade their character, and take from the respect which they have been hitherto held in.

Do you apprehend the maintenance of that respect essential to the maintenance of the British authority in India?—I think it most important.

If any material number of those new settlers were to misconduct themselves, do you think that the government could with any degree of convenience send them home, a measure now resorted to but in extreme cases?—I think it would be extremely incommodious for the government to exercise that authority over such persons, inasmuch as they might be liable hereafter to be called upon to answer for their conduct in this country.

If such persons were expelled from the British territories in India, what do you apprehend might be the consequence?—The consequence would be ruin to themselves I apprehend.

Do you think that they might find employ, or secret or open encouragement in any degree, from the native chiefs?—If they were to get into the courts of any of the remaining native chiefs, I think it very probable that they might intrigue with them, to the prejudice of the public interest.

Do you think, with this universal licence of visiting India, that British subjects might not find their way to the courts of the native chiefs, if such were their object?—I conceive they might.

Concluding upon the trade to India being opened from every port in the United Kingdom to every port within the limits of the Company's charter, and looking to all the circumstances which you are able to judge of from your experience, do you think that so opening the trade is consistent with the safety of the British empire in India?—I think the promiscuous intercourse that it would create might be the means of ultimately shaking the empire in India.

Thomas Graham, Esq.

Looking to the general habits of the natives, as well as to the degree of export that has for many years past existed, and now exists, do you think that thus opening the trade to India would increase the consumption of European articles among the natives of India?—I do not think it would.

Have the natives at present, the great mass of them, the power of purchasing European articles, were they so disposed?—Certainly they have not; because such articles as they want for their own use, they can manufacture at a cheaper rate.

State those articles which they most require for their enjoyment at present?—For clothing, they use the common muslins; and there are no other articles, which at all associate with the description of European clothing, that they are at all in want of, or use?

Do they clothe principally with cotton?—Entirely; I may say it is their common wear.

Can you state at about how much per yard they purchase that cotton?—Such as is worn by the common people they get at a very cheap rate indeed; I cannot charge my memory with the price of it, but a family, or an individual of a family, can supply himself for a whole twelvemonth's consumption at the cost of a couple of shillings, comparatively speaking.

What other article do they require for their domestic convenience, besides such clothing, as to furniture or other articles of domestic convenience?—Furniture they use none; their principal place of rest is on the ground, and they eat their victuals from an earthen platter, which they buy, I suppose, for not the value of half a farthing.

To what proportion of the population do you apply this remark?—The proportion, I suppose, of 99 in 100.

In cases where the natives have acquired property, do they direct its expenditure to the purchase of European articles?—Some few, resident in the principal towns, do purchase some few articles, such as looking glasses and glass ware.

Do you confine this remark to the principal towns?—I confine it to the principal towns, because I have not observed it at all common in the interior of the country, even with the natives possessing wealth.

Do you mean such towns as are more or less the seat of European government?—I do.

Do you apply this remark to any considerable number of persons, reside where they may?—I apply it to a very great portion of the inhabitants of the interior of the country, a very large portion.

I mean the remark, as to the more wealthy purchasing European articles; is the number of such considerable?—Very few.

Can you state whether such natives as have a desire for the purchase of European articles, have a full and perfect opportunity of making such purchase?—Certainly they have; at the principal settlements of the Company they are to be found.

Have you had an opportunity of seeing with what degree of success captains and officers have carried out adventures of European articles?—Of later years, I imagine, almost all of them must have been losers by their speculations in European commodities from this country.

Are such persons, meaning captains and officers, subject to the chargo of freight?—I understand not, that it forms part of their emoluments.

Are they not their own supercargoes?—I understand they are.

Does the saving of freight, and such charge of commission, amount to a considerable proportion upon the value of the adventure?—I apprehend it does.

Do you mean to state, that notwithstanding such advantages for a considerable time past, the adventurers in question have been rather losers than gainers by their speculation?—Most certainly, upon the whole, they have been losers.

Have you any doubt then that European articles are now, and have been for a considerable time past, rather a glut than otherwise in India?—Certainly they have been, and in many instances have sold considerably under prime cost.

Thomas Graham, Esq.

Have they sometimes, in order to force a sale at any rate, been obliged to resort to sales by auction, or a raffle, or other such expedients?—The selling by auction at Calcutta now is almost the universal resort; at least at the period of time when I left it, it was.

Within your observation, have European artificers and handicraftsmen began some of their respective manufactures in India?—They certainly have.

Do you think that an unlimited and unrestrained access to India might not very materially increase this disposition to manufacture in India such commodities as may be required?—As the commodities manufactured by European artists in India are generally for the consumption of either the army or the civil service, it is not likely that it would increase beyond the demand.

In proportion to whatever European demand there might be, do you apprehend such unlimited access to India might increase general manufacture, according to that proportion?—I apprehend that the pursuit would be entirely regulated by the demand; in as far as I could observe at the time of my leaving India, such persons as did so employ themselves were able to meet all the demands.

(Examined by the Committee.)

You stated the inconvenience that might arise from persons getting into the interior without permission, and the danger that might arise therefrom; do you conceive any individual going into the interior among the natives, would be likely to commit any such outrage as would bring upon him what you state would probably be the case, the being murdered or torn to pieces by the natives?—It is probable that, from ignorance, he would trespass upon some of their religious prejudices; and the consequences, in all probability, would be the forfeiture of his own life.

Do you think that if a person escaped the forfeiture of his life, he would afterwards, in consequence of any error he may have committed, of interfering with their religious prejudices, be a person likely to intrigue with effect with any of the native powers?—Certainly not, as far as the Hindoo chiefs may be concerned.

Can many of the Hindoos read English printing?—Many of them, resident at the principal settlements of the Company, not only can read, but they can write English, and remarkably well, some of them.

Of what cast are those Hindoos?—They are of different casts; and I cannot immediately charge my memory what such persons may have been of, that were so employed, but some of them of the first cast.

Were such persons in the habit of seeking for English publications?—Upon my word I cannot say; but they were in general very much in the habit, from curiosity, of reading English publications, particularly newspapers.

While you were in India, was the press licensed?—The press had no regular license in India; the business of printing was followed as a profession, by those who had the means of carrying it on.

Were there any other restrictions upon the liberty of the press, than those which the common law of England imposes?—I am not aware that there were any other restrictions; I have understood that there was an order of government, directing newspapers, such as were published here, to be sent for inspection to the secretary, previous to their being circulated.

Do you recollect any person ever having been sent from India, home, on account of having written any thing which the government disapproved of?—I have a recollection that a person was sent home, but I cannot remember the name of the person.

Would the government have sent home any person who might have written any thing which the government might have conceived dangerous to be published in India?—I conceive it would have been their duty to do so.

Do you conceive such a power necessary for the tranquillity of the Indian empire?—I conceive that the exercise of it is essential towards the preservation of a good understanding throughout the country.

Thomas Graham, Esq.

Do you conceive that an unlimited communication with India by strangers might facilitate the publication of works dangerous to the tranquillity of India?—I apprehend that such publications would depend upon the means which the persons had of printing and issuing them.

Do you know whether the native princes of India are desirous of retaining in their service Europeans bred to the military profession?—Hitherto they have been, and I have no doubt would be at all times, desirous of having such persons in their military corps.

Do you know how many officers Mons. Peron had collected in his service?—I have no recollection as to the number, but I apprehend that may be ascertained by the returns that were made to government, at the time of the war in that part of the country.

Do you know whether they might have amounted to four or five hundred officers?—I cannot charge my recollection as to numbers.

Do you know whether those officers, whatever number they might have been, consisted of the natives of various European countries?—They certainly did.

If any native power could collect a similar number of officers, would it be dangerous to the Company's possessions in India?—I have no doubt it would, and past experience tends to show it.

Do you conceive that a less restricted intercourse with India, would enable the native powers to obtain Europeans of the description mentioned, and to attach them to their service?—It is hardly possible to answer that question, unless I could know what description are likely to embark.

Do you know whether the East India Company derived any revenue from the procession of the idol Juggernaut?—They certainly did; not from the idol, but from permission to visit the temple.

Do you know whether they attempted, by all means in their power, to prevent the cruelty attendant upon that procession?—They most certainly did.

Was it possible for them entirely to prevent it?—During the time I remained in India, after they were in possession of it, I do not recollect numerous accidents happening.

What are the cruelties with which the idol Juggernaut is connected, and to which you alluded?—Many of those going for the purpose of worship, when the car was drawn out in procession, used to devote themselves to destruction, by getting under the wheels.

In what manner did the East India Company acquire any revenue from the natives, as connected with that procession?—By issuing certificates of permission to visit it, for which they paid a certain sum; not the procession, but the temple.

The revenue, then, did not arise from tolerating the cruelties, but from permission to visit the idol itself?—No, the government endeavoured all in their power to restrain such mischiefs.

Had the Marattas laid on any duty upon the persons visiting that idol, before the East India Company acquired possession?—Certainly they had.

What number of devotees used to visit this idol, in the course of a year?—I cannot answer that question; it was remote from my place of residence, and unless a regular list had been transmitted, it was impossible for me to form a judgment.

In what manner did the East India Company endeavour to put an end to the cruelties attendant upon the procession of this idol?—I never was on the spot, but it was done by regulations, and people properly appointed to enforce those regulations.

Was any encouragement given to any of the native Hindoos to visit the temple of the idol, in order that the Company might acquire revenue by those means?—I am not aware that there was; on the contrary, they made the duty so light, as that they might visit it on much easier terms than they did formerly.

Is it not within your knowledge, that treaties subsist between the British government in India, and the native princes, by which the latter are prevented from enter-

Thomas Graham, Esq.

taining Europeans in their service?—Formerly, the introduction of such an article in such treaties was considered as essential for the preservation of our power in India; and it is to be instanced in the case of the treaty made by Lord Clive with Sujah Dowlah, in the year, I think, 1765.

Were not such treaties extended by Lord Wellesley, under his government, to almost all the native princes of India?—I have not at present a recollection whether it forms any article in the treaty with the Marattas, or not, which I believe is the only remaining power now with whom we have treaties.

Is it not necessary for all Europeans to obtain passes, when they go from the presidencies of India into the interior of the country?—It is certainly necessary, in as far as it constitutes a check upon their going without such permission.

Does not that regulation apply equally to Europeans in the service of the Company, and not in the service of the Company?—Equally; at least servants of the Company are obliged to ask permission before they can leave any settlement where they may be stationed; on the other hand, people not in the service are obliged to have written passports.

Are they not liable to be taken up, when they cannot produce such passes?—Not the servants of the Company; but certainly others, who have no such passes, are liable to be taken up.

Are not the native police officers very vigilant in the exercise of their duties?—No doubt they are.

Do you conceive that there would be any serious danger to the British interests in India, from the admission of a few additional merchants and agents at the different presidencies and stations on the sea coast in India?—I do not, provided they were under similar restrictions as those who now are there.

Do you think that any danger would arise from the admission of those Europeans occasionally into the interior, for mercantile purposes, under the present restrictions and regulations of the honourable Company?—Under the limited sense of the question, I do not conceive that any danger could ensue.

You have spoken of embarrassments or interferences with the authorities under the Bengal government, which might be apprehended?—By the promiscuous and more extensive intercourse without restriction.

In speaking of those interferences, do you allude, among others, to interference with the Company's servants in procuring their investments?—Certainly not.

Do you conceive such interferences would be likely to arise?—I think they might, through the medium of the manufacturers respectively employed.

Do you conceive that such interference would be likely to create a competition in the market, which might raise the prices beyond those usually given by the Company?—I do not think it would.

Then you do not conceive that competition would be likely to create a rise in the market?—The question I apprehend referred to persons going into the country for the purpose of purchasing commodities.

Do not you conceive that such interference would be likely to create a rise in the price of the articles, the manufactures for instance, so as to increase the demand of the weavers?—I do not think they would, for the prices given by the Company for the articles provided on their account are very liberal, and the manufacturers themselves are perfectly satisfied with those prices.

Are the prices given by the Company equal to those given by the private merchants?—As far as I ever understood it, they are as high.

How comes it, then, that it was understood the natives prefer dealing with private merchants, to the Company?—My belief is perfectly the reverse; the manufacturers prefer the Company's employment, because they are sure of its permanency, and they look upon all other purchasers as precarious.

How comes it then to be necessary to station peons, or native officers, at the houses of the weavers, to prevent the interference of private merchants, till the Company's investments

investments are provided?—Because of the manufacturers not being always so honest as to reserve the goods manufactured with the Company's money for the use of the Company, and to dispose of them very often to private merchants. *Thomas Graham, Esq.*

Then the Company pay for their goods before they receive them?—They make advances in money for the manufacture of them, previous to their being manufactured.

For what purpose are those advances made?—For the purpose of enabling them to buy the material with which they manufacture the goods, for they have no stores.

Are the weavers not kept constantly in arrears to the honourable Company?—I apprehend only in arrears from their own deficiencies of deliveries.

Are not the native weavers subject to corporal punishment if they do not fulfil their engagements with the Company?—During the whole of my residence in India, for the period of nine-and-thirty years, I never heard of it.

[The further examination of the Witness was postponed.]

[The Witness withdrew.

The Chairman was directed to report Progress, and ask leave to sit again.

3.

Jovis, 1° die Aprilis 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

William Cowper, Esq. - - - p. 31.
Thomas Graham, Esq. - - - p. 37.

Ordered, by The House of Commons, *to be printed,*
1 *April* 1813.

4.

House of Commons.

MINUTES of EVIDENCE

TAKEN BEFORE THE COMMITTEE OF THE WHOLE HOUSE

To whom it is referred, to consider of the Affairs of The *East India* Company;—and to whom the several PETITIONS, which have been presented in this Session of Parliament, relating to the Trade and Shipping of The *East India* Company, and the Renewal of their Charter, were referred;—and also, the PETITION of The *East India* Company, praying to be heard by Counsel before the said Committee.

Veneris, 2° die Aprilis 1813.

STEPHEN RUMBOLD LUSHINGTON, Esq. in The Chair.

THOMAS GRAHAM, Esquire,

Was again called in, and Examined by the Committee, as follows:

Thomas Graham, Esq.

YOU mentioned, that it was usual to station peons or native sentinels over the weavers when performing their engagements with the Company; are private merchants allowed to exercise the like means of securing the fulfilment of the weavers engagements with them?—Peons were only sent at the periods when their engagements ought to have been completed, in order to expedite the fulfilment of them; private merchants are at liberty, no doubt, to send their own servants for the same purposes, they are under no restriction whatever.

Would that be submitted to on the part of the weavers?—I apprehend it is discretionary with them to do so or not; but all private traders have courts of justice to have recourse to, in case engagements are not fulfilled, in order to enforce them.

In your opinion, would the weavers submit to having peons so placed over them, or would they not complain to the courts of justice, and on such complaints would not such peons be removed?—I apprehend it would depend entirely upon the parties sent, whether they were permitted to remain or not; certainly a court of justice, on its being represented that the weavers were placed under restraint by such persons, would immediately remove them.

Would the courts of justice in like manner remove the peons placed by the Company's commercial officers?—No doubt, if they were guilty of any kind of violence.

You are aware that the Company's regulations allow of peons being so posted over the weavers?—They allow of their being so sent, for the purpose of calling upon them for the fulfilment of their engagements.

Thomas Graham, Esq.

What are the penalties to which the weavers are subject for the nonperformance of their engagements?—That will depend upon the engagements themselves; what the penalties may be, I cannot distinguish.

You are no doubt acquainted with the regulations of the Company for the provision of their investments; if any weaver shall by himself, or by any other person, sell cloths to private merchants, Europeans or agents, or to dealers or agents of whatever description, whilst he is deficient in his stipulated deliveries on account of the Company's investment, is he not liable to be prosecuted in the judges court, and, upon proof of the fact, adjudged to forfeit to the Company all that the produce of the cloths so sold, rated either at what he got for them or their bazar or market value, may exceed the ordinary prime cost of the thread in them, with costs of suit besides; and moreover, that the weaver shall still be obliged to complete his engagements?—I have no doubt about the existence of such a regulation, at least to the time I remained in India.

Are not the weavers, by the same regulations, obliged to give a fortnight's notice to the Company, in the event of their wishing to decline receiving any further advances?—If that forms part of the regulation, I have no doubt but it is correctly stated.

In the event of their not fulfilling their engagements by the period agreed on, are they not prevented from working for more recently formed engagements, or for bazar sales, until those engagements are completed?—If the question is quoted from the regulations, I have only to repeat that I have no doubt of its having existed at the time I was there.

You have admitted that advances are made by the Company, to the weavers, to a considerable extent; at what period are those advances made?—I cannot charge my memory correctly with respect to the periods at which they are made; but they are made at least three or four months previous to the delivery of the goods for which the money may have been advanced.

To what extent are those advances, as far as you know?—Without reference to the public accounts I could not positively say.

You have mentioned, that they were made for the purpose of buying materials to make the cloths?—They certainly are, to the weavers.

Those materials are very cheap, are they not?—They are cheap as an article, but they vary in price, according to the state of the market, for it is bought at the open markets.

Is any interest charged to the weavers, upon those advances?—I never have understood that they were charged with interest for advances.

Are you aware that the interest so incurred, is added to the price of the goods?—I do not understand the import of the question.

On making the invoices at Calcutta, is there any charge made of interest upon advances to the weavers?—I do not believe it is the practice to do so.

Were you in the supreme council at Bengal in the year 1793?—I was.

Do you recollect any regulations being made at that time, with a view to the protection of the natives trading with Europeans, in the interior of Bengal?—I cannot charge my memory, whether in the regulations that were framed generally for commerce, any provision was made of the description alluded to.

Did you sign a letter to the court of directors on the 6th of March 1793, referring to a minute of Lord Cornwallis's upon that occasion?—I cannot speak to dates, or what may have been the object of any letter bearing such date; but it was my duty as a member of that board to sign all public letters that went from the government to the court of directors.

Do you recollect this being part of the minute so entered by Lord Cornwallis, "That should the restrictions on the trade between India and Britain be withdrawn or lessened, it would create a further necessity for strengthening the hands of justice; that the idea, of agents of Europeans or officers of government being able to commit oppression with impunity, must be eradicated; that the people would then feel themselves

selves secure in their persons and property, and a spirit of industry would animate both the manufacturers and the cultivators of land; that the agents of European traders might then pervade every part of the country without injury to the people, and it would be enriched in proportion to the extent for their demand for its produce and manufactures;" that minute referring to the regulations which were then adopted?—I cannot recollect my having actually signed such a letter; but I should have no hesitation, if I saw my signature to it, in acknowledging what is there stated. *Thomas Graham, Esq.*

You have said it was usual for the commanders and officers of the Company always to act as their own agents; is it not usual also for them to employ rovashies or native brokers?—No doubt, under their own directions.

Do you know the usual per-centage allowed to those brokers?—I really do not, but I have never understood that there was any regular per-centage allowed to people of that description.

Are you at all acquainted with the country or coasting trade of India?—I have no knowledge of it.

Have you had occasion to know, during your residence in India, whether any articles of British manufacture or growth form any part of that trade?—I never have.

Are you acquainted with the character of the Malays, or the inhabitants of the coast of Sumatra, and the Streights of Malacca?—I have never been in that part of India, and have no personal knowledge of their characters.

Do not you know from accurate information, that the intercourse of Europeans with the Malays has been productive of massacres of the Europeans?—I have often heard of accidents of that kind happening, and have always been informed that the Malays are of a very vindictive and violent temper.

Have not whole crews of ships of small burthen been cut off by the Malays, to your knowledge?—According to the information recorded in newspapers, or from general report, I have no doubt there have been such things.

What, in your opinion, would be the effect of an indiscriminate intercourse of Europeans with the Malays?—I think they would all be in great danger of losing their lives, those resorting there.

You said yesterday, that you thought considerable danger would arise from the promiscuous intercourse between the Europeans that would flock to India, in case of the opening of the trade, and the Hindoos, without certain regulations; do you think the present regulations adopted by the East India Company in respect of Europeans, not servants of the Company, would be sufficient, or that it would be necessary to adopt any further regulations?—I think it would be very difficult, if not almost impracticable, to frame regulations which would obviate all the bad consequences which might arise from such promiscuous intercourse.

Do you think that if it was necessary to adopt any stricter regulations with respect to the intercourse between the Europeans, not servants of the Company, and the Hindoos, those regulations would diminish the advantages which would otherwise accrue to the merchants that might engage in the open trade?—Inasmuch as it might subject them to additional expense, by being restrained from pervading all parts of the country, I think it would have that effect.

You stated in your evidence yesterday, that it was a custom of the Gentoos to devote themselves as voluntary victims before the temple of Juggernaut, lying down to be crushed to death under the car of the idol; are those self devotions peculiar to Juggernaut, or do they prevail at the other temples of the idols in India?—By no means, they do not.

Do you know what the practice is at the temple of Seringham, near Trichinopoly?—Never having been in that part of India, I cannot answer the question.

Are you equally uninformed of the practice at the temple of Jambucisa?—Equally, for the same reason.

There are two other celebrated temples, called Trepady and Tramonoly?—Not having been at either, I must give the same answer to the question.

Thomas Graham, Esq.

It does not fall within your knowledge or information, what are the practices at those temples?—It does not.

Are not the Gentoos divided into two great sects, called the sect of Sheva and the sect of Vishnoo?—I fancy there are still more divisions than two, amongst the Hindoos; what their number may be, I cannot charge my memory.

Do you know whether it is a general practice, among the sect of Sheva, to devote themselves to death, as a religious rite towards their deities?—I have no knowledge of it myself.

You stated, that at Juggernaut, the practice of lying down to be crushed to death under the idol's car, was a common practice?—According to the information publicly communicated from thence, I understand it to be so.

You stated, that the Company had made regulations which had diminished that practice?—According to my information, instructions having been given to the magistrates to do all in their power to prevent it, I conceived it had tended to the diminution of it.

By what means do you understand that practice to have been prevented?—By persuasion to those who were attendants upon the car; to have used force, would probably have been productive of greater loss of lives.

You do not mean then, by your former answer, to state that the Company have used any other means than those of persuasion?—Certainly not.

The government in India, as you stated, derived a considerable revenue from the temple of Juggernaut?—I am not at present in the recollection of its amount, but, as I stated yesterday, they receive a certain sum for people going to visit the temple.

You also stated, that they had diminished the tax upon persons visiting the temple, and by that means facilitated their access to it?—The taxes were unlimited before, and they are now regulated; and nobody has any right to exceed them, to claim any thing beyond them.

Do you know how those taxes are applied?—In the first instance, to defray the charges of establishment; and if there is any residue, it becomes an available revenue to government, as the rest of the revenues of India.

By the charges of the establishment, do you mean the establishment of the temple?—The establishment of the temple.

What are the nature of the charges of that establishment?—I certainly cannot charge my recollection with all the charges; indeed they are so numerous, that it is impossible to keep them in memory.

Is the payment of the priests among them?—I apprehend it must be; it must form a part of the charge.

Is it not a part of them to pay salaries to dancing women, who are employed to attend the temple?—I apprehend not.

Are there not in fact a great many women employed in the service of the temple, women of vicious character and habits?—Not, I believe, in general, at least as far as my information goes; such are said to exist in the Carnatic, at the temples there.

Is it not an article of those charges, to build or keep in order the image of the car of the idol, under which the victims are crushed?—The priests in charge of the temples, no doubt, incur expense in the support of them.

Is not Juggernaut the resort of pilgrims, and persons of more than ordinary religious zeal, from all parts of Hindostan?—It certainly is.

Do they not resort thither, at particular seasons, in great multitudes?—They do.

And the Company, by means of persuasion, has interfered to check the practices which have been spoken of?—The only practice, to which I apprehend my answer applied, was that of devoting themselves under the car; that does not apply to all Hindoos who go there.

The government have applied themselves to the prevention of that practice?—I have no doubt they have.

Thomas Graham, Esq.

Did that interference with the religious opinions of the Gentoos, ever, in your knowledge or information, produce any insurrection or disturbance?—It never did, to my knowledge; but I stated before, if coercion had been used, it might have led to more bloodshed than the devotion of the few who devoted themselves to destruction.

The persuasion of the Indian government did, in your opinion, prevent a great many of those zealots devoting themselves to death, who came there for the purpose?—According to my information, they have been less numerous since the Company got possession of Juggernaut than before.

Which you suppose to have been the result of the Company's interference?—Possibly it might have been the result of government's interference, or it might have arisen from better understanding on the part of the people themselves.

In point of fact, whatever the cause was, the interference has produced no ill consequences?—No, I apprehend not; the interference, in the manner exercised, I do not apprehend has produced any bad consequences.

Do you then suppose that peaceable interference, by persuasion, to correct any other of their religious prejudices, would produce any ill consequences?—Much would depend upon the manner in which that persuasion was used, and the object of using it.

The question supposes that the interference was by persuasion merely, without any coercion, or any threat of coercion?—Such persuasion must have some purpose; therefore I cannot say what might have been its effect, unless the purpose were avowed.

Suppose the purpose to be the prevention of any other of their sanguinary or criminal religious practices?—I conceive any direct interference, such as I have before stated with respect to Juggernaut, might be productive of the most mischievous consequences.

For what reason do you suppose that interference of the same kind, which has not produced mischievous consequences at Juggernaut, should produce mischievous consequences?—I have the same opinion on that question as I had on the question regarding Juggernaut, that persuasion may operate as a check and lessen the continuance of such practices.

Then you do not suppose that persuasion alone would produce any ill effects?—I do suppose that if that persuasion was constantly resorted to, it might excite dissatisfaction, and be productive of bad consequences, not dissimilar to those which I conceived might have arisen from any act of force at Juggernaut.

Is your opinion founded upon the degree of the persuasion only, or upon the object of it?—Upon the object of it.

Can there be any object of persuasion that is more directly against their religious prejudices, than interfering with the worship of their idol Juggernaut?—I have never stated that they interfered by persuasion to prevent the worship of the idol at Juggernaut, only to prevent people from devoting themselves to destruction.

Is there any act of faith among them that they hold in greater veneration than that self devotion at Juggernaut?—I am not sufficiently acquainted with all the articles of their faith, to be able to give any precise answer to that question.

Do not you suppose that that act of faith which induces a man to devote himself to a cruel and immediate death, must be at least as sacred in his estimate as any other?—

[The Witness was directed to withdraw.
The Witness was again called in, and the question proposed.]

I am not aware that it is an article of their faith.

Upon what principle then is the sacrifice made?—They think they will be happier hereafter.

Are their priests not present at the time of this immolation?—I know not; never having been present when those occurrences happened, I cannot say.

Thomas Graham, Esq.

According to your understanding on the subject, is not this a religious procession, attended by the priests?—According to the information I have, it is a religious procession; by whom attended, I must repeat my former answer, that not having been there, I cannot say.

Do you suppose that the priests encourage or discourage it?—What has been so long established, I can have no doubt has the approbation and support of the priests, I mean in respect of the procession.

You stated, that you apprehended danger from a promiscuous and unrestrained intercourse of Europeans with the natives, because the Europeans might interfere with the religious prejudices and habits of the natives; did that answer relate to persons going to propagate Christianity only, or to mercantile adventurers also?—I think it would apply still more forcibly to persons endeavouring to promote Christianity, having so avowed their object, inasmuch as it might appear, in that case, to come from authority; and I believe it is now forty years since the wisdom of this House passed an Act, protecting the natives of India in the exercise of their laws and religion; having enjoyed that security for such a length of time, I think nothing can be more dangerous than any interference which shall cause them the alarm of any intention of a change.

You suppose that the objection applies in some degree also to mercantile adventurers?—In as far as they from ignorance of their prejudices might trespass upon them.

Would that danger be more from mercantile adventurers not in connection with the government, than from mercantile adventurers in connection with government?—I conceive it would be more, for one reason, that the servants of the Company are completely in the power of the government, and are well acquainted with all the regulations; and it is an understood injunction to all of them, to avoid any thing which shall in any shape trespass upon the prejudices of the natives.

How do you reconcile that with your apprehension of the peculiar danger from missionaries, because they might be supposed to come with authority?—Because they can have but one object, to endeavour to convert them to the Christian religion.

Do you found your apprehensions upon any speculation of your own, or upon experience and fact?—My apprehension is from my general knowledge of the temper of the people, and the value they have for all their ceremonies.

Do not you suppose that other nations, professing an idolatrous religion, and under the influence of a priesthood, have been of the same character?—There is no nation that I am acquainted with, that are in a similar situation to the natives of India.

Have you any reason for supposing that they are more attached to their superstitions, or more under the influence of their priests, than our ancestors in this island were attached to their superstitions, and under the influence of the druids?—Not having myself been in being at the time referred to, I cannot speak to what influence may have existed in those days; I am certain, however, from having lived thirty-nine years in India, and amongst the natives, that nothing would so much excite their animosity, as any attempt to interfere with their religion.

Do you know whether other religions than that of the Hindoos have been propagated in India?—The Mussulman religion necessarily exists, in consequence of their having been in possession of that part of India for nearly seven hundred years prior to the present period, and they erected places of worship for the exercise of their own religion.

How many millions of Mahometans do you suppose are at this time in India?—They do not constitute a tenth of the population of that part of India in which I have resided.

Do you suppose that the common estimate of fifty millions, for the population of India under the British dominion, is correct?—I rather think that an enumeration would give a greater number.

You suppose then that there may be five millions of Mahometans in India at the least?—At the least, I should suppose.

Thomas Graham, Esq

Are not a considerable portion of them probably the descendants of persons who once professed the Hindoo faith?—I never was acquainted with any of them; they may be from promiscuous intercourse the descendants of some of them; but it is a thing totally out of my knowledge.

Have you any historical information of any revolution or any religious war in India in consequence of that conversion, or the means by which it was effected?—I know not really what conversion is alluded to, as I have not stated any conversion.

Do you not know that there are in India a great multitude of Christians converted from the Hindoo faith?—I do not; from the Hindoo faith I certainly do not.

From what faith do you suppose the Christians upon the coast of Malabar were converted?—I conceive they had previously deserted all faith, and were outcasts from their own society.

Can you give any estimate of their numbers?—I cannot.

Do you know that there are in the island of Ceylon a great number of Christians, converted to the Christian faith under the dominion of the Dutch?—I do not.

Have you no information, on which you rely on the subject?—I never made any enquiry on the subject before, and do not recollect ever hearing it.

Do you know of there having been missionaries labouring to convert the natives of India, from the Danish settlements, and some missionaries from this country?—Both I have heard of.

Do you know of any insurrection, or any popular commotion, occasioned by their efforts to preach Christianity?—I have a recollection that the same year as I left Calcutta, one of the missionaries, whose name I forget, went near to a place called Chitpoore, at least so it was reported to me, for I was not present, who did endeavour to preach to them, but it ended in an affray; what were the consequences of it I really do not know.

Did you ever hear of the missionary Schwartz?—I have heard of him; nay, I have seen him.

Was he not for a great many years indefatigable in his efforts to convert the Gentoos to Christianity?—He was unremitting in his efforts to make Christians, but from what religion or persuasion I know not.

Did you ever hear of any revolution, or insurrection, or popular commotion, occasioned by the labours of Schwartz?—He was a man of great discretion, and I apprehend he only invited such as showed a disposition to attend him.

[The Witness was directed to withdraw.
The Witness was again called in.]

What do you consider as the political effect of the proposed church establishment in India?—

[The Question was withdrawn.]

[The Witness was directed to withdraw.

The Chairman was directed to report Progress, and ask leave to sit again.

4.

Veneris, 2° die Aprilis 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Thomas Graham, Esq. - - p. 45 to 51.

Ordered, by The House of Commons, *to be printed,*
2 *April* 1813.

5.

House of Commons.

MINUTES of EVIDENCE

TAKEN BEFORE THE COMMITTEE OF THE WHOLE HOUSE,

To whom it is referred, to consider of the Affairs of The *East India* Company;—and to whom the several PETITIONS, which have been presented in this Session of Parliament, relating to the Trade and Shipping of The *East India* Company, and the Renewal of their Charter, were referred;—and also, the PETITION of The *East India* Company, praying to be heard by Counsel before the said Committee.

Lunæ, 5° die Aprilis 1813.

STEPHEN RUMBOLD LUSHINGTON, Esq. in The Chair.

Lieutenant Colonel Sir JOHN MALCOLM,

Was called in, and Examined as follows:

Lieut.-Colonel Sir John Malcolm.

Mr. Adam.] HAVE you not been in the military service of the East India Company, upon the Madras establishment?—I have been.

How long have you served the East India Company?—I arrived in India in the year 1783, and have been ever since that in the service of the East India Company.

How long is it since you returned from India?—About eight months.

Have your services in India been such as to afford you the means of general information with regard to the state of all the settlements under the government of the Company?—They have been such as to afford me an opportunity of observing the state of all the different settlements in India, having been employed in each.

Have you been at any time placed in the performance of any particular duty at Mysore?—I have been resident at Mysore.

How long were you resident at Mysore?—I was resident at Mysore nearly nine years, but having been employed on various other political missions, I only resided there fourteen or fifteen months.

During the period of your having the appointment of resident at Mysore, you were sent upon several different political missions?—I was.

State to what parts of India those missions were?—During the last fourteen years that I was in India, I was employed upon thirteen distinct political missions, which missions led me almost over every part of India, both Bengal and Madras; and three of them were to Persia, over which country I have travelled. During those

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missions I have conducted negociations with almost all the principal courts in India. I have resided at the principal settlements, as well as most of the principal towns and military cantonments, in India.

Have those various services enabled you to become acquainted with the characters and manners of India, in the different ranks of society in that country?—From understanding several of their languages, and having had a great deal of intercourse with the natives of India, during the whole of my residence in that country, I had opportunities, which I endeavoured to take advantage of, to become acquainted with the manners and habits of all classes of society in that country.

From that knowledge, can you state how far an unlimited and unrestrained resort of British subjects, or Europeans, to India, would affect the Indian government?—If by unlimited and unrestrained is meant, that persons going there should be merely subject to the general law of the land, and not under specific restrictions of the local government, there can be no doubt that the resort to every place, except those settlements at which British courts of law were established, would be very mischievous, and ruinous to the government.

By unlimited and unrestrained is meant, that the state of India with regard to government and the restrictions and regulations are to remain as they are, but that the trade is to permit an intercourse of Europeans, and British subjects particularly, with India without limitation, and without the power of restraining them from going there, or preventing them from trading, when they are there, in the interior or elsewhere, any where in India within the Company's limits; subject to that explanation, what effect do you think such an intercourse would have, under the circumstances described, upon the state of the Company's government in India?—I think of all the powers which are vested in the local government, there is none more essential to its existence in full vigour and force, than that which enables them to restrain the local residence of every individual European to particular parts of the Empire; if British subjects were allowed to go in the manner described to India, the effects would be various, agreeably to the places to which they went; if to the presidencies where British courts of law are established, there would be no other danger I conceive resulting from them, but what might arise from their great numbers, and the changes in the condition of the society, and eventually and gradually of the government, from that circumstance; but if they went to any ports where there was no established authority to control them, and if they proceeded into the interior of the country, there would no doubt be much mischief arising from those quarrels which must inevitably ensue with the natives, which mischief would vary from a hundred local causes connected with the character of the natives of the places to which they resorted.

Describe what you consider to be the prevailing character of the Hindoos?—The character of the different classes of Hindoos, which compose a great proportion of the population of the subjects of the British government in India, varies in different parts of that empire, perhaps as much, if not more than the nations of Europe do from each other: Under the Bengal establishment, there are two descriptions of Hindoos, of a very distinct race: Below Patna, the race of Hindoos called Bengalese, I consider to be weak in body and timid in mind, and to be in general marked by the accompaniments of timidity, which are fraud and servility; I think, as far as my observation went, this class appeared to diminish, both in their bodily strength and their mental qualities, as they approached the coast; and those below Calcutta, are I think, in character and appearance, among the lowest of all our Hindoo subjects: But from the moment that you enter the district of Bahar, or rather the district of Benares, throughout all the territories in that quarter subject to the Company and their dependent ally the Nabob of Oude and the Douab, the Hindoo inhabitants, are a race of men, generally speaking, not more distinguished by their lofty stature, which rather exceeds that of Europeans, and their robust frame of body, which in almost all is enured to marshal toil by exercises (I speak more particularly of the Rajapoots, who form a considerable proportion of this population) than they are for some of the finest qualities of the mind; they are brave, generous and humane, and their truth is as remarkable as their courage; the great proportion of the army of the Bengal establishment is composed of these men, and it is remarkable there are few corporal punishments in that army, the slightest reproach being in fact felt as the greatest punishment is among other nations. It is more than half a century since the army of Bengal was first formed, and I believe there is no instance of any officers being more sincerely attached to their men than the British officers have been, during the

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whole of that period, to the Hindoo native soldiery of that part of India; and it was within my knowledge that this class of men possessed, not only the esteem, but the affection of the late Lord Lake, which nothing could have gained them but the qualities I have described. I have spoken more to the military class of Hindoos than to the others, because I am more acquainted with them, but from all I ever heard of the character of those who follow civil pursuits, it is much the same, allowing for the difference of the habits of life, as that of the Bengal sepoys. On the coast of Coromandel the Hindoo is a weaker man than the Bengalee; but still there are many classes among them who are highly respectable. On the other side of India, under the presidency of Bombay, the Hindoos, inhabitants of Ghuzzerat, our lately acquired provinces, are chiefly Mahrattas, and from all I have heard or seen of them, are much superior to the inhabitants that I have described along the coast of Bengal, and even to those along the coast of the Carnatic; but it is impossible, within the short limits that I must prescribe to myself in answering a general question of this nature, to give any clear or full account of those various communities.

Do you consider, from the observation that you have made on all this variety of character of the Hindoos, that the influx of Europeans in the manner described in a former question, would be attended with the evils which you apprehend?—I certainly do; the servile and submissive character of certain classes of the Hindoos, would invite an oppression that would be attended with bad effects to the general character of our nation; and the high feelings of the other class would be certain to produce broils and quarrels with persons, who, by the question, I am led to suppose must in general be ignorant of their language and habits.

Do you conceive that those evils would be likely to be aggravated in any respect by the manner in which the natives of India consider their women, and persons of the female sex, under their protection, as objects of affection and regard?—Most undoubtedly, and more particularly with the Mahomedans.

State to the Committee what the circumstances are in the characters or manners of the Mahomedans, in this respect, that would render that evil more likely in their case than in the case of the Hindoos?—Because I think that race of men have (if it is possible) a still more violent jealousy of the character of their women than the Hindoos.

Have you known any instances in which it has been necessary to give particular precautions with regard to the conduct of persons in the Company's service going into the interior of the country, as to the manner of behaving towards the natives, in respect either to their religious prejudices, their establishments, with respect to the female sex, or in any other respect?—I cannot recollect any instance; but it is above all others one of the established principles of government, and one that is supposed to be maintained by every officer, civil and military, acting under government, to enforce such respect to the usages and religious prejudices of the natives; and all offences against such usages and religious prejudices are punished with severity.

In the case of persons residing within the Company's territory at the different presidencies, who are not the covenanted servants of the Company, or in their military service, are they at liberty to go to any distance from the presidency without a regular permission?—I believe the limit is ten miles.

Are they under the necessity, when they go beyond that limit, of applying to government regularly for a passport?—Certainly they are.

Are such persons as have been just described, under the necessity of carrying that passport with them, and showing it as a means of their protection?—They are; such a passport is also necessary to any European officer, who is not travelling on duty.

Is this limitation upon the intercourse of the Europeans, through the interior of the country constant, and is it requisite?—It has been constant of late years, and appears to me to be most requisite.

Have you had any opportunity of considering how far such an influx of Europeans as has been described might affect that particular part of the country where you were appointed political resident?—There were, as far as I can remember, no Europeans in Mysore, out of the service, during the time that I was resident, except one or two suttlers in the military cantonments; and I certainly should have hesitated in recommending to government that any should have been allowed to reside there, because I deem it an essential principle to prevent by every means the

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occurrence of those disputes and quarrels between Europeans and natives, which never can happen without a certain degree of bad tendency towards the general character of our nation, and as far as that is concerned, must in a certain degree be hurtful to our government; and this was more particularly the case in Mysore, in which all such disputes and quarrels gave rise to political discussion, as that country is under the dominions of a prince virtually dependent perhaps upon our government, but certainly not directly subject to its authority.

Have you known, during your residence in the Mysore country, any disputes between natives and young European Officers?—Such were very frequent; in most cases they proceeded from the violence of the European officer, or his ignorance of the manners and language of the inhabitants.

Is this the result of your examination upon the spot at the time?—It was the general result of my examination upon the spot at the time; there were exceptions, but very few.

Do you think that Europeans out of the service of the Company, ignorant of the language of the natives, and going into the Mysore or any other part of India, are likely to get into disputes with the natives; and why?—If it frequently occurs that officers who are under all the restraint of severe military discipline, are embroiled in such disputes, I conceive persons not in the service, and equally ignorant of their manners and customs, would be still more liable to be so: one prominent cause of such persons being involved in disputes, will be the native interpreters, whom they employ as the medium of their communications, such persons, who generally speak broken English, are one of the lowest and most fraudulent classes of the community; their object is to derive a livelihood by cheating both the European by whom they are employed, and the native with whom he has any concern; and they have always art enough to direct the rage, in which the European is at being defrauded, against the person with whom, from ignorance of their language, he cannot directly communicate.

Is the intervention of such interpreters as you have described, between the native Indian and the European trader, likely to aggravate the evils which you have stated?—I have stated it as one of the principal cuases of those evils.

Are you of opinion that that cause would operate with greater effect and force, were the intercourse between traders and natives, than between travellers and natives?—Most certainly, because the object can be only to defraud the traveller of a very small sum out of what he may have to pay for his necessaries; the concerns of the merchant may present a very strong incitement to roguery.

Can you form a judgment of how far the great acquisition of territory lately made by the Company, is calculated to increase or to diminish the evils of unlimited and unrestrained European resort?—Of the two evils which every state has to apprehend from foreign and domestic dangers, I consider that the late successes of the British arms in India have greatly diminished, if they have not totally done away the former to the government of that country; the danger from our extended possessions must necessarily have increased in a ratio with the magnitude of those dominions, and with them our danger from insurrection or revolt. That our territories in India contain a great number of seditious and discontented men, there can be no doubt; and as those men, in any object they may have of subverting our empire, have lost all hope of doing that through the means of foreign enemies, we must expect that their exertions will be doubly active in trying to foment internal insurrection and revolt: Under that view of the case, I conceive that any thing that tends in any shape or way to hurt our character, or to alienate the minds of the natives, to be an evil, and one that must have a gradual tendency to weaken the bond which subsists between the government and its subjects: But it would be impossible for me to say how far or in what degree, or in what period of time, such may be effected; but of this I am certain, that we should attend most carefully, and exert all our vigilance, to prevent that description of evils which, from their unperceived operation and gradual progress, are much more incapable of remedy than more direct or greater dangers: And under this view of the case, I certainly think that the increased danger of insurrection, from the increase of our dominions, will require as strict, if not stricter regulations and restrictions upon the intercourse between Europeans and the natives of India, than what before existed.

You are understood to have said, that the authority of the government of the Company in India might be injured by an influx of Europeans; do you conceive that

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the punishment of Europeans, for crimes committed against the natives, or for offences that affect the natives, or the punishment of Europeans in general for any offences, is likely to affect the authority of government and the European influence in India?—I do not think it is likely to affect the authority, because I think that authority must be raised for the moment, by doing justice upon its own subjects, in cases where they have been engaged in disputes with the natives; but I consider every decision that a court of British justice in India is compelled to pass upon an European, in a case with a native, to have a baneful influence, so far as it affects the general character and respectability of the country to which he belongs, and which character it is most essential, in a government so constituted as that of British India, should be preserved upon the highest scale.

State whether, from your knowledge of the Indian character, and of their wants, the general population of India are likely to become customers for European commodities?—If by the general population of India is meant (which I suppose it is) the great mass, there is no doubt they are not likely to become customers for European articles, because they do not possess the means to purchase them, even if, from their present simple habits of life and attire, they required them.

Do you mean that the wages of labour are so low, and the gains of manufacturers so trifling, that they have nothing to bestow upon foreign commodities?—I believe (for I have not very minute knowledge upon the subject) that the wages of labour and the pay of manufacturers differ in a very great degree over different parts of India, but that in no part is it sufficient to enable them to purchase luxuries; and such they consider every European article.

Do you consider, from your experience of the Indian character, and from the appearances of that character at the time you left India, that they are so wedded to their habits, as not to be likely to be induced to make any change in them, by intercourse with Europeans, or by the opportunity of purchasing European commodities?—It is impossible for me to state what a very long period of time (I mean hardly under a century) may effect in the change of men's manners; but I am convinced no such sudden change can be expected, or is likely, to take place.

Are their manners and their different wants of a nature that do not require any supply of European commodities?—Speaking of the general population, and of the lower orders, certainly they do not.

Is it the practice for the Indians of higher rank and greater wealth, to apply their superfluous wealth in the purchase of European commodities?—In the principal settlements and at some of the larger towns under the dominions of the British government, there are many natives who purchase articles of luxury, such as broad cloths, watches, and various articles of that kind; but I do not think such can be said to apply their superfluous wealth, that is more generally expended in feasts, marriages, and other things more connected with the usages and manners of their own country. I have known some who imitated (to flatter their superiors) European manners, and adopted almost their dress; but such, when they were Hindoos and Mahomedans, generally appeared to me to lose in the value of their own class, by a departure from the usages. The rich settlement of Bombay is perhaps an exception to this rule: The Parsees, who are extremely wealthy, and a perfectly distinct class, have assimilated more with the European character than perhaps any other race in India, and they spend a great deal of money in furnishing houses, and purchasing carriages and other luxuries of a similar description; many of them are in the habit, I believe, of ordering very large supplies of articles from England, both for their own use and for sale, for they are almost all merchants. I have understood that the late nabob of the Carnatic had a vanity in purchasing many European articles; and I believe that the present nabob of Lucknow, Sadit Alli Cawn, and his predecessor, have purchased more European articles than all the rest of the persons in their dominions put together; a conduct which has no doubt proceeded as much from the vanity of making the collection, as from any use to which they could be put.

Are you able to state whether the present mode of supplying, and the amount of supply of English and European articles sent to India, has been sufficient or more than sufficient to supply the demands of the natives?—I have not that knowledge of commercial detail that can enable me to answer that question in any other manner than by stating, that I never was at any principal town, or any military cantonment, in British India (and I have been at most) that I did not see a superabundant

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supply of such articles, and which the natives might have purchased, if they chose; and that from my knowledge of the industry of native merchants, I have no doubt that there were numbers at such places, who would have carried those articles (if they could to any gain) to every other part of the country in their vicinity.

Have you any access to know, from the situations you have been in in Persia, whether the Company have taken every means in their power to push the sale of European commodities in that quarter of the east; and if you have, state what the effect of those efforts has been?—When I went on my first mission to Persia in 1800, I was directed by the supreme government of India to attend to any instructions I might receive from the government of Bombay, and that government furnished me with every information upon the former trade with Persia, and earnestly desired my attention to the object of finding a mart for any European goods, but particularly woollens; and I had an opportunity of knowing, that so eager was their desire at that period to promote the sale of woollens in that quarter, that their agent at Bushire had been allowed to sell them at a rate, and upon a credit, the result of which was a very considerable loss to government: I made every enquiry that was possible; and in concluding the commercial treaty, obtained some diminution of the duties, but do not believe there was any increased sale: The north-western part of Persia, in which the court resides, is partly supplied with woollens and other European articles from Astracan, by the Caspian Sea, and even British woollens are imported by that quarter.

Was every means taken by you, agreeably to your instructions, to promote the sale of British commodities, in Persia, of every description?—I took every means within my power to promote a general intercourse between the two countries, and to give every facility to the sale of every article both European and Indian; and I had the satisfaction of believing, that by my endeavours the trade of indigo, which had before chiefly gone through Cabul to Persia, was turned to the port of Calcutta.

Have you found it practicable to promote the sale of English and European commodities there?—I had no means of promoting the sale farther than by establishing that intercourse which rendered the communication more amicable and easy; the trade was perfectly open to Bushire, and being carried on chiefly by Persian merchants themselves, who had resort to every port in India, I can have no doubt they carried every article to their own country that would produce them profit; but the consumption of European articles in Persia, with the single exception of woollens, is, I believe, very trifling, chiefly on account of the general poverty of the mass of the community, and also from their own country furnishing all such articles as are necessary for their habits of life.

Besides the poverty of the country and of the people, does not the insecurity attending the conveyance of commodities from one part of Persia to another, tend very much to prevent the sale of European commodities there?—That no doubt must tend generally to interrupt the commercial intercourse of the country, for till within the last fifteen years Persia had been in a most unsettled state for a very long period; but that kingdom has been lately comparatively tranquil and settled.

You have mentioned the Parsees; are they not a small tribe confined to the small island of Bombay?—They are confined as a community to a part of the country of Ghuzzerat and Bombay, they are certainly only a small tribe comparatively with any other class in India; I do not know their numbers established on the sea coast of Ghuzzerat and Bombay.

Can you state what proportion of that number may be of the higher orders, who dealt in the luxuries of European commodities?—I cannot state; but those were in a comparatively small proportion to the numbers of their own community, only the most wealthy.

Does not the settlement of Bombay and the island of Bombay appear very different in manners from the other settlements and establishments of the Company on the continent of India; and does not that settlement partake more of European manners, and appear more like an European establishment, than the other settlements in India?—I think there is a distinct line of difference to be drawn, not so much between Bombay and the other principal settlements of the British in India, as between the inhabitants of those three settlements and the rest of the towns of India; From being more the resort of Europeans, and a great proportion of the natives having become acquainted with the language, with the laws and usages of Europeans, the

the natives of those settlements are much more European than they are to be found in any other part of the country; but I think a greater proportion of the Parsees speak English, and assimilate with the manners of the Europeans, than any other class in India that I know, of equal numbers.

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Can you state what proportion the Hindoo population of the island of Bombay bears to the rest of the population there?—I have not particular information on this subject; but as most of the labourers and poorer classes are Hindoos, I conclude that their numbers are much greater than of any other tribe: there are also a great number of very wealthy Hindoo merchants at Bombay.

Can you state whether, for the purpose of European or British consumption in the principal settlements of the Company in India, Indian artisans, or manufacturers of European commodities, have established themselves in thosesettlements?—They have; but the great proportion of such articles are manufactured under the direction at least of European artisans, who are settled at the various presidencies.

Have European artisans began to settle there, and to carry on their trades?—They have; in the different settlements of Calcutta, Madras, and Bombay, are to be found coach-makers, upholsterers, boot and shoe makers, leather manufactories of all kinds, particularly at Madras; watch-makers, silver-smiths, all Europeans, with native workmen.

Do the produce of those manufactures tend to diminish the consumption of European commodities sent from Europe?—They must, no doubt, have that tendency in a very considerable degree; and they are (as far as I could judge) extending as fast as Europeans come out to direct them.

You have said, that the artisans are Europeans with Indian workmen; from your observation, are not the Indians extremely ready in learning any handicraft art, and have they not been enabled to make those articles to very considerable perfection?—They are extremely apt at learning all such trades; various manufactures have been established; leather in all its branches is manufactured at a tannery established at Madras, at which they make military accoutrements, boots, shoes and other articles, even to ladies' gloves; carriages and other articles are made in very great perfection: many of the half cast, or children of European fathers and native mothers, are employed in such trades.

From this aptitude on the part of the Indians, is it not likely that they would in process of time supply themselves with all such articles, to a diminution of European importation to India?—There can be no doubt they would; I should conceive, from the price of labour, that they will be enabled to make those articles cheaper; I mean all such articles as the nature of the climate will admit of their manufacturing.

(Examined by the Committee.)

Can you form any opinion what proportion of the native population of India, under the British sway, consists of Mahomedans and Hindoos?—I have not the means of giving any exact answer to that point.

Is it not considered as about one in ten?—I have heard so, but I cannot state it from any calculations made by myself upon the subject.

Supposing it then to be one in ten, according to the general opinion, do you imagine that that population appears at present generally submissive, and apparently contented with the British government; is not that the *prima facie* state of things in India?—We imagine that they are contented, from their remaining tranquil; but there is even among Europeans in India, the best acquainted with their language and manners, so little of that intimate intercourse with the body of the natives, which could alone lead to a precise knowledge of their real sentiments upon points of government, that it is very difficult for any person to say more than that they are apparently contented, because they remain quiet; and that the leniency of the rule and the general system of our administration is such as should place us high in the scale of the governments to which they have been accustomed, or with which they can draw any comparison.

Do you think, or not, that the majority of the Hindoo population are contented with the British sway, at present?—I have answered that question as far as I am able in what I stated above, they appear to be so.

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Do you think that the Mahomedan part of the population are equally contented and satisfied with the British sway, as that of the Hindoos are?—I think it is probable that a great proportion of the Mahomedan population may not be so much contented, because they have a more recent recollection than the Hindoos, of that power which they have lost by the introduction of our government.

While the Hindoos are contented with the British government, do you imagine that any discontents or attempts, on the part of the Mahomedans, could seriously affect the British power in India?—The British power in India is spread over so vast a country, and the different provinces of that empire have such a varied population, that it is rather difficult to answer that question: But there are, no doubt, provinces in our empire, such as the Douab of recent acquisition, where the great majority of the military part of the population are Mahomedans; and any insurrection in that province, for instance, could receive no check from any good disposition of the Hindoo inhabitants. In many other provinces, the Hindoos form the great majority, and an insurrection of the Mahomedans would be of comparatively less consequence; but I certainly conceive that the attachment of the Hindoo population of India is the chief source of our security in India. It is however to be remarked, that in many parts of India the Hindoos and Mahomedans have amalgamated more than could be supposed from the difference of their persuasion; and the Mahomedans of India have not only become more lax in the performance of their religious duties than the Mahomedans of neighbouring countries, but seem gradually to have adopted some of the minor usages of the Hindoos; nor is it unusual for Hindoo princes, such as Scindia and Holkar, to conciliate their Mahomedan subjects and troops, by paying their devotions at the shrine of Mahomedan saints, and mixing in their feasts.

It appears, then, from what you have just stated, that the Mahomedans and the Hindoos live together in social habits, in many parts of India?—In as social habits as their faith will permit. In speaking of the Mahomedans of India, I have been led to state what I have done, from having had an opportunity of comparing their manners and usages with the Mahomedans of Persia, Arabia, and Turkey.

The Mahomedans and the Hindoos live much more in habits than the Europeans and the Hindoos?—Most certainly.

Do you think that there are any motives by which the Mahomedans could excite in the Hindoos a disposition to unite with them in putting down the British power?—I conceive there are no motives but such as should communicate to both a common sentiment of alarm or indignation at the conduct of the British government, or at that of any of its delegated authorities.

Are you of opinion that the Mahomedans would put down the British power if they could?—This question has reference to such a number of local considerations connected with the period which the Mahomedans have lived under the British laws, and the period which the Hindoos have, in different parts of India, that it is impossible I can give any general answer to it: I certainly do not think it is a common desire with the Mahomedans in every part of India to subvert the British power, however it may be indulged by some of the turbulent of that class, and particularly the higher ranks, who have recently lost their authority; nor am I satisfied that all Hindoos are contented; I am only able to speak of the apparent general disposition of our subjects.

Do you think if any ground was furnished, to enable the Mahomedans to induce the Hindoos to make common cause with them, that the British power must not be speedily overset?—I can have no doubt that if a cause should operate, as is described by that question, our authority could not last a day: I understand by the question, that by the words Mahomedans and Hindoos, are meant all our subjects of that class in India.

[The Witness was directed to withdraw.

The Chairman was directed to report Progress, and ask leave to sit again.

5.

Lunæ, 5° die Aprilis 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Lieutenant Colonel Sir John Malcolm - - - - - p. 53 to 60.

Ordered, by The House of Commons, to be printed,
5 *April* 1813.

6.

House of Commons.

MINUTES of EVIDENCE

TAKEN BEFORE THE COMMITTEE OF THE WHOLE HOUSE,

To whom it is referred, to consider of the Affairs of The *East India* Company;—and to whom the several PETITIONS, which have been presented in this Session of Parliament, relating to the Trade and Shipping of The *East India* Company, and the Renewal of their Charter, were referred;—and also, the PETITION of The *East India* Company, praying to be heard by Counsel before the said Committee.

Mercurij, 7° die Aprilis, 1813.

STEPHEN RUMBOLD LUSHINGTON, Esq. in The Chair.

Lieutenant Colonel Sir JOHN MALCOLM,
Was again called in, and further Examined by the Committee, as follows:

Lieut.-Colonel Sir John Malcolm.

YOU are understood to have said, that the natives of India residing at Calcutta, Madras, and Bombay, have, from their intercourse with the Europeans, relaxed a good deal in their prejudices, and that in consequence several articles of European manufacture are in use amongst them?—I did not mean by "prejudices" that they had relaxed in any religious prejudices, but that more of the natives of the presidencies were in the habit of using European articles, than of the natives in the provinces.

Can you form any ideas of the numbers of the native population at Calcutta?—I have heard it stated from 400,000 up to 600,000, but I have no means of forming a correct idea; but in stating that more of the natives of the presidencies than of the provinces have used European articles, I meant the wealthy natives; the remark did not at all apply to the mass of the population.

Do you conceive that a larger proportion of the wealthy natives are resident at Calcutta than in other towns?—I think there rather is; though Benares, Patna, and other cities under the government, might almost compete in wealth (I believe) with the presidency.

Have you any means of estimating the native population of Madras?—I do not recollect ever having heard it stated.

Do you know what the native population at Bombay is?—I cannot call to my memory exactly.

Can you give a general estimate?—I should think the population of the whole Island of Bombay, which may be almost called one settlement, not very much

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inferior, taking in the whole Island, to what Calcutta is; but I really have not, at present, any recollection that can lead me within one or two hundred thousand persons.

As you have been at most of the courts in India, in the treaties between the Powers of India and the British Government, is there not an express stipulation by which the native powers engage not to permit the residence of unlicensed Europeans in their respective states, without the consent of the British Government?—I believe there is such an article in most of the treaties with the princes with whom we have alliances in the peninsula of India.

Are there any prejudices, either civil or religious, amongst Persians, that would render the introduction of European articles impracticable?—Certainly they have no prejudices that would render the introduction of any European articles impracticable, at least I have never in the course of my intercourse heard of such.

Have you had an opportunity of judging whether the Persians are partial to European fire-arms?—The Persian government was very solicitous to obtain both cannon and fire-arms from the English government; and the individual nobles of the military class in Persia, were, as far as I could judge, very desirous of having our pistols; but I never knew them anxious to have those upon any other terms but that of receiving them for nothing; and they in general used a cheaper manufacture, arms made in Turkey and in their own country: I believe their objections to purchasing our fire-arms, was their price, I mean particularly English pistols.

Are woollens in use in Persia?—They are.

Do you know by what channel they get into Persia?—I do; they are imported by the Persian Gulf to the port of Bushire, and sent from that port all over Persia; they also receive woollens by the Caspian Sea from Astrachan.

You have just stated, the Persians have no sort of prejudices, and that European articles of all sorts are indiscriminately admitted into Persia; do not you imagine that if wines or liquors were to be landed, they would not be permitted to be imported into Persia?—I said that the Persians had no kind of prejudices, as far as I had seen, that would render it impracticable to import any European articles; wine or other liquors are certainly contrary to the Mahomedan religion; and I have never heard, by any accident, of any person trying to import them as an article of trade; but, as such, they might no doubt be objected to.

You have stated the native population of Calcutta to be reckoned at about 400,000; have you any authority for the estimate of such an immense population?—I have no authority but that of common report.

You were just asked respecting the treaties with the different native powers, during the time you resided at the different courts in India; did you never know or hear of Europeans finding their way to the different courts, and being engaged in the military service?—Numbers; both French and English.

Do not you suppose that if the trade of India was allowed indiscriminately to ships manned with Europeans, all along the peninsula coast of India, and not restricted to the principal settlements, such as Bombay, Madras, and Bengal, that there would be a facility given for European adventurers quitting the ships and finding their way into the interior of India, notwithstanding every precaution of government?—The extent of coast to which such ships were allowed indiscriminately to resort, would no doubt greatly increase the difficulty of preventing their penetrating into the interior.

If the export trade from this country was to be restricted, so far as relates to the peninsula continent of India, to the principal settlements, such as Bombay, Madras, and Calcutta, do not you think in such case that it might be very difficult for Europeans, by quitting their ships, to enter into the interior of the country?—Most certainly.

Then, so far as you have had an opportunity of judging, do you think it would be a very wise measure, for the security of the government of India, and also for regulating the trade to India, and preventing small-arms, gunpowder, and other warlike stores being furnished to the different native powers who may be inimical to the interests of this country, to restrict the trade in European ships to the princi-

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pal settlements?—I can only generally state, in answer to that question, that, as far as I have had an opportunity of judging, the effect of the intercourse of Europeans with the natives, as well as attempt at contraband trade in arms or other things, I think that there cannot be too severe restrictions established; and that in case of any increased number of Europeans being admitted to India, those restrictions ought to be rendered if possible still more strict and severe. *Lieut.-Colonel Sir John Malcolm*

You have said that there is a considerable degree of native population at the principal settlements, Calcutta, Madras, and Bombay; can you form an opinion what proportion of that native population would be able, if willing, to purchase articles of British produce and manufacture?—I really have no means whatever of forming any computation of the comparative numbers of persons that would be able to do so.

Do you think the lower description of that native population would be able to purchase those British commodities?—Certainly not, if by lower is meant the common labouring classes.

Can you form an opinion what proportion that lower population bears to the higher ranks?—I have no knowledge that enables me to give a correct answer to that question.

Are there not many merchants, natives, Parsees and British, who are ready and who do endeavour to push the sale of British manufactures up the Gulf of Persia, and to convey whatever articles they think will be acceptable there?—There are, no doubt, in every one of the principal settlements of British India, and at most of the principal towns, both European and native merchants, who are active, industrious and enterprising, and who trade in every quarter where they consider they can derive benefit, in all articles, both European and Indian, that are in the markets of those places.

Does it fall within your knowledge that there are sales by auction of numbers of British articles at all our principal settlements?—There are, and at Calcutta particularly, to a very great extent.

Are not those articles frequently sold under the prime cost?—I have no correct means of answering that question; but I should suppose so, by their being sold by auction.

If, therefore, there was any probability of finding a vent for those articles, would not these natives, and British merchants, and Parsees, avail themselves of that, and be able to sell them proportionably cheaper to the rate at which they could be sold if imported from England?—I have not a sufficient knowledge of commercial detail to enable me to give a clear answer to that question.

Are there not many places on the Malabar and Coromandel coast accessible to ships, exclusive of the places where officers under the direction of the Company are stationed?—I believe there are many parts of the coast of Malabar and Coromandel where ships might touch, where there is no European magistrate.

Might not, through such places, a number of adventurers get into the interior of the country, under the general licence that all ships from England should have free access to all parts of India?—In all parts of the British dominions there is a police established, and though no European magistrate may be upon the spot, that police would, I should conceive, in most cases, be able to prevent such Europeans penetrating into the country; but not having been a magistrate, I cannot answer more correctly to this point; the difficulty of preventing it would be increased or diminished by the boldness or numbers of the parties who desired to penetrate.

What, in your opinion, would be the effect on the general character, respectability, and efficiency of the Company's army, if the regiments of European infantry in the Company's service were to be reduced, and if the Company's infantry were to consist of natives alone?—My opinion upon this subject is more particularly formed upon an intimate knowledge of the feelings and character of the army of the coast of Coromandel than any other of the establishments, though I have seen and served with all: I think that the character and feelings of the officers of the Company's army have been injured by a former reduction of the European part of the establishment, and that that injury to their feelings and to their character and respectability would be

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added to, and indeed completed, by the reduction of the remainder; and that a more serious injury could not be inflicted, than one which added to a distinction which has often produced jealousy, I mean King's and Company's, that of European and native.

You have stated the effect upon the Company's officers generally; in your opinion, if that measure were adopted, what would be the effect upon the European officers attached to the native infantry, in particular?—The effect which I have described, would be most felt certainly by the officers of the native infantry.

What would be the effect on the native commissioned officers and sepoys?—Any measure which tended in any shape or way to lower the character and diminish the respectability of European officers with themselves, must in course be gradually communicated to the men under their command.

Were not the sepoy corps in the French service in India, a distinct branch of their military establishment, separate from the regiments of the line?—They were.

Was there any difference in the character and efficiency of the sepoy corps in the French service in India, and those in the service of the Company; and if there was, state the causes which occasioned that difference?—The sepoys in the French service in India were always deemed inferior to those in the British service; the leading causes I conceive to be, that the service was deemed inferior to the European officers, who in consequence wanted that military pride which is essential to the character of a soldier; I also conceive a difference may have arisen from the French officers never having attended so much to the prejudices and characters of the men under their command, as has been the habit in the English service, indeed I know this fact from frequent observations made by old sepoys.

Are not the native corps in the Company's service supplied with staff serjeants from the Company's European infantry?—They used to be entirely supplied with staff serjeants from the Company's European infantry, but since that has been reduced so low, it has been unequal to furnish a sufficient number of good men for that purpose, and they have been casually supplied from His Majesty's regiments serving in India.

As the men of the Company's European corps are raised for the service of India only, and look forward to promotion in the native corps, are they induced to conform more to the manners and prejudices of the natives, than the men of His Majesty's regiments?—From having served in a European corps in the Company's service, for three years, I can answer positively that they are, from the causes stated in the question.

Is not the selection of serjeants, for the duties of the native corps, infinitely more particular than even for the European regiments?—No doubt it is; the internal arrangements of a native battalion depend in a certain degree upon the efficiency and good character of the staff European serjeants.

Have the Company's regiments of European infantry been found equal to the performance of the services required of European troops?—I believe they have, on every occasion; I never heard of their failing to distinguish themselves, where an opportunity was given.

Are not the European officers in the native corps, from the circumstance of their not sitting as members of regimental courts martial for the trial of natives, deprived of an opportunity of practically learning the important duties of courts martial?—They certainly are.

Would any advantage result to the public service if the Company's establishment of European troops, cavalry as well as infantry, was on such a scale as to admit of the officers, on first entering into the army, being attached for a certain period of time to an European regiment, previously to their being permitted to join the native corps and was it not formerly invariably the practice of the service, for officers to be appointed to European regiments, on their arrival in India?—Certainly there would be great advantage: I know no measure that has tended more to affect the temper of our native troops, than the introduction of young officers, unacquainted with their languages and prejudices: the governments of the different presidencies in India have felt this so much, that they have endeavoured, by the establishment of military seminaries,

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naries, to avoid its inconveniencies; but all these have (I believe) failed from a want of discipline, and indeed the great difficulty, in a country like India, of keeping a number of young officers assembled together in order; such would not only be kept in order in European corps, but be instructed in many most essential points of discipline.

Besides those advantages, would it not tend to remove the prejudice against the natives, which many persons, more particularly young men, entertain on their arrival in India, and thereby better qualify the officers who had been in an European regiment for the command of native troops?—Certainly the longer persons remain in India, the more, generally speaking, their prejudices against the natives wear away; the officers so appointed would not be so likely to give offence to the prejudices of their men, as if they had been nominated to an European regiment on their first arrival; but I am not sure that I distinctly understand this question.

By being for a certain time in an European regiment, does not an officer get rid of his prejudices before he is sent to command native troops?—Most certainly, in most cases this would be the case.

Would it be advantageous in a military point of view, as well as with a view to economy, to have the regiments of Europeans in India completed by filling up the casualties with recruits, or to have them occasionally relieved by entire regiments?—It, no doubt, would be most economical to have them filled up with recruits, and the regiments would always continue more efficient; as any new regiment coming entire from England is unfit for service for, I may say, a twelvemonth at least.

Did not Lord Cornwallis in 1794 recommend to His Majesty's ministers a plan for new modelling the army in India?—He did, in a letter to the President of the Board of Controul.

Was not one of the principal objects of the plan, to prevent the continuance or revival of those discontents and jealousies which had so often manifested themselves between the King's and Company's troops, as well as between the servants belonging to the different presidencies?—It was; I believe his Lordship, as far as my memory serves, stated as much in the very words of the question.

Did not Lord Cornwallis deem it essential that the new regulations should be calculated to inspire hopes of promotion and public distinction, which his Lordship conceived would operate beyond all other incitements in calling forth the exertions of military men?—His lordship stated those to be his sentiments, in his dispatch, at least as far as my memory serves.

Did the regulations which were framed in 1796, extend their benefits equally to the three presidencies?—They did not, I recollect particularly, because I was military secretary to Sir Alured Clarke, who at the period of their introduction was commander in chief at Fort St. George; and I remember that officer writing a minute, in which he pointed out this distinction in the strongest manner, and predicted that the most evil consequences would result from it, with respect to the feelings of the army of that settlement.

Has not a preference been shown to the officers of His Majesty's service in India, in the distribution of military commands?—I have often heard such a preference complained of, but cannot charge my memory with any precise facts that would enable me to give an opinion at this moment upon its justice; but I know it was considered at various periods as a grievance among the officers of the Company's army.

Is not the rank of the Company's officers confined to that of major-general?—It is.

Has any Company's officer, since the regulations of 1796, been specially appointed commander in chief at any of the presidencies in India?—I believe not one.

Has any mark of honour or public distinction been bestowed by the crown on any officer of the Company's army, for military services?—I have no recollection of any such mark or distinction within thirty years, except one, the dignity of baronet was granted to Sir John Brathwaite, when he was superseded by a junior officer of His Majesty's service in India from the command of the army of Fort St. George, to which he had been provisionally appointed.

Lieut.-Colonel Sir John Malcolm.

What, in your opinion, has been the general effect produced upon the minds of the Company's officers, by their exclusion from the higher stations in India, and from those marks of honour and public distinction, which are usually the rewards of eminent military services?—I believe such exclusion has, beyond all other causes, tended to damp that ardour and high military feeling, which are always essential to the character of an officer, but, above all others, of officers so situated as those in the Company's service are in India; I believe that it has diminished the ambition, and almost extinguished the hope, with regard to military fame and rank, in all classes of that service; that they have in consequence sunk in their own estimation, as well as in that of the troops under their command, and of the inhabitants of the country in which they serve: I am also satisfied that this cause alone is competent to defeat all the benefits that were intended by the regulations of 1796, which proposed a fair equality between the two services.

Do you think that the character and credit of His Majesty's forces in India stand in the estimation of the native powers in as high a degree of respect as those of any part of the Company's troops?—I do certainly think that it does; and my answer to the last question was meant to convey, that the operation of the system established was calculated to raise it still higher, not upon its own merits (which, God knows, services are as high as possible) but upon the depression of the others. I neglected to answer one part of the question connected with the European troops, which was, that I was convinced the feelings cherished by the Company's officers were for a system that would produce emulation with His Majesty's troops, not jealousy; and that if they felt the loss of Europeans, it was because they had lost, among other things, the power and opportunity of competing for honest fame, in the front of the battle and in the breach, with His Majesty's officers serving in India, from which they are in some degree excluded, as European troops are in general employed upon services of the greatest glory and danger. It seems impossible but that officers with that advantage which the circumstance of their commanding Europeans gives them, must feel a superiority, and the other service must feel a consequent depression. I wish to say in explanation, that all the officers in His Majesty's service, who have since 1796 held stations of principal command in India, are persons for whom I have the highest respect, and with all of whom I am personally acquainted, I feel bound to many of those officers by ties of gratitude and friendship; and I believe there never was a series of officers selected which did more honour to those by whom they were nominated; but it is a much easier task to show their high merits, than to calculate the evil effects upon a whole service, by an exclusion which banishes all hope from their breasts of ever attaining the highest ranks in the service of their country.

Do you think that any bad effects would arise from uniting the two services in one, and from incorporating the Company's army with that of the King?—I conceive that the bad effects which I have pointed out, from any service in India being exclusively native, would be equally felt, whether that service belonged to the Crown or the Company; and I conceive there are many and numerous difficulties in the way of any arrangement to connect a local service for India with the European army of England.

You have stated in a former part of your evidence, that the wealthy inhabitants of the presidencies of India, namely, Calcutta, Madras, and Bombay, are in the habit of purchasing European goods; are those purchases so made from the predilection which they have for such articles, or are they not most frequently made to gratify and to please Europeans?—I believe they are in general made either for the purpose of gratifying and pleasing Europeans, or to satisfy vanity or curiosity; some, no doubt, are articles of use, and purchased for that purpose; I speak at present of the most wealthy.

Supposing such motives not to exist, do you think that the purchase of European articles by natives of India, at the presidencies, would be to any great extent?—It would be certainly greatly diminished from what it is at present, by the extinction of such motives.

Are there not in Calcutta, Madras, Bombay, and in the provinces of Bengal and Berar, many mechanics, tradesmen, and planters, who are considered as colonists in those places?—There are many such persons resident in the places described; but I can hardly conceive persons can be considered as colonists, whose residence depends

depends from day to day upon the toleration of the British government in India, and that is the situation of most of those persons. *Lieut.-Colonel Sir John Malcolm.*

Can you form any estimate of the number of persons described in the last question, who may be distributed in the places mentioned?—I do not recollect it at present, though there is a regular register of their names in the common calendar of the Bengal presidency.

Do they amount to thousands?—Certainly not thousands.

Reckoning in all the places?—I should conceive not.

Have not many of the natives learnt from those persons the improvements and arts of civil life?—Many of the natives have learnt from such persons mechanical arts, but few, if any (if I am to understand that the question refers to our Mahomedan and Hindoo subjects) have at all changed their usual modes of life.

Do you apprehend that any serious evils would arise from an increase of the number of such persons in India as have been described?—It would entirely depend upon the character of such persons, and the restraints imposed upon them.

Do not you think that the advance of the natives of India in every branch of useful knowledge, will be in proportion to the means and example which we may afford them, by the residence of such persons as have been described in India?—I certainly do conceive that their advance in every branch of useful knowledge will be in proportion to the examples and instruction they receive; I mean by useful knowledge, an improvement in mechanical arts, manufactures, and every thing that tends to render them more happy and comfortable.

Do not you think that it would be good policy in the British government to increase the means of information to the natives of India; information such as you have described?—I consider that in a state of so extraordinary a nature as British India, the first consideration of the government must always be its own safety; and that the political question of governing that country must be paramount to all other considerations: Under that view of the case, I conceive every subordinate measure (and such I conceive that referred to in the question) must be regulated entirely by the superior consideration of political security.

Might not an increase in the knowledge of useful arts in the natives, conveyed by British subjects resident in India, tend to strengthen the British government in India?—I conceive that such knowledge might tend in a considerable degree to increase their own comforts and their enjoyment of life; but I cannot see how it would tend in any shape to strengthen the political security of the English government in India, which appears to me to rest peculiarly upon their present condition.

State your opinion, by what means an attachment to the British government in India might be promoted in the minds of the natives of India?—By continuing to govern them with mildness, moderation, and justice.

Has it come to your knowledge that very serious affrays have taken place between large bodies of the natives of India, in consequence of disputes between the indigo planters, in the interior of the country?—I have heard of such; there was one particularly shocking case, in which Mr. Arnott, an indigo planter of Bengal, was murdered, a few years ago.

Have the European indigo planters been the ostensible persons in occasioning such affrays?—I have not such a minute knowledge as enables me to give an answer to that question; in the case I stated, general report spoke Mr. Arnott to be a very violent man.

Do not you believe that if many Europeans were settled in the interior of the country, such affrays as have come to your knowledge would be likely to take place?—They would I conceive be more numerous, from an increased proportion of persons liable to be engaged in them.

State the nature of such disputes and affrays?—I really have not the means of answering that question.

Lieut.-Colonel Sir John Malcolm.

State the number of Indians who meet to contest the disputes between such individuals; are there not hundreds sometimes?—I have not that minute information regarding this subject as will enable me to give a satisfactory answer to this question.

You have alluded to one particular instance of an affray between planters and the natives; state how the Europeans, not in the service of the Company in India, have generally conducted themselves, whether peaceably and quietly, or otherwise?—If by that question is meant the Europeans at the different principal settlements in India, not in the service of the Company, which are the class with whom I am best acquainted, those are divided into different communities, the principal of them, that is, the gentlemen, agents, and British merchants are (as far as my knowledge goes) a class of men not exceeded, in all the qualifications by which men in their condition of life are distinguished, by any in the world; and I never heard of any conduct on their part, that was not such as belonged to their characters. The other Europeans at the different presidencies are of various characters, and the lower parts of them are I conceive kept in order by the severe restraints of the government, and the courts of justice established at those presidencies, in the same manner as in all other societies.

Can you name any other instance than that to which you have alluded, of an affray having taken place between any European and the natives of India, in the interior or otherwise?—I have heard of several quarrels; not of any person being murdered, but Mr. Arnott.

Do you think it likely that any of the native powers in India would, under existing circumstances, entertain Europeans in their service, in defiance of their treaties with the British government?—I do not think that those who have entered into such treaties would.

Are you aware of any native power in India, which has not entered into such treaty?—None of the larger powers; there are a great number of the lesser powers which have not entered into such treaties.

Have the goodness to mention them?—I cannot recollect all the lesser states of India with whom we have no engagements, but we have treaties with the higher states in India, by which Europeans are excluded, such as the Nizam of the Deccan, the Peishwah, the Rajah of Mysore, Scindiah, and I believe the Rajah of Berar.

Do you consider any of the powers in India, with the exception of the Rajah of Berar, as independent of the British government?—That is a difficult question for me to answer; by the treaties with several of those princes, they certainly cannot be considered as dependents of the British government.

Are there not many European officers in the Nizam's service, appointed with the concurrence of the British authority, at his court?—There are I believe some, their numbers are not at present very considerable, though I have not the means of knowing how many.

Have not you heard of some respectable officers from the King's army having been sent out, for the purpose of going into the Nizam's service, with the permission of the British Government?—I do not recollect the name of such an officer (except it was Major Frazer;) but I believe there is an officer in the Company's army, in charge of some part of the Nizam's infantry; and the system is not unusual, as at the siege of Seringapatam I commanded myself all the regular infantry of that state.

Are not you of opinion that if any Europeans were to be landed from British ships at any of the ports on the peninsula of India, and to find their way into the interior, they would be immediately taken up and sent to one of the three presidencies?—It depends a great deal upon what part of the interior they penetrated into.

Could such Europeans land on any part of the coast of the peninsula, to go into the interior, without going through part of the British dominions, or a country subject to the treaties of which you have spoken?—They could land in no such port, except on an inconsiderable tract of country between Bombay and Goa, subject to the Rajah of Kolapore, who is not pledged by alliance (as far as I know) with the British government to prevent any Europeans landing in his country; and I have known instances where such were permitted to penetrate into his country.

If

If such Europeans were entertained by that rajah, could it be productive of any serious inconvenience or danger to the British interests in India?—I do not think that rajah has any power that can ever be a subject of serious alarm; how far he might possibly have the means of sending such persons further into the interior, I cannot possibly say. *Lieut.-Colonel Sir John Malcolm.*

Into what states would he be likely to send such persons, as far as you can form an opinion?—I cannot say that his disposition would lead him either to receive them, or to send them to any states; but, perhaps, the only part where any Europeans could be of any danger, would be in joining Meer Cawn, or the person who has in his hands what remains of the power of Jeswunt Rao Holkar.

Is it at all probable that any number of Europeans, say even a dozen, would find their way to Meer Cawn, without being intercepted either by the British authorities, or some of the states with which we are in alliance, and with whom those treaties exist?—I do not think it probable; there would be more difficulty if they went in a body of even twelve, than if they went singly.

Is it not usual for the private merchants residing in India, to employ native agents more frequently than Europeans, in their commercial transactions with the natives in the interior?—I believe they do, but I have not the means of particularly knowing the fact.

Would not the European adventurers in this country be likely to find it more convenient and more advantageous to employ natives, than to go into the interior themselves?—That would, I conceive, depend much upon the part of India to which they had resort; as far as my experience went, more Europeans resorted to the interior in Bengal, than in all the other parts of India put together; but I cannot from my own knowledge precisely judge of the motives that would operate on the minds of such adventurers as are described.

Are not the European articles sent from India to Persia necessarily invoiced very high, from going through so many hands before they reach that country?—As far as I could judge, a great deal of that trade was carried on by the native merchants of Persia, and by the Arabs of Muscat, and by Armenians, many of whom were resident at Bushire and Bussora.

Do not you think that if the situation of the natives of India were bettered, so as to afford them the means, they would be disposed to purchase such of our manufactures as might tend to promote their comfort?—If by being bettered, is meant improved in their circumstances, I have no doubt they would in such case, purchase every comfort within their reach.

Do not you think it possible in time to better the situations of the natives of India, in point of pecuniary circumstances?—I conceive such improvement in the condition of an empire so large as India, must be very gradual and very slow; but such results may no doubt be expected from a long period of peace and good government.

Do you not think that the revenue system of India might be improved?—I never was employed in the revenue line, and am not sufficiently acquainted with the detail of that line to enable me to answer that question.

Have you not heard the natives of India complain of the revenues and taxes being heavier than they could bear?—I cannot charge my memory with hearing any particular complaints of this nature; but I have no doubt complaints of payment to government are made in India, as well as in every other country in the world.

You have no doubt often read the Calcutta Gazette; state to the best of your recollection, how many columns of that paper are usually filled with advertisements for the sale of lands to pay rents?—I believe such advertisements to be very common, but cannot charge my memory with any knowledge whatever of their number or extent.

Does not the Supplement to the Calcutta Gazette very often consist of two or three sheets filled with such advertisements?—I have no doubt, from the question being put, that it does; but the advertisements in the Calcutta Gazette are some of them in Persian, and others in Bengalee, the latter of which languages I do not understand, and I have seldom or ever perused any of them, and therefore cannot state the fact particularly.

Lieut.-Colonel Sir John Malcolm.

Is not the native Christian population of India very considerable, particularly on the Western coast of the peninsula?—I believe that the Christian population is very considerable in all parts of India, where the Portuguese, Dutch, Danes, and French, were and are settled in India.

You have mentioned on a former night, that the natives of India were getting into the habit of manufacturing articles, the same as those supplied from this country; do you think that articles so manufactured are as good as those imported from England?—The tannery lately established at Madras, by an European gentleman of the name of Parry, who has various assistants acquainted with that manufacture, has reached a very extraordinary degree of perfection; leather pantaloons even for the horse artillery are, I believe, manufactured there, also gloves of very excellent description; and I have heard, within the last two years, there is a tolerable glass manufactory established at Madras; the carriages made at Calcutta are, I believe, generally speaking, preferred to those sent out from England, though many of the materials are imported from this country; the furniture is also excellent; and silver plate is manufactured by Europeans, as well as many other articles; and I am not aware that there are any circumstances of climate which can make a difference in the production of equally good mechanics, in any of the manufactures I have stated.

Do you think that the natives of India are likely to rival us in their manufacture of woollens, cutlery and other hardware?—In India they have no wool fit for the manufacture, and therefore can never rival us in that; I have seen articles of cutlery, and even brass instruments, made in very considerable perfection, the latter was at the Gun-carriage Yard in Seringapatam, where European superintendents have instructed some of the half-cast artisans and natives to be very skilful workmen; and I cannot myself understand (if there is no objection on the point of climate) why the same persons that manufacture articles in England, if they have the materials in India, should not make them there.

Is not a piece of woollen cloth almost the greatest present that you can make to a poor native of India, and the most acceptable?—A piece of cloth is a very acceptable present to any native of India, and particularly to one who cannot afford to purchase it, as it furnishes him with warm clothing for the winter, if he is in a climate which requires such; but if by "poor" is meant a person of the labouring class or lower community, I have seldom known such wear woollen cloths, except at the presidencies, and there chiefly those in the service of the Europeans; such are often in the custom of having jackets of that cloth.

Is not the climate of India, for the greatest part of the year, such as to render woollen clothing very desirable in the night?—The latitude of the Company's possessions in India extend, I believe, from 10 and 11 to upwards of 30 degrees north latitude, and the climate varies still more from the elevation of different countries, than it does from different degrees of latitude; many parts of India, no doubt, are cold in the winter, and in such, woollens must be a desirable wear to those who can afford to buy them.

Do you think there is a probability of any materially increased consumption of British manufactures in Persia, conveyed thither through the medium of India?—I do not think there is, as the markets for such articles at Bombay, and other places in India to which Persian merchants resort, are abundantly supplied, and there is no difficulty in the intercourse.

Do you think that, notwithstanding the Company's orders, forbidding the ingress of Europeans into British India without a licence, the number of unlicensed Europeans has considerably increased there?—It has I believe increased to a very great extent, particularly at Bengal.

Supposing free trade to give legally a very large admission to Europeans into India, do you think, from what you may have already observed of the propensity of that race to resort to India, that an increased number of them would endeavour to go there, though not entitled by the new regulations to do so?—I certainly think, from what I observed, that there is a great disposition in a variety of persons to resort to India; and I have seldom known, among the lower classes particularly, any wish to leave it after they have resided there some time; this I conceive to result from the habits which they acquired in the country.

Lieut.-Colonel Sir John Malcolm.

By what means do you conceive it would be in the power of government to controul the continually increasing mass of European population, and to keep them from entering by various channels into the interior of the country?—I can conceive no other means, except an increased police, and the greatest exertions on the part of the government to prevent that evil.

If the natives who compose the police establishments in India, or if even the regular sepoys, were called forth to quell the insubordination of Europeans, or to take them into custody, would not this exercise of native force over Englishmen be likely to degrade the latter in the eyes of the Indian people, and to reduce the respectability of the government of the English?—Most certainly it would degrade the European character, and as every degradation of that character must tend in some degree to a diminution of that respect which it is most essential to support in the minds of the natives towards the British nation, it would (to a certain degree) be an evil of the nature described in the question.

You are doubtless aware of the permanent settlement of the lands in Bengal, by which they were made over in free property to the zemindars at one unalterable rent, and all the benefits of improvement and agriculture were, contrary to the former practice, left wholly to the enjoyment of the cultivators?—I am aware of that settlement.

Did not you understand that it was thought a necessary condition of this system; that to secure the rent of government against the improvidence or dishonesty of the zemindars, the land should be made answerable for the rent, and, in case of defalcation, a portion of the land be sold for payment?—I do know of such a regulation.

Can you state whether it was from the improvidence or dishonesty of zemindars, that in general the sales have been produced?—I have always heard that the permanent settlement was made at a very moderate assessment, and therefore conclude it must have been from the improvidence or dishonesty of the zemindars, when such sales were made; but never having been employed in that particular branch of the service, I cannot speak with minute knowledge to the question.

Are you able to say whether advertisements in the Indian papers are not generally given, the same advertisements, in three or four different languages, and repeated in three or four successive papers?—I believe they are.

[The Witness was directed to withdraw.

The Chairman was directed to report Progress, and ask leave to sit again.

ERRATA:—Page 55, line 8; *for* "on the coast of Coromandel the Hindoo is a weaker man than the Bengalee," *read* "on the coast of Coromandel the Hindoo is a weaker man than the Rajpoot."

6.

Mercurij, 7° die Aprilis 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Lieut.-Colonel Sir John Malcolm - - p. 61 to 71.

Ordered, by The House of Commons, to be printed,
7 April 1813.

7.

House of Commons.

MINUTES of EVIDENCE

TAKEN BEFORE THE COMMITTEE OF THE WHOLE HOUSE

To whom it is referred, to consider of the Affairs of The *East India* Company;—and to whom the several PETITIONS, which have been presented in this Session of Parliament, relating to the Trade and Shipping of The *East India* Company, and the Renewal of their Charter, were referred;—and also, the PETITION of The *East India* Company, praying to be heard by Counsel before the said Committee.

Jovis, 8° die Aprilis 1813.

WHITSHED KEENE, Esq. in The Chair.

Major-General ALEXANDER KYD,

Was called in, and Examined as follows:

Mr. Jackson.] HOW long have you been in the service of the East India Company?—I have served the honourable East India Company thirty-nine years, nearly thirty-four years of which I resided in India. *Major-General Alexander Kyd*

To which of the military establishments did you belong?—To the military establishment of Bengal.

Be pleased to describe your present post or station?—I now hold the office of chief engineer upon that establishment.

How long have you been returned from India?—About two years and a half.

Be pleased to describe the parts of India to which your duty has led you?—In the course of my service I have been at nearly all the Company's stations in the interior of Hindostan, and in many places in the Mahratta country; I have also navigated the whole of the coast of Hindostan, from the Gulf of Cambay to the peninsula of Malacca, and on the west coast of Sumatra.

Are you thus acquainted with both coasts of the peninsula of India?—Both the Malabar and Coromandel coasts.

Have you had an opportunity, from this extent of service through the various parts of India, of well acquainting yourself with the character of the natives, as to their habits, customs and prejudices, whether civil or religious?—In the course of my professional avocations, I have had much to do with the natives of Hindostan, in

Major-General Alexander Kyd.

forming contracts for materials, and employing workmen for carrying on public works.

Supposing, from the circumstance of opening the trade from every port in the United Kingdom to every port within the limits of the Company's charter (Canton excepted) a considerable and indiscriminate influx of Europeans should take place, what effects do you apprehend might arise from that circumstance?—The effects, I think, would be fraught with the greatest danger ultimately to the Company's possessions.

Be pleased to state the reasons upon which you found such apprehensions?—From the character of the lower class of Europeans, who, more especially upon their first going to India, hold the natives in the most sovereign contempt, and whenever they can have an opportunity, treat them exceedingly ill; from another part of the character of the lower class of Europeans, that they are extremely addicted to spirituous liquors, whenever they can get them, and the vast facility there is in every market and village in Hindostan to obtain ardent spirits at a very trifling expense, and when intoxicated are apt to commit disturbances, and thus give a bad impression of the European character.

Do you found these observations on any particular instances within your recollection?—Upon innumerable instances.

State any that happen to occur to you?—During the time that I had occasion to carry on the public works, particularly at the fortress of Allahabad, where I was employed five or six years, I was permitted by government to get European overseers from the different corps of the army, and in general the best men were recommended to me; but in a little time I found it so impossible to depute any sort of authority to those men, on account of their using the natives ill, that I was obliged to leave off employing them, and have recourse to native overseers; the same has happened in all public works that I have had occasion to carry on.

When it has happened that soldiers have had leave to go any way into the interior, or have strayed from their garrisons, what effects have you noticed from such permission or absence?—In general to get drunk, and to commit disturbances in the villages into which they go, to drive the natives out of the villages, and to commit every species of disorder; but government have established strict regulations, and commanding officers are very careful to prevent their quitting the garrisons and cantonments, on this very account.

Do you mean that the natives have been induced to desert their villages, from the alarm which they received in such cases as you have described?—I have frequently seen the occurrence happen.

Have offences to the natives, of a deep and serious nature, sometimes arisen from the inadvertence or ignorance of new comers?—Frequently, I dare say, from the inadvertence of new comers, especially in their interfering unwarily in their religious ceremonies; a very melancholy instance of that happened just before I left Bengal, to two young gentlemen that had just entered the service: From the cantonments of Muttra two young cavalry officers went to the temples of Binderbund, near that place, where there were a great number of monkies, which the natives about their temples hold in a certain measure sacred; those young gentlemen were inadvertently induced to shoot at the monkies, in consequence of which, the whole of the officiating priests, and a number of fakeers that were round, rose, and with stones and clods of earth obliged the young gentlemen, who were upon an elephant, to take to the river Jumna, which they endeavoured to cross, and perished in the attempt: It was entirely from ignorance in those young gentlemen, that the monkey in such a situation was held sacred, that they were guilty of this imprudent act.

Have you observed that affronts towards the natives have much depended upon the rank or station of the Europeans in their neighbourhood?—I think the natives of Hindostan are in general very forbearing, and receive affronts even from the lower classes of Europeans with much more temper than could be supposed.

Do you think the danger described would be more or less, according to the rank and station of the Europeans in the neighbourhood being higher or lower?—I think that they would consider an affront more from a higher class of Europeans; but I think,

think it is less probable that it would happen, for the gentlemen in the Company's service in India, I think, are particularly cautious not to give the natives any affront. *Major-General Alexander Kyd.*

Do you mean to say that persons of a lower condition are much less cautious, or are incautious?—They are certainly much more incautious, from the reasons I have stated before, that they are guilty of too much intemperance, and when they are intoxicated, they know not what they do.

If the new adventurers, in consequence of this universal and unlimited opening of the trade, were to consist of such persons as seamen, traders, and artisans, do you apprehend that the dangers which you have described would be increased in any material degree?—Certainly in a very great degree; were they permitted to visit all the ports in the vast extended coasts within the Company's dominions in India, they would commit disturbances without end.

Assuming them to have the licence, not only of going directly to every port within the limits of the Company's charter, but to proceed from port to port according to their discretion, do you believe that such persons could be restrained from penetrating into the interior?—I think it is impossible; the extent is so great that the government could not possibly guard it at all points, with every precaution they could take.

Be pleased to state what regulations you have in contemplation in that answer, and how you think such regulations could be evaded?—The only regulations that government could adopt, would be to send a force and establish a police at every port where those people could possibly land in pushing a trade; and I do not think that government would be able to do it: on the Malabar coast alone, during the north east monsoon, from Cape Cormorin to the Gulf of Cambay, either in our own possession or that of our allies, the points where they might land, are I may say without number.

Is not the whole of either of those coasts, namely, Coromandel and Malabar, a general roadstead without harbours?—The coast of Coromandel is in general an open roadstead without harbours, and there is considerable difficulty in landing on that coast on account of the surf, but at such places where proper boats are provided; but on the Malabar coast there are a great variety of rivers and openings, into which small vessels can run, and there are some good harbours.

Supposing it to be the object of European adventurers to get into the interior, are there not modes of concealing themselves in covered vessels proceeding up the different rivers, which vessels, from respect due to the natives, are not regarded as the objects of search?—There are none of the rivers in the peninsula of Hindostan that are navigable for boats to any distance, but the Ganges, falling into the Bay of Bengal.

Applying the question to the Ganges, be pleased to answer it?—I do not think that Europeans could with much ease conceal themselves in boats in going up the Ganges; there is a very strict river police established on the Ganges, in the first place, to guard against the smuggling of opium from Patna, and also the smuggling of salt from Bengal; there are also guard-boats at almost all the stations, to examine boats, to prevent Europeans going up; and if government chose to make that river police still stricter, I do not think that Europeans could possibly get up the Ganges without the permission of government.

Besides the ports within the authority of the Company, on either coast to which you have referred, are there not ports and places without the limits of the British authority, through which adventurers might make their way into the interior of India?—There is a small independent Mahratta district, I forget its name just now (Culipore, I think) to the southward of Bombay, where Europeans might land, and might certainly penetrate into that district, and from thence probably into the Mahratta territories.

Supposing any material number of new adventurers, either from eluding the vigilance of government, or from any of the means to which you have referred, to make their way into the interior of India, what do you apprehend might be the effect of such ingress?—I do not think the natives in any situation would allow Europeans in a body to penetrate into the country, it is only straggling Europeans that are likely to make their way.

Major-General Alexander Kyd.

Supposing them not to proceed in a body, but stragglers, by degrees so to make their way, what then is your opinion of the effect?—I do not perceive what could be their object in thus penetrating, I do not know what the effect would be.

Supposing such stragglers to be of a military description, might it not be their object to assist in disciplining the native troops?—They then would most likely enter into the service of independent states, for the purpose of disciplining their troops, as has already very frequently taken place; but at this period there is no state in the interior of Hindostan, with whom we are not in alliance, only the Mahratta chief Meer Cawn, who has what remains of the authority of Holkar.

Are there not a considerable number of smaller states, in different parts of India, with whom the East India Company is not yet in a state of such alliance as to preclude the employment of such persons, if the native chiefs or princes were so disposed?—There certainly must be a great number of independent chiefs who are thus situated.

Do not the Company at present, and within your experience, generally speaking, maintain such strict authority over their servants, and those settled by their immediate permission, as to prevent such affront or annoyance to the natives as you have referred to?—They certainly do.

Do not all their servants enter very young into their service?—They all do, both military and civil.

Is not among their first enjoined objects the learning the language of the natives, so as to be able to communicate with them?—It is what they are immediately employed in upon their arrival, at all the settlements.

Is it the same with respect to the officers who are introduced into the native battalions?—Exactly; there has been a seminary some time ago established, where they are taught some part of their military duty, and the language of Hindostan.

Have not early acquaintance with the native language, and the strict injunctions upon these young men to regard with the deepest respect the prejudices, religious and civil, of the natives, generally speaking, produced extreme good order among those descriptions of persons?—I think that it has produced great good conduct and order in the whole of the Company's civil and military servants.

Would then an influx of new adventurers, ignorant of their language as well as of their manners and their superstitions, be very likely to give great and considerable offence to both their manners and superstitions?—A great influx of such Europeans would doubtless lead to great disorders of every kind.

Are British European subjects, in case of having oppressed or maltreated a native, amenable to justice but at one of the three courts of Calcutta, Madras, or Bombay?—I have understood that they are amenable only to those courts, and that in cases where, at a great distance from Calcutta, they have been guilty of any disorder or any maltreatment of a native, which has caused a complaint, that they are obliged, with very great inconvenience, to be sent down to Calcutta.

Are not many of the stations distant even some hundreds of miles from either of the three courts?—There are some stations in the northern parts of the Dewab which are above a thousand miles from Calcutta.

Assuming the earnings of the great mass of the natives to be from three to five shillings a month, do you think it possible for such a man to repair to Calcutta, or either of the other courts, for the purpose of obtaining justice, whatever may have been the degree of his oppression or maltreatment?—It would be impossible for him to do it, if he paid his own expenses.

Supposing, from a materially increased number, affronts and offences should greatly increase, and the natives thus be deprived of the means of legal redress, what do you apprehend might be the consequence with respect to those natives?—I think, before any ill consequences could take place, the government would find it necessary to make Europeans amenable to the native courts.

Be pleased to describe, as nearly as you are able, the nature and constitution of such native courts, and by what code of laws they are governed?—I am not very well acquainted with the judicial branches of the service, but I have understood

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that the native courts are under the superintendence of the Company's servants particularly instructed in that line; and that the natives of each religion, the Mussulmen and the Hindoos, are tried by their own laws.

Do you then mean, by making a European amenable to the native courts, that they should be tried either by the Hindoo laws or by the Mahomedan code, according to the circumstances of the case, whether the party prosecuting be Mussulman or Hindoo?—I can see no other expedient, but to try them by those laws.

Be pleased to say what effect, in your opinion, a succession of such trials would produce upon the general opinion of the European character, with regard to its superiority?—It certainly would tend very much to degrade it.

What consequence do you apprehend from such degradation?—That the natives would soon hold the European character in more contempt.

Do you regard a directly contrary impression to that which you have described as essential to the maintenance of the British empire in India?—I undoubtedly think that the European character should be kept as high at it possibly can in Hindostan, and therefore that on no account should low Europeans be permitted to mix much with the natives, which seems to have been universally the principle of the British government in India.

Supposing those who should speculate on going to India, under the presumed Act for opening the trade, should be disappointed in such speculations, do you apprehend that they would succeed in obtaining settlement in some part or other of India; or to what means might they have recourse to repair the loss which they shall thus have met with?—I really know not; I very much fear that if small vessels were allowed to navigate to India in very great numbers, the losses that they would incur (which I am certain would necessarily happen) might lead some of them to commit depredations on the small native vessels, to make up their losses, I think that is a consequence that would most probably follow, from a very unrestrained intercourse of small vessels from the various ports of Great Britain and Ireland.

Do you mean, with regard to such vessels, that they would turn pirates?—We know that upon former occasions, upon a disappointment in trade, piracies did take place; and I think it was in the reign of King William that there was an establishment of pirates at Madagascar, under a pirate of the name of Avery, who assembled many vessels there, and committed depredations on the coast of Malabar and other parts of India.

Is not piracy also much practised in the eastern seas by the natives?—In the eastern Archipelago, and on the coast of Borneo, there are a great number of piratical vessels, that will never fail to endeavour to overpower vessels that are not extremely well armed.

Is it the habit of the police peons, or constables, to search that part of the boats going up the Ganges, which is appropriated to the women of the Mahomedans; and might not adventurers, under some such pretence or concealment, make their way for several hundred miles up the country?—No, I do not think they could; I do not think that any contrivance of that kind would answer, in the present state of the Company's police on the river Ganges.

Be pleased to state, from the experience which you have derived from so general a residence in India, whether you are of opinion it is probable that, in the case of thus opening the trade, there will be any material increase in the consumption or purchase of European articles among the natives of India?—I by no means think there will; I believe the great consumption of European articles is now, as it almost ever has been, by the Europeans themselves; that consumption has within these thirty years past very much increased, but that, I conceive, has been chiefly owing to the great increase of European inhabitants and their descendants, who have the same habits, and use the same articles as their fathers: About the time I mentioned, there were only two king's regiments in India, at present there are twenty; our military establishments have more than doubled, as I imagine has also the civil service; this vast increase of European inhabitants, therefore, fully accounts for the increased consumption of European articles.

Have not also the European residents out of the Company's service, but residing with their express permission, materially increased in number?—They have also

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very materially increased; about twenty years ago there were not more than five or six hundred Europeans not in the Company's service, in the whole of Bengal; three years ago, when I left India, there were nearly two thousand in Bengal only.

Has not the apparent amount of British exports very much increased, from the progressive rise in the price of the articles exported?—The great increased price of articles in England, must of course show a greater general amount for the same quantity of articles.

Be pleased to give your reason for thinking that among the natives no particular increase of European consumption will take place?—Because the general class of the lower order of the natives have it not in their power to purchase those articles, even if they had the inclination; and the superior class of the natives have manufactures of their own that they are more attached to than ours, and therefore have no great inclination for them: broad cloth, the useful metals, watches, some articles of ornament, mostly used at the principal settlements, such as looking-glasses, framed prints, lustres, and a small quantity of hardware, is all that I know the natives of Hindostan wish to take from us.

Do you know what or whereabouts is the estimated native population of Calcutta?—There have been various opinions upon the population of Calcutta, but I do not believe there has ever been a very correct census made: Sir Henry Russell a very few years ago declared, upon an occasion from the Bench, that the inhabitants of Calcutta and its environs amounted to one million; I myself believe that there are between four and five hundred thousand.

How long have you been acquainted with Calcutta?—It is now forty-one years since I first visited Calcutta.

During the whole of that period, have you observed any increased propensity in the natives to the adoption of European fashions, or the consumption of European articles; or do they continue to adhere to the fashions and tastes which prevailed when you first knew them?—I do not see a greater inclination in the natives at this time than there was when I first went to India; of course, from the increased number of inhabitants in Calcutta, there must be a great number of them that fall into our habits, but I suppose it is nearly in proportion to the number.

Do you think that proportion is to the whole material, or trifling?—I think it is very trifling; the lower classes of the natives in Calcutta have retained their habits, as they do in every other part of Hindostan.

Do they or not, in the interior, assimilate still less to the European tastes and habits?—Infinitely less: in the other great towns of Hindostan that I have visited, there are very few of the natives that adopt our manners: at Lucknow, the late and the present Nabob of Oude have had a very singular taste for European articles; the present Nabob Sadit Ali is the only native I ever knew who had a real taste for European conveniencies; he has excellent houses of his own building, well furnished, carriages, horses, a table well served in the European style, and every thing in as good style as any gentleman can have in this country; with him it is matter of taste.

Did even the taste of the prince in this country turn out to be influential?—In a great measure it has, a number of his courtiers affect the same taste; but I have reason to believe they secretly contemn it.

Has the example of the courtiers been influential?—No, it has not spread further.

Have you known such a fact in any other instance, or applying to any other settlement?—No, I do not recollect any of the same kind.

Does the fact which you have stated with respect to Calcutta, of the trifling proportion in which you state the European articles to be adopted, apply to such other stations and seats of government as you may have visited?—It does apply.

State the articles which you allude to as indicating a conformity to European taste in the inhabitants of Calcutta, to whom you have referred?—Having in their houses chairs and tables, instead of sitting upon the ground; having their walls ornamented with pictures and looking-glasses, having lustres hung up; having, many of them, European close carriages: but I do not think it extends to many other articles.

Can you state whether more manufacture of European articles is pursued now in Calcutta and the other presidencies, than formerly?—A great number of European artisans have

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have established themselves in Calcutta, in Patna, at all our cantonments, at Lucknow, and almost all the great towns where there are Europeans, for carrying on the various manufactures of articles used by Europeans, such as carriages, furniture of all kinds, palankeens of a peculiar construction invented by the Europeans, plate, sadlery, boots and shoes, salting meats, in making guns and pistols, and a variety of other articles that I do not now recollect; they have taught the native artificers, who are very acute and dexterous, to execute every article in a manner almost to emulate those that are sent from England: but I have to observe, that the whole of these manufactures is for the use of Europeans, as they can furnish them at a cheaper rate than those of the same kind imported from Europe; and I firmly believe that if we were by any means to leave Hindostan altogether, that they would entirely drop those manufactures, and employ themselves in carrying on their own.

If in consequence of the proposed opening of the trade, the number of artificers should materially increase at those respective settlements, looking to the present skill of the natives as now described, and to the immense disproportion of labour between India and this country, do you think that in time such an ingress of artificers might not be the means of very much superseding the necessity for the importation of British manufactures to India?—It has already in a great measure superseded that necessity, and the increase of articles which have gone from this country has not been in proportion to the increase of the European population.

Looking to the unlimited licence of ingress now proposed, and to the habits of the natives, according to your experience, do you think that such opening of the trade will be consistent either with the happiness of the natives, or with the security of the British interests in India?—I do not think it can possibly be conducive to the happiness of the natives, and I think it would in a material degree risk our safety in that country.

(Examined by the Committee.)

Supposing the foreign possessions, Pondicherry, &c. &c. to be restored at a general peace, would not a promiscuous admission of British subjects to India render it next to impossible to prevent their access to the interior becoming very general, and also facilitate their entrance into the service of the native powers?—Undoubtedly I think it would very much facilitate their entrance into the interior of the country, and in that event it would be much more dangerous than it is at this time.

Supposing the trade opened to the eastern islands, the Malaccas and Banda, might not adventurers, English and other Europeans, settle in them; and being without controul, become pirates, and embroil Britain in serious difficulties in preserving a good understanding with the empire of China?—There is no manner of doubt that there are many places in the eastern islands, where, by a concerted plan of a few European vessels, they could establish themselves, and even fortify themselves in such manner, so as to give government much trouble in rooting them out, and during that time they would have an opportunity of committing great depredations upon the eastern trade.

Have you not known, in many instances, of vessels employed in the country trade of India, when trading to the Malay ports, that the ships and cargoes have been seized, and the whole of the crews murdered, by the natives?—There is nothing so common, the thing has happened almost annually since ever I recollect; the ships that engage in the Malay trade, especially those that go to the coast of Borneo, are obliged to be very strongly armed, to be fitted out at great expense, to hire a military force of sepoys to protect them, with a very strong crew, and even then they are sometimes cut off, if they do not use the greatest precautions.

If the intercourse is enlarged by vessels from this country, do not you think that those accidents would much more frequently occur?—I do not conceive that the possible profit would justify the expense of fitting out and arming a vessel from this country, to trade on the Malay coast, in the first place, I know of no articles that they could carry from Great Britain to the Malay coast, that would answer the purpose; the whole of the articles of commerce with which the Malay trader supplies himself, I believe, are opium, a small quantity of piece-goods, and a peculiar species of silk known by the name of Muggaduties; those articles, with a few Lascar knives and red woollen caps, are the only articles that the Malays take from them; I do not

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believe they indulge in European articles in any way: I should therefore conceive that any speculation from Great Britain directly to the Malay coast, would end in the total loss.

Are you acquainted with the coast from Cape Cormorin to Adripatam?—I have passed along that coast, and have landed at several places, but I am not particularly well acquainted with that coast, I only know there is great facility in landing in the whole of it.

Does not that coast abound with Poligar population, and have not the Poligars been always remarkable for their contempt of authority, and their attachment to arms?—It is in general called the Poligar country, and ever since I have been acquainted with India, has been the scene of warfare and dissention.

Do you know whether the Company's government have succeeded in restraining the violence of the Poligars, and diminishing their oppressions upon the people, by taking away their arms?—I am not acquainted with that circumstance.

What effect do you think would be produced upon the peace of the country, and the British power there, if the Poligars had the means of procuring arms from private traders and private ships?—The making them more turbulent and unmanageable than they are at present.

In cases of crime or disobedience to the laws, committed upon the inhabitants upon that coast, or in the province of Tillebery, by any Europeans landing on the coast or carrying on trade there, where must the European be conveyed for trial?—I should suppose, as in Bengal, to the presidency; to Fort Saint George.

What distance is that?—I should think between three and four hundred miles.

Would not the spectacle of an European charged with a crime, and conducted by native sepoys through such an extent of country, tend to degrade the British character, and to encourage the disaffection and contempt of the native population?—I think it would doubtless have that effect.

If, to avoid those spectacles, the native courts were empowered to try Europeans, of whom would the jury on such trial be composed?—In most cases it could only be composed of natives.

What, in your opinion, would be the effect on the general character, respectability and efficiency of the Company's army, if the regiments of European infantry in the Company's service were to be reduced, and if the Company's infantry were to consist of natives alone?—I think it would somewhat lower it in the scale of respectability.

Were not the sepoy corps in the French service in India a distinct branch of their military establishment, separate from the regiments of the line?—I have understood they were.

Was there any difference in the character and efficiency of the sepoy corps in the French service in India, and those in the service of the Company?—Independent of the partiality that we must all have for our own service, I really think there was a very great difference; I have been at Pondicherry, and have seen the French sepoys, and I think there was a very great difference.

In what did that difference consist?—In the superiority of discipline.

Which had the superiority of discipline?—The English sepoys, without a doubt.

Are not the native corps supplied with staff serjeants from the Company's European infantry?—The native corps in Bengal have always been supplied from the European regiments: Since the reduction of two of the three regiments, and the third being almost annihilated for want of recruits, the want of staff serjeants for the Bengal sepoys has been very severely felt; they have had recourse to getting serjeants from the King's regiments, who do not like to spare them, and seldom give them good men, or men so well suited for the service as those that have been brought up in the Company's European regiments, where they have had time to acquire the language and be acquainted with the manners of the natives.

As the men of the Company's European corps are raised for the service of India only, and look forward for promotion in the European corps, are they induced to

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conform more to the manners and prejudices of the natives than the men of His Majesty's regiments?—Most undoubtedly, because, being well acquainted with the languages and manners of the natives was a sure mode of getting themselves recommended to be staff serjeants in the sepoy corps, which is a very desirable situation. *Major General Alexander Kyd.*

Is not the situation of serjeants for the native corps infinitely more important than for the European regiments?—Certainly, on very good staff serjeants belonging to a sepoy corps, very much depends its discipline.

Do you then consider a proportion of European infantry in the Company's army essential to its character, respectability, and efficiency?—I have always thought so, and have always lamented since the two regiments were reduced in Bengal, and since so few recruits have been sent to the only remaining one as to have left it a perfect skeleton.

Have the Company's regiments of European infantry been found equal to the performance of the services required of European troops?—There were no corps that ever behaved better than the Company's European regiments in Bengal, Madras, and Bombay, on all occasions on which they have been tried.

Have you had opportunities of judging from your own experience and personal knowledge of the conduct of the European infantry at seiges, particularly at Tellichery, Bangalore, Seringapatam, and other places, whether the Company's European infantry were not particularly distinguished on those occasions?—I had an opportunity frequently of judging of two of the Company's European regiments in the Mysore country, who were, without exception, the best troops for erecting batteries and carrying on works at a siege that I ever met with.

Are not the European officers of the native corps, from the circumstance of their not sitting as members of regimental courts martial for the trial of natives, deprived of the opportunity of practically learning the important duty of courts martial?—When I first went to India, it was an established custom that every English officer should serve some time in an European corps before he was changed to a sepoy corps; since that period a change has taken place in the service, by which officers are attached to particular corps, and rise in those corps; and it is one of the inconveniencies of that system, that a young officer has not a very good opportunity of learning his duty so well as by the former system.

Would it not then be very advantageous to the public service if the Company's establishment of European troops, cavalry as well as infantry, was on such a scale as to admit of the officers, on first entering the army, being attached for a certain period of time to an European regiment previously to their being permitted to join a native corps?—It certainly would be exceedingly advantageous, if such a system could be conveniently adopted, and would prevent the necessity of sending young officers to the several public seminaries that have been established for the purpose of their learning the language and part of their duty before they go to the corps, which it has been found very difficult to keep up, from the impossibility of keeping a number of young men thus assembled together in strict discipline.

Would it not tend very much to remove that prejudice against the natives which young men on their first arrival in India entertain, and thereby better qualify them for the command of native troops?—It would, I think, have that effect.

Would it be advantageous in a military view as well as with a view to economy, to have the regiments of Europeans in India completed by filling up the casualties with recruits, or to have them occasionally relieved by entire regiments?—It would certainly be much better to have them continually filled up by recruits; an European regiment going to India, is at least a year before it is fit for field service.

Was it within your personal knowledge whether the corps of royal artillery, which arrived in India during the Mysore war under Lord Cornwallis, was in a state of efficiency at Seringapatam?—I recollect perfectly well a corps of King's artillery arriving under the command of Major Scott, as fine a body of men as probably ever were seen, I think they amounted to two hundred; they were immediately sent to join the army at Seringapatam, but, for want of servants, and of knowing how to supply themselves with provisions, there were hardly ten men fit for service at the siege of Seringapatam.

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Did not Lord Cornwallis in 1794 recommend to His Majesty's ministers a plan for new modelling the army in India?—I recollect he did.

Was not one of the principal objects of the plan to prevent the continuance or revival of those discontents or jealousies which have so often manifested themselves between the King's and Company's troops, as well as between the Company's troops belonging to the different presidencies?—That, I think, was one of the principal objects.

Did not Lord Cornwallis deem it essential that the new regulations should be calculated to inspire hopes of promotion and public distinction, which his Lordship conceived would operate, beyond all other incitements, in calling forth the exertions of military men?—He did so; I think he expressed that in his letter to the Board of Controul on that subject.

Did the regulations, which were framed in 1796, extend their benefit equally to the three presidencies?—I have heard it complained, that Bengal was favoured in allowances.

In point of fact, was not a distinction made in favour of Bengal?—I have understood that it was; the allowances in Bengal, I believe, have always been greater than they have been at the other presidencies.

Has not a preference been shown to the officers of His Majesty's service in India, in the distribution of military commands?—There has been great complaint of that, among the officers in the Company's service.

Has any Company's officer, since the regulations of 1796, been specially appointed commander in chief at any of the presidencies in India?—None, that I recollect.

Has any mark of honour, or public distinction, been bestowed by the Crown upon any officer of the Company's army, for military services?—None, that I recollect; Sir John Kennaway was made a baronet, but that, I believe, was for his services in the diplomatic line.

What, in your opinion, has been the general effect produced upon the minds of the Company's officers, by their exclusion from the higher stations in India, and from those marks of honour and public distinction which are usually the rewards of eminent military services?—It certainly has been very depressing, and has caused them to leave the service whenever they conveniently could.

Is it not of essential importance that all the officers, whether superior or subaltern, employed in the sepoy service, should understand the customs, languages, manners, and usages of the natives?—It is certainly very essential: I have the pleasure to say, that I do not believe that there can be a finer set of officers than there is at present in the Bengal sepoy corps, or who know their duty better, or are more acquainted with the manners of the people, or the languages of the country.

Has it happened within your knowledge, that the mutiny at Vellore would probably have been prevented, had the officers in command of that fortress been acquainted with the native languages of the country?—I am not sufficiently acquainted with that circumstance, to speak with certainty.

You would not recommend any officer to be employed in the sepoy corps, who was not acquainted with the language, manners and customs of the sepoys?—By no means; and government have always taken great pains that they should be acquainted with the language, they have a seminary now established for that purpose.

Are you acquainted with the coast of Malabar, to the northward of Goa?—I have been along the coast of Malabar, to the northward of Goa, but I never landed at any port, except Fort Victoria; I therefore cannot say that I am well acquainted with the coast.

Does that coast in general belong to native powers?—The greatest part of the coast belongs to native powers; I stated that in a former part of my evidence.

Would it not then be easy for ships from England to land any number of men in those ports?—I have stated that circumstance in a former part of my evidence, particularizing that spot as not belonging to us, and where Europeans might land.

Are you also acquainted with Cutch?—I have never been so far to the northward upon that coast as Cutch; but I know from circumstances that Europeans might land there, and penetrate into the interior of the country. *Major General Alexander Kyd.*

Is not the rank of the Company's officers confined to that of major general?—It unfortunately is.

Have not major generals in His Majesty's service been promoted to the local rank of lieutenant general, in order to put them above major generals in the Company's army, who were senior to them, in order to entitle them to hold the command at the different presidencies?—That has always been the case, where such officers were appointed to command in chief at any presidency; we have had several major generals to command in chief at our presidencies, who of course had brevet rank of lieutenant general given to them.

Does it not consist with your knowledge that General Brathwaite received a mark of honour from the Crown?—I now recollect that he did; but I did not know that it was for military services, I conceived it was on some family account.

Did not the mark of approbation referred to, follow speedily after the siege of Pondicherry?—I believe it did, and therefore I suppose it must then have been in consequence of his military services; but the circumstance had escaped me.

When General Brathwaite was made a baronet, was it not in consequence of his being superseded by General Harris in the command of the army?—I do not know that it was in consequence of that, but that circumstance did take place.

From the disadvantages which the Company's army apparently labour under, of not being noticed by His Majesty's government and receiving rewards, would it not be desirable to incorporate the two services in one, and unite the Company's army with the King's?—It is a very difficult point for me to decide upon; there would be a great number of difficulties to surmount before that could be brought about, in whatever point of view it is taken.

Do you know whether General Harris received any reward or mark of favour from His Majesty's government, for the siege of Seringapatam?—He certainly has not, but I have understood that he might, had he chosen it.

[The Witness withdrew.

WILLIAM YOUNG, Esquire,

Was called in, and Examined as follows:

Mr. Adam.] Have you not served the East India Company in their civil service?—I have. *William Young, Esq.*

During what period did you serve them in that capacity?—From the year 1765 to the year 1786.

To what rank did you rise in the service of the Company?—I rose to the rank of senior merchant, and held that rank till I quitted the country.

What situations did you hold under the East India Company?—The first five years I passed in the accountants office; I was then sent on a particular commission to the districts to the south of Calcutta, where I was employed between one and two years; I was afterwards collector of Tirront in the province of Bahar for some time; and the rest of my time in the public service was as member of the provincial council of revenue at Patna.

Had you an opportunity, in that period and in those services, to make full observation upon the nature of the Indian character?—I had.

Had you an opportunity of making full observation upon the character of the Hindoos in particular?—I think I had.

Do you consider, from the opportunities you had of making observations upon the character of the Indians, particularly the Hindoos, that an unrestrained influx of Europeans would be attended with evil consequences to that country?—I think that it would be attended with very serious evil consequences.

State to the Committee in what respect you consider that it would be attended with such consequences?—From their violence, and from their ignorance of the

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usages, ways, and habits of the people, particularly with respect to their religious habits.

Do you consider that it would produce bad consequences with respect to their habits in other respects, with respect to their habits of living, and their manners?—I presume that is in a great measure answered by my former answer.

Do you conceive that the conduct of Europeans, if checked by the authority of the law, would have a bad effect upon the English authority over the Indian natives?—I think that any punishment of Europeans in that country always has a tendency to degrade the British character in the opinion of the natives.

Would the degradation of the British character arise from that conflict that might take place between Europeans who might find their way into the interior of the country, not under the controul of government, and the natives?—I think that it would.

Was the authority of the supreme court at Calcutta established at the time you left India?—It was established, I believe, twelve years before I left India.

Had you any opportunity of knowing whether Europeans have been brought to justice before the supreme court, for offences committed against natives?—I resided so short a time in Calcutta after the establishment of the supreme court, that I had few or no opportunities of observing it.

From the observation which you have made respecting the Indian character, do you conceive that the general bulk of the people are likely to become customers for European commodities?—If by European commodities is understood articles of merchandize, they are customers in some degree.

In what degree are they customers?—They purchase various articles imported by the East India Company, such as broad cloth, long ells, and other sorts of woollen manufactures, also metals of various sorts; but I recollect scarcely any thing else that they purchase.

At the period of your residence in India, was the means of supply of those commodities, through the medium of the Company's ships, sufficient to answer the Indian demand?—I believe it was always most ample.

Have you any reason to suppose, from the state of Indian manners at the time you left Bengal, that there was a likelihood of such an alteration as to produce an increased demand for European commodities?—I do not think that there was; the people appeared to me, when I left the country, precisely the same as they were when I arrived there.

Have you any knowledge of the coast of India, sufficient to enable you to state to the Committee, whether, upon a free trade to every part of that coast, the Europeans who may go there in the way of trade, are likely to get into the interior?—I possess no actual personal knowledge of the coast of India, never having been upon the coast of India, except at Madras, in my way out; but I possess that general knowledge of the subject, which a person residing in India any length of time must acquire.

From that knowledge or information, what conclusion do you draw, with respect to the likelihood of Europeans finding their way into the interior?—I should think it would be a thing of no great difficulty.

Have you had occasion to turn your attention in any respect towards arrangements or regulations necessary to prevent the ill consequences of Europeans finding their way into the interior, or settling upon the coast?—I have not; but I do not imagine a possibility of preventing it.

(Examined by the Committee.)

Have you sufficient knowledge of the state of the markets at Calcutta, for British manufactures, to know whether there is or is not generally a superabundance of British manufactures to be sold at Calcutta?—In my time there was.

Are there auctions frequently of British manufactures at Calcutta?—I have frequently seen them.

Are not those British manufactures frequently sold there under their prime cost? —I have myself more than once purchased articles for less than they had cost in Great Britain. *William Young, Esq.*

Are there not a number of private native merchants and British merchants there, who, if they could make any profit by buying those British manufactures at that reduced price, would purchase them, if they could find a vent for them amongst the natives? —I have not a doubt that there are such persons, and that they would avail themselves of it. [The witness withdrew.

DAVID HALIBURTON, Esquire,
Was called in, and Examined as follows:

Mr. Jackson] How long were you in the service of the East India Company?—Five and twenty years. *David Haliburton, Esq.*

Upon which establishment?—Madras.

Did you become acquainted with the Persian language?—Yes.

Were you appointed to the office of Persian translator?—I was appointed Persian translator in 1778.

Were you also acquainted with the Hindostanee language?—Yes.

Were you in the revenue department?—Yes, I was in the revenue department from the year 1782 till 1795, when I returned home.

Did you arrive at the head of the revenue department?—Yes, I was so for the last four years of my residence in that country.

Did that situation, and the other of Persian translator, give you ample opportunities of studying the character of the natives?—I endeavoured to form an opinion of the character of the natives, as far as came within my means.

Did you succeed in acquainting yourself with their habits, manners, and prejudices?—I became, I believe, acquainted with the customs and manners of the people.

Supposing British subjects to be allowed the right of going from every port in the United Kingdom to every port in India, and a material influx of Europeans to take place in consequence, what effect do you apprehend that might have upon the British interests in India?—I think it would be injurious to the interests of the British government in India.

Be so good as to state your reasons for that opinion?—When Europeans arrive in that country first, I think I have observed that they have a great contempt for the natives, and suppose themselves a superior order of beings; that they often maltreat them, and sometimes will hurt their feelings in many things, without supposing that they are doing so, in respect of their manners, and their religious customs, and other prejudices; that it has been found necessary on occasions when large bodies of Europeans have arrived at Madras, in the navy, for example, and have been obliged to land at the hospitals or other places, to put them under some restraint, for fear of their giving offence to the natives; and the same when any large bodies of troops, such as King's regiments, have arrived there in my time, and have been sent up into garrisons, it depended very much upon the commanding officers to keep them under proper restraint from committing violences and outrages in the neighbourhood of such forts.

Have you observed that this disposition to contempt for the natives, and ill usage of them, has been less among those persons who have acquainted themselves with the native languages?—Yes; I think the longer stay Europeans make in that country, they form a better opinion of the natives than they had upon their arrival, especially if they have attained the languages of the country.

Are not the Company's servants, military as well as civil, enjoined to learn those languages immediately upon their arrival?—I understand very much of late, which was not the case formerly; there were very few encouragements for the Company's servants to obtain a knowledge of the languages, when I arrived first at Madras, and for some years after it; in fact there was only one office, which was Persian translator to the government (the office to which I succeeded) which held out any sort of

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encouragement for the gentlemen to acquire the languages, for this reason, that the country annexed to Madras was in the possession and under the authority of the nabob of the Carnatic, and that the Company's servants at that presidency were not employed in revenue matters; except in the northern circars, which were in the possession of the Company, very few gentlemen even there acquired the language of the country, from the system that was at that time used in collecting the revenue: but from alteration of circumstances, many gentlemen became afterwards proficient in the languages of the country, and were employed in the revenue both in the Carnatic and Circars.

Were the Company's servants very anxiously enjoined by the higher authorities to respect the prejudices, religious and civil, of the natives?—Certainly, at all times they were strictly enjoined.

Did they, generally speaking, succeed in maintaining that deference and feeling of respect towards the natives?—I think they did.

Do you apprehend that an influx of strangers, such as seamen, traders, and artificers, ignorant of the language and ignorant of their customs, might not be the means, either wilfully or ignorantly, of giving very serious offence to the natives?—Certainly it must have that effect.

What consequences would you apprehend from such offence being given in any material degree?—It depends entirely upon the situation in which those offences might be committed, for the Hindoos in general, in that part of the country near Madras, are a timid race of people; they perhaps might submit and suffer such violence; in other situations, particularly in hilly situations or woods, where they are of a more ferocious disposition, and apt to resent any injury, they might return violence: An instance I recollect of a gentleman, in the Ramnât, about three hundred miles south of Madras, who was a paymaster; he thought he could entertain some company that he had better by giving them veal, for which he ordered a calf to be killed; he was seised by the Hindoo inhabitants, and very nearly put to death, if he had not been rescued by some military force: this happened in the year 1772.

Do you think that a series of aggressions from adventurers ignorant of their language and their manners, might provoke such a description of people to insurrection?—As I said before, very much depends upon the character of the people of the district where the injury is committed; but, in general, the Hindoos I have met with have been of a very timid race.

As to the Mahomedans, in case of their being affronted in the same way, what do you suppose?—I think the Mahomedans are rather bolder; but there are very few of them in that part of India, except at the seat of the nabob's court; the Mahomedans are but thinly scattered in the Carnatic.

Looking to the length of the coast on either side of the peninsula, do you think that British subjects having a right to visit every port as well as to coast from port to port at their discretion, many such persons would not have it in their power to get into the interior, if so disposed?—Yes; although on the coast of Coromandel there are not a great many ports, yet there are a number of landing places where Europeans certainly might land and proceed up into the interior of the country.

Do you think that, in consequence of opening the trade, any material increase of demand is likely to take place for European articles, for the consumption of the natives?—I think not.

State why you think not?—From the habits and the few wants that the people of the country have; even at Madras, which is the oldest English establishment in India, for it dates as far back as 1620, one would suppose that the people there would be more in the habit of using English articles than at any other place, but the purchase of those articles there is confined to very few.

Are their habits, according to your observation and understanding, of a fixed and unchangeable nature?—Certainly, I think so; I have no doubt in my mind about it.

What is the estimated native population of Madras, including the Black Town?—It is eighteen years since I left it; and, I think, but I may not be perfectly correct

I have

I have heard it stated at three hundred thousand, but it was always a matter of difficulty to get an account; it is impossible to get a true account of the interior of a man's family, of which they are particularly delicate in giving an account. *David Haliburton, Esq.*

How long did you know Madras?—I arrived there in 1770, that is forty-three years ago.

For how long a period did you stay there?—I remained there the whole time I was in India, twenty-five years.

During the whole of that time did you observe any increasing taste, in the native population of which you have spoken, towards the Europeans, or to the consumption of European articles?—None towards the habits of the Europeans; but a few might have had a taste, such as the class of people called dubashes, who are native interpreters to the gentlemen there, or their commercial agents and money-brokers, to purchase European articles of furniture in their houses, but to a very small extent.

The dubashes are the immediate agents of the English gentlemen?—Yes, their interpreters and immediate agents, and employed in various ways by those gentlemen, especially those who do not know the language of the country.

Except a few of that order, did you observe any progressive increasing taste towards English articles among the natives?—None; the bulk of the people are as ignorant, I believe, as they were the first day we settled there.

Did such of the natives as acquired property, direct their expenditure towards the purchase of English articles?—To a very small amount, perhaps watches, and a few toys, or glass ware, but to a very inconsiderable amount.

During the whole of the time that you were there, was there an ample supply of European articles?—Yes, certainly.

If the mass of the natives had been disposed to such purchase, would they have had the means?—Certainly, many of them had the means; when I arrived in the country there were a set of men called the Company's merchants, through whom the investment was provided; those men were rich men; there were many other men of wealth, but very few of them purchased any European articles; I think there was only one carriage kept by a native, except the nabob's family.

Looking to all the circumstances which your long experience has enabled you to judge of, can you contemplate any possible increased demand for European articles, which the present system is not more than equal fully to supply?—I think not.

[The Witness withdrew.

The Chairman was directed to report Progress, and ask leave to sit again.

The Committee was again resumed.

STEPHEN RUMBOLD LUSHINGTON, Esq. in The Chair.

GRÆME MERCER, Esquire,
Was called in, and Examined as follows:

Mr. Impey,] How long have you been in the service of the East India Company?—Nearly twenty-five years. *Græme Mercer, Esq.*

In what department?—I was appointed to the medical department, but have been employed both in the revenue and political departments frequently.

Under what presidency?—Bengal.

State in what political offices you have been employed?—I was first employed under Sir John Kennaway, as secretary in the negociations for peace which took place at Seringapatam in 1792 with the British government, the Nizam, and the Mahrattas, on the one part, and Tippoo Sultaun on the other; I was afterwards employed as secretary to the honourable Henry Wellesley, in his mission to Lucknow; and after the conclusion of the treaty with the Newab Vizier, I was appointed secretary to the lieutenant governor, and board of commissioners for the settlement of the districts ceded by that treaty; on a conclusion of a treaty with the Newab of Furruckabad,

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I was appointed agent to the governor general, for the settlement of that district; and on the dissolution of the board of commissioners, I acted for some months as secretary to the government, in the department of the ceded provinces; on the breaking out of the war with Scindiah, I was appointed political agent to the governor general with the commander in chief, Lord Lake, for the purpose of conducting the political negociations with the native powers bordering on our territory, under his superintendence; on the final conclusion of peace with Scindiah, I was appointed to reside at his court, as the representative of the British government, in which situation I remained till 1811, when bad health obliged me to return to Europe.

Are you acquainted with the Persian and Hindostanee languages?—I am acquainted with both of these languages.

From your knowledge of the languages of the country, and from having had opportunities of residing in so many different parts of it, have you been enabled to make accurate observations upon the characters, manners and observances of the natives?—It is difficult to form a general character of the natives of an empire which extends from near the equinoctial line to 31 degrees of north latitude: if called upon for a general characteristic of the natives of that empire, I would say that they are mild in their dispositions, polished in their general manners, in their domestic relations kind and affectionate, submissive to authority, and peculiarly attached to their religious tenets and to the observance of the rites and ceremonies prescribed by those tenets: In referring to any distinction in this general characteristic, I should say that the inhabitants of the northern provinces of Hindostan were of a more bold and decided character, and less submissive to authority than those of the southern provinces, but equally attached to the observance of their religious rites and ceremonies.

From your knowledge of the character of the natives, do you think that if a free trade were authorized by law between this kingdom and India, and free traders were permitted to go from hence, and to penetrate into the country, and to reside in it at pleasure, such permission would be attended with any mischief, and what, to the peace and happiness of the natives?—I think it would be attended with great detriment to their happiness, from the violent character and disposition of the Europeans, who would be thus probably forced into an intercourse with them, and who are apt to indulge an habitual contempt for their manners, customs, and religious tenets; this would consequently lead, and does actually lead, Europeans of this class, to treat the natives with contumely and insult.

Are you of opinion that the prejudices of the natives are much more likely to be violated by such persons, than by those who are in the service of the East India Company?—I can have no hesitation in answering that question in the affirmative; the Company's servants are regularly instructed to respect the customs and religious prejudices of the natives, and know that disgrace or punishment would follow any attempt on their part to insult those religious prejudices; this could not be effected in an unrestrained intercourse of Europeans newly arrived in the country.

Does not ignorance of the country languages in Europeans often produce disputes with the natives?—There can be no doubt it has frequently that effect, and that Europeans newly arrived in the country may often commit the greatest insults against the religious prejudices of the natives, without any intention of doing so.

Are not the quarrels likely to arise from intercourse with such newly arrived Europeans, likely to produce discontents, on the part of the native inhabitants, against the government of the country?—There can be little doubt that such would be the result; the natives at a distance from the seat of government are accustomed to consider their European governors as one great body, and do not always distinguish between the lower and higher ranks of them, or between those who form part of the government, and those who do not.

If violences were offered to the natives at any great distance from the presidencies by any newly arrived Europeans, would there be any adequate mode of bringing them to justice?—None, but conveying those Europeans back to the principal settlements, for the purpose of trial and punishment.

If a free trade were opened with India, in your opinion would there be any increased demand among the natives of India for European articles or manufactures?—I

I am decidedly of opinion that if any increase of demand could exist, it would be very gradual, and very inconsiderable for a long period of time. *Græme Mercer, Esq.*

In your opinion have the mass of the population in India either the means or the desire of purchasing any European manufactures?—I am not of opinion that they have any desire, and I am certain that the great body of the people have not the means.

Among the higher ranks of the natives, is not the desire of purchasing European manufactures and commodities extremely limited?—Very limited, and only amongst those who are particularly connected with the European inhabitants.

You having been at the Nizam's court, is not that considered as one of the richest of the native courts in India?—It was considered, during the period I was there, as the court in India which retained most of the old customs, and the greatest degree of ceremony, agreeably to the forms of the Mogul government; the government was supposed also to be rich.

If opulent persons there have a desire for purchasing European manufactures and articles, would they not have an opportunity, under the present system of trade, of gratifying that desire?—They certainly would, from the abundance of such articles at all the principal settlements of the Company's government, from whence they could easily procure them.

Did you observe any European articles, and if any, what, in the possession of the Nizam, or any of the opulent inhabitants of Hydrabad?—I do not recollect any, except a pair of lustres, which were sent by His present Majesty as a present to the Nizam.

Has it fallen within your knowledge that the Bengal government used every effort in their power to introduce the use of European commodities into the ceded districts of Oude?—It was the particular wish of the governor general Lord Wellesley, to give every facility to the communication in trade of the ceded provinces with the neighbouring countries, and to the vent of British commodities in those countries; for this purpose he instituted fairs upon the borders of the Rohilchund country, for barter with the people of Napaul and Serinagur; for the fair of Hurdwar, where immense numbers of people from the northern countries of Cabul and Canduhar and the Punjab meet those of the Company's provinces, for purposes of barter and for performing their religious ceremonies, he ordered the commercial resident at Bareily, the nearest station, to be provided with a large assortment of British woollens of every kind which could be supposed likely to meet the taste of the inhabitants of those northern countries, and ordered the resident to attend them himself to the fair at Hurdwar; this experiment was, I believe, entirely unsuccessful, from the small quantity that could be sold, hardly sufficing to pay the expenses of the conveyance.

Can you form any estimate how many persons attend the fair at Hurdwar?—At the annual fairs it is supposed that from two to three hundred thousand are collected; once in twelve years, when particular religious ceremonies are observed there, the number is generally computed to be almost a million of people.

Having stated that many persons from cold countries resort to the fair at Hurdwar, what manufactures are made use of in those cold countries, which prevent the natives of them from purchasing British woollens when offered to them?—The lower ranks of people wear coarse woollens of their own manufacture; and the higher ranks are clothed in shawls, great numbers of which of a coarse manufacture are also brought to the fair at Hurdwar.

Are not the natives of India generally a manufacturing people, skilful in manufacturing operations, and likely to provide for themselves whatever manufactures they stand in need of?—They are very much so, and have hardly any, if any wants from foreign countries.

Have not many of the natives been lately taught European arts, to supply the wants of the Europeans at the presidencies of India?—Many native artisans have been taught by Europeans, and are now settled in every principal town or station where Europeans reside, and furnish a great proportion of the articles required by Europeans.

In the various parts of India in which you have been, has not the market for European commodities been fully equal to the demand?—I have never found a

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deficiency in any part of the country where I have been, except, perhaps, I may say in Scindiah's camp, where the insecurity of property and the difficulty of conveyance must naturally deter any merchant from carrying such articles.

In your opinion is not the present system fully adequate to the supply of any increased demand that may probably arise among the natives of India for European commodities?—In my opinion perfectly adequate.

(Examined by the Committee.)

You have stated, that you were at Hurdwar Ghaut fair; Hurdwar is in the northernmost part of the provinces ceded by the treaty of Oude?—It is nearly so, in the latitude of thirty degrees.

It is where the Ganges enters into Hindostan?—It is.

Once in twelve years there is a great concourse of people there?—Yes.

Do you know that in April 1809, when the great festival occurred, there were assembled at Hurdwar from every part of Hindostan, from the confines of China to the boundaries of Persia, Hindoos of all descriptions, amounting to two millions of persons?—I cannot of my own knowledge state the numbers that were assembled there, but I have no doubt that this statement may have been nearly correct.

Have you any knowledge of the Company, in sending the goods up to the resident at Bareily, in order to be sold and disposed of at that fair, having given instructions that those goods should be sold considerably under prime cost, in order to give samples, to several districts with which we had been hitherto unacquainted, of British merchandize?—I cannot positively state such to have been the instructions, but I believe that the general wish of the government was to encourage by every possible means the sale of those goods, and that the prices intended to be asked were fixed almost without profit.

The experiment was not attended with success, it failed?—It failed.

[The Witness withdrew.

DAVID VANDERHEYDEN, Esquire, a Member of the House, Was Examined in his place, as follows:

David Vanderheyden, Esq.

Mr. Jackson.] Were you in the service of the East India Company?—I was.

For how long a period?—Five and twenty years.

Upon which establishment?—Upon the Bengal establishment.

Be pleased to state the situations you filled, and the places where you resided.—For the first ten or twelve years, according to the custom of the Company's service, I was employed in inferior situations, principally in the revenue department, in the province of Bahar; in the year 1790 I was appointed collector [illegible] magistrate of the twenty-four Pergunnahs, a district in the vicinity of [illegible] that situation I remained only a few months, when I was appointed by Lord [illegible] a member of the board of revenue, in which situation I remained nearly eight years; upon the insurrection of Vizier Ali, in the province of Benares, and the assassination of Mr. Cherry, I was appointed by my Lord Wellesley chief judge of the court of circuit in that district, and agent to the governor general; I remained in that situation about two years, and then was compelled to come to England from ill health.

How long have you been returned?—About ten years.

Did the situations which you have described yourself to have filled, enable you to form an accurate judgment of the character and manners and the general disposition of the natives?—Certainly I think they did.

Are you acquainted with their general civil and religious prejudices, if such they may be called?—Certainly I am.

Supposing, in consequence of an open trade and free access to every port in India, there should be a considerably increased number of Europeans, indiscriminate as to their pursuits and characters, what effect do you suppose it would produ

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produce upon the general British interests in India?—I think it would have a most pernicious effect.

Be pleased to state in what respect you think it would be so pernicious?—From the discordance of the European character from that of the natives, and the contempt and contumely with which the Europeans on their first arrival, and particularly the lower orders, treat the natives.

Do you think that such intercourse would materially affect the happiness of the natives?—I think essentially.

What do you think might be the political consequence of such an intercourse?—I think in that point of view it would have a most pernicious effect, as tending to degrade the European character in their eyes.

What consequence would you apprehend from such degradation of the European character?—I think the consequence must be obvious, when we consider the great disparity of numbers between the Europeans who controul there, and the immense population of the country; it can be only by a high estimation of our character, by which our government there can be upheld in strength and pre-eminence.

Do you think that that estimation which you describe as essential to the upholding of the government, might be materially and seriously affected by such intercourse?—I certainly think it would; and I believe in that I concur with every man of any experience who has been there.

Do you think that the sort of usage you apprehend from such an indiscriminate influx of people, might drive the natives to extremities?—I should think it would; in some instances they are a very patient and forbearing people, but I think they would probably have such provocations as would drive them to extremities.

At present, are the British subjects amenable to any but the principal court at the presidency?—They are amenable only to the principal court at Calcutta; the magistrate of the district has the power of apprehending any person, and of sending him to Calcutta, but there his duty terminates.

The station where such offenders are apprehended, is frequently, is it not, several hundred miles from the court in which he ought to be tried?—Very frequently five or six hundred, or in some instances nearly a thousand miles.

Supposing the earnings of these people to be, as has been stated, from three to five shillings a month, do you think it within a possibility that such injured natives should obtain legal redress?—Certainly not; but it is not unusual, when accidents of this kind happen, for the government to supply the native with the means of proceeding to Calcutta, or at least the magistrate on the spot.

If, from indiscriminate intercourse, the number of offences should increase in proportion, do you think that that mode of redress could continue to be pursued?—Certainly not; it would be attended with such enormous expense and inconvenience, that some other mode must be resorted to.

Be pleased to describe the general nature and constitution of the native courts, such as that over which you yourself presided, as to the laws by which they are governed?—They are chiefly governed by regulations of our own government: if it is meant with respect to criminal cases, the Mahomedan law principally obtains in the courts; but that is modified by regulations of our own government, to render it, as we conceive, more consonant to natural justice.

Are persons tried by the Hindoo laws, or the Mahomedan?—In criminal cases the chief rule of the court is the Mahomedan law.

If Europeans were made amenable to these native or provincial courts, they must be tried by those laws?—Undoubtedly, there are no other.

Do the British laws obtain in any of those native courts?—Certainly not.

Supposing this free trade from every port in the United Kingdom to every port within the limits of the Company's charter, and looking to the line of either coast of the peninsula, do you think it would be possible to prevent such persons as have been described, from gaining admission into the interior?—I think it would be extremely difficult, if not impossible; more especially as so large a portion of the coast of

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Malabar is not under our authority; but, however, even in that portion which is under our authority, I think it would be scarcely possible, in the case supposed, that of an unlimited trade, to keep Europeans from getting into the interior of the country.

Supposing new adventurers to succeed in getting into the interior of the country, do you apprehend that any political evil might arise therefrom?—Yes, I should think very great political evils.

Be pleased to state such evils as you apprehend would arise?—From their intrigues at native courts, if they made their way, and in fomenting disturbances.

Do you think that such persons, supposing their object to be that of military or political service, might not find secret or open encouragement at such native courts?—Yes, I should imagine they would; there have been various instances of Europeans in a low situation of life, getting into the interior of the country, and rising to situations of great importance.

Do you suppose that this misconduct which you have apprehended towards the natives, would be in some degree dependent upon the station in life of the person who should gain access to India?—Undoubtedly; a man of education and respectability who might find his way there, would be more likely to conduct himself well than a desperate adventurer.

If, for instance, the supposed ingress should consist of seamen, tradesmen, and artificers, do you apprehend that, from their ignorance of the language and manners of the natives, those dangers of insults and oppressions towards the natives would be in proportion?—They would be likely to commit great disorders.

Supposing such open trade to take place, do you apprehend it would lead to any materially increased demand for European articles, for the purposes of the consumption of the natives?—I should apprehend not; their manners, customs, religion, the whole state of their society, preclude the probability of any increase of the consumption of European manufactures; and above all, the slender circumstances of the mass of the people render it, I should almost say, impossible.

Does this poverty of circumstances, to that degree which precludes the purchase of European articles, apply to much the greater proportion of the natives?—By far the greater proportion; almost entirely.

During your residence in India, did you observe any progressive advances in the natives towards assimulation to European habits or manners?—None whatever in the upper parts of the country; in Calcutta, in some very slight degree, but to no extent.

Do you mean exclusively among the higher orders?—Exclusively, the others are precluded from their narrow circumstances, and indeed from their inclination.

Among those who possessed wealth, in what way did they generally direct their expenditure; was it towards the purchase of European articles?—Very little; their taste does not lie that way at all; in marriages, in religious ceremonies, in supporting religious establishments, in charities from the same motives; those are among the principal modes in which the Hindoo natives of rank expend any considerable portions of their property.

Have any material proportion of the higher orders showed any disposition towards the purchase or consumption of European articles?—Very few.

Were those few, generally speaking, such as resided at the different presidencies?—At Calcutta, the Nabob of Oude also expended large sums in the purchase of European articles.

Were such expenditures, in the Nabob and in the other persons that you have referred to, regarded as complimentary to the European characters among whom they resided?—In the case of the Nabob of Oude, I believe it was really his taste, and, being a man of immense wealth, it was one means that he had of gratifying himself.

Do you know whether that taste in any degree communicated itself to his subjects?—I believe not all.

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David Vanderheyden, Esq.

Can you say whether, during the time that you were in India, there was always a full and ample supply of European articles?—I imagine quite abundant; I resided for many years at Calcutta, and I never heard the least complaint of a want of those articles, and I believe upon very reasonable terms.

Do you mean to say there was an abundant supply?—I believe a great abundance.

Will you name such of the European articles as the natives were in the habit of purchasing?—There were instances of natives purchasing an European carriage, but those were amongst the highest orders; occasionally some glasses, or a lustre; I think those are nearly all the articles.

Generally speaking, then, almost the whole of the import of European articles into India, were for European purchase or consumption?—It follows that they were almost exclusively for European con umption.

Do you know whether there has been an increasing disposition in the Indian artificers to manufacture articles for European use?—Yes, they are themselves very ingenious, and excellent imitators; and they have been also taught by European artificers; they manufacture various articles, such as carriages, furniture, plate, and various other articles, very nearly to approach those manufactured in Europe, in point of excellence.

Supposing, in consequence of the increased facility of visiting India, that an increased number of artificers should go there, and looking to the immense disproportion of the price of labour between India and this country, do you apprehend that in time the necessity of import of British manufactures might not thereby be in a great degree superseded?—I should think it would annually diminish from that cause.

Looking to any probable increase of European population or the Indian want, do you believe that the present system, properly regulated, will afford as full and ample means for the supply of European manufactures as can be required for the market of India?—I think the system as it exists at present, is fully ample for that purpose, I mean for the supply of European commodities.

Looking to so general and so indiscriminate an accession of Europeans as has been described, do you, according to your experience, believe that it would be consistent with the security of the British Empire in India, or with the happiness of the natives?—I certainly think it would not.

Do you apply that to both branches of the proposition?—Undoubtedly that was implied in the answer.

(Examined by the Committee.)

Would the evils that you have complained of as likely to result from an unrestricted trade to the East Indies, be lessened by vessels returning to London instead of the out ports?—I do not think that would obviate it in any degree.

[The Witness withdrew.

GUY LENOX PRENDERGAST, Esquire;
Was called in, and Examined as follows;

Guy Lenox Prendergast, Esq.

Mr. Grant.] Are not you a civil servant of the East India Company, on the Bombay establishment?—I am.

How long have you resided under the presidency of Bombay?—About seventeen years.

How long have you been returned to England?—About two years, or two years and a half.

In what parts of the territory under the Bombay presidency have you resided?—Principally in Guzzerât.

Did you reside there in any official situation?—I first went to Ghuzerat as resident at Baroach, a city belonging to Scindiah, and remained in that capacity for seven years, until the commencement of the warfare in Ghuzerat in 1802, when I

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accompanied the army to the field as paymaster; and in 1805 I was appointed judge and magistrate, and revenue commissioner for settling the revenue affairs of Baroach and its dependencies, then newly conquered, in which situations I remained until about three years ago, when I returned to England.

Has it fallen within your opportunities to make yourself fully acquainted with the characters, habits, institutions, and prejudices of the native population of that part of British India?—During the time I resided at Baroach as resident, I had no other society whatever but the natives, and had an opportunity of intercourse with almost all ranks of them; I think I had a full opportunity of becoming acquainted with their habits, characters, and language.

State whether the manners, habits, and institutions of the natives, are not such as seem strange to Europeans?—Very dissimilar and strange.

Are you able to say whether, in point of mental or bodily vigour, the great majority of native population be equal to Europeans in general?—In bodily vigour certainly very much inferior; in mental capacity, in general, I do not think that they are inferior.

Have you observed in Europeans unacquainted with the national peculiarities of the natives, a tendency to insult their prejudices or make light of their peculiarities?—I think it is remarkable that on Europeans first arriving in India, they are disposed to treat the natives, their religious ceremonies, and their prejudices, with a considerable degree of contempt and derision, probably arising in a great measure from the description of persons who get about Europeans on their first arrival, being generally those out of employ, and not of the best character.

Are Europeans ever apt to domineer over the natives, from the mere consciousness of their personal superiority or their national and political ascendency?—I think they are on their first arrival in India, and before they become acquainted with them.

Supposing a free ingress of Europeans to be permitted into those ports of British India with which you are conversant, and a free intercourse to take place between the Europeans so introduced and the natives, what effects would you apprehend to the welfare of the natives, and the stability of the British government?—I think such unrestrained admission of Europeans into the Guzzerat country would be productive of the greatest possible disorder; the local authorities, as at present constituted, would be totally unable to controul or regulate them; they would be complained of in a variety of instances for offences, the magnitude of which, as affecting the native prejudices, it would be very difficult to explain to such Europeans, who would thence be led to believe that the local authorities encouraged frivolous and vexatious complaints against them; this would lead them in return to treat the local authorities with every mark of personal disrespect they could with impunity, and they would thereby be lowered in the eyes of the natives, who, on the other hand, would feel the incapacity of the local authorities to afford them that protection they had a right to from the government; general disaffection would prevail, and a continuance of those causes increase that disaffection probably into insurrection.

From the observations which you have made upon the character of the British residents, can you say whether there prevails among them a considerable degree of that mutual and national fellow feeling which is known so generally to characterize British subjects residing in a foreign country, and among a population of singular habits?—I think that national feeling does exist.

Are you aware that by law, British subjects, for offences committed against the rights or security of the natives, are triable only before the supreme court of judicature in Bombay, and by a jury of British subjects?—I am aware that that is now the regulation.

Do you conceive that it would be possible to render British subjects amenable to the district or provincial courts, without offending the national feelings and prejudices of Englishmen?—I think there would be a considerable degree of inconvenience in making them in every respect amenable to the provincial courts.

In your opinion, would a frequent exercise of coercive power on the part of the government, or its provincial representatives, over British subjects, be invidious in the eyes of the British residents?—I think it would.

Can

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Can you state whether there is any part of the Malabar coast not subject to British jurisdiction?—From Goa up to the mouths of the Indus, is upwards of 800 miles, the whole of which, excepting within about 200 miles, belongs entirely to the native powers; and within those 200 miles, excepting Bombay, there is only Surat and Baroach belonging to the English, and those parts belonging to the English are divided in many places from each other by the native territory.

Supposing frequent resort of the vessels of private British adventurers to the Malabar coast, would it not be practicable for the crews of those vessels to effect a landing on some part of that coast, and to penetrate into the interior of the country?—No doubt; in the fine season, almost all along that coast crews might land, and proceed almost in any direction they pleased.

Are you not of opinion that very great abuses might result from the occurrence of such an event?—The greatest possible abuses and disorder.

What are the species of abuses which you would apprehend from that event?—The contempt which such description of Europeans are generally disposed to hold the natives in, might naturally be expected to lead them into considerable excesses, where they were under no description of control; insults to the native women, intrusion upon the houses and pagodas of the natives; all of which would be resented by the natives, and where they would have no authority to apply to, they would have recourse to force.

Do you conceive that the abuses which you have described, might issue in consequences dangerous to the stability of the British government in India?—All the circumstances I have described, are of a description productive of consequences, no doubt, most dangerous to the British government in India.

Have you had an opportunity of observing how far there prevails among the natives of that quarter of India with which you are acquainted, a taste for the use of European commodities?—I have not observed any disposition or taste among the natives of Guzzerat for European articles.

Is not property very unequally distributed in that country?—Property is very unequally distributed.

Have you found a taste for European commodities among the higher orders of the Indian society?—I have not observed any such disposition amongst the highest order in society in Guzzerat.

Do you mean that remark to include persons who have had both the means and option of using European commodities?—I do; for both exist in Surat and in Baroach.

Can you state, whether, within the period of your Indian experience, there has been a growing taste for European commodities among the higher orders of the native population?—In that respect I think they have been perfectly stationary ever since I have had any intercourse with them.

Are not the domestics employed in the households of Europeans in that country, generally natives?—They are, almost without exception.

Are persons in menial situations found to imbibe European tastes, or affect European fashions?—I do not think they are.

Are you acquainted with the population of the island of Bombay itself?—I resided very little at Bombay; I have of course been there, but for very short times, excepting on my first arrival in India, when I remained there nearly two years.

Have the native inhabitants of Bombay itself copied in any degree European manners and fashions?—The Hindoo and Mahomedan inhabitants of Bombay I do not think have; the Parsees of Bombay have a good deal copied the European manners, such as riding in carriages, sitting on chairs, and dining on tables, furnishing their houses; but this is but a small number, and principally those connected with the European houses of agency, and the very opulent.

Are not the Parsees, of whom you speak, a small and a distinct tribe?—The Parsees are perfectly distinct from the Hindoos and Mahomedans, and they are comparatively but a very small tribe.

Guy Lenox Prendergast, Esq.

Would an increased consumption of European commodities by the individuals of that tribe promote an increased consumption of such commodities among the other native inhabitants of that country?—I do not think it would have any such tendency.

Supposing that in some very limited degree the Hindoo and Mahomedan population of Bombay have adopted the use of European commodities, would not you ascribe this circumstance wholly to the very intimate intercourse which has subsisted between those people and the European inhabitants?—I think entirely.

Supposing then, for the sake of argument, that it be possible to promote an extensive consumption of European commodities in the interior of the country, must it not be supposed as a condition to that event, that a very extensive intercourse shall have taken place between the inhabitants of the interior and British subjects?—It does not appear to me that any intercourse between the Europeans and natives of the interior, that is at all within the bounds of probability, could in a century induce them to use European articles or to adopt European manners.

With respect to the great mass of the Indian population, state whether they have the means of purchasing European commodities?—The great mass of Indian population have not.

Is not the price of labour in that country, both for agricultural and manufacturing purposes, incomparably lower than in the countries of Europe?—It is incomparably lower.

Is it at all within your recollection what is the average price either of agricultural or manufacturing labour on the Malabar coast?—It may vary from about five shillings to about fifteen shillings a month.

Do you conceive that this extreme cheapness of labour results from casual and transitory causes, or partly from fixed peculiarities in the soil, produce, and climate of the country, and partly from peculiarities, scarcely less fixed, in the characters, modes, and institutions of the native population?—It proceeds, I think, from the extreme fertility of the soil, the cheapness of all articles of food and raiment; and the monthly wages of labour that I have described, are quite proportioned to the wants of the common native.

Labour then being from fixed causes so much cheaper in the countries of India than in the countries of Europe, do you conceive that under any circumstances the countries of Europe are likely to be on a great scale manufacturing countries for the countries of India?—I do not think they are; the general wants of the natives are supplied in their own country.

Whatever improvement therefore may hereafter take place in the condition of the Indian people, is there any rational prospect of such an advancement in their means of purchase, as shall place European commodities generally within their reach?—I do not think there is; and if they were within their reach, I do not think they shew any disposition to possess them.

Do not you ascribe the advantage with which Indian commodities enter the markets of Europe, principally to the unexampled cheapness of Indian labour?—I should think so.

Supposing, therefore, such an ultimate increase in the wages of the labouring population of India, as should place European commodities within their reach, would not the same circumstance proportionably enhance the price of Indian commodities in the English market?—No doubt it would.

Has the Bombay government, within your knowledge, shewn an anxiety to promote the consumption of European commodities among the natives under its supervision?—It has long been an anxious object with the Bombay government to obtain a vent for European articles in the interior of the territory under Bombay, and through them up into the Scind country: I was particularly myself spoken to on that subject, when I had charge of the factory at Baroach, and made every inquiry of those natives I conceived best qualified to give information on that subject, and

and the result of those inquiries left no reason to believe that the thing was practicable.

Guy Lenox Prendergast, Esq.

Do you conceive that the present system of trade is sufficient to meet any increase which may take place in the demand for European commodities among the natives of India?—I think it is quite sufficient.

[The Witness withdrew.

The Chairman was directed to report Progress, and ask leave to sit again.

7.

Jovis, 8° *die Aprilis* 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Major Gen. *Alexander Kyd*, - - p. 73.
William Young, Esq. - - - - p. 83.
David Haliburton, Esq. - - - p. 85.
Græme Mercer, Esq. - - - p. 87.
David Vanderheyden, Esq. a Member - - - - - p. 90.
Guy Lenox Prendergast, Esq. - p. 93.

Ordered, by The House of Commons, *to be printed*,
8 *April* 1813.

9.

House of Commons.

MINUTES of EVIDENCE

TAKEN BEFORE THE COMMITTEE OF THE WHOLE HOUSE

To whom it is referred, to consider of the Affairs of The *East India* Company;—and to whom the several PETITIONS, which have been presented in this Session of Parliament, relating to the Trade and Shipping of The *East India* Company, and the Renewal of their Charter, were referred;—and also, the PETITION of The *East India* Company, praying to be heard by Counsel before the said Committee.

Lunæ, 12° *die Aprilis* 1813.

STEPHEN RUMBOLD LUSHINGTON, Esq. in The Chair.

Colonel THOMAS MUNRO,

Was called in, and Examined as follows:

Colonel Thomas Munro.

Mr. Impey.] ARE you now in the military service of the East India Company?—I am now in the military service of the East India Company.

At which of the presidencies?—At Madras.

How long have you been in the military service of the East India Company?—I have been in the military service of the East India Company above two and thirty years.

During that service have you resided in many parts of the peninsula?—I have resided in different parts of the peninsula, on the coast of Coromandel and Malabar, and in Mysore in the interior.

Were not you employed by the government of Madras in settling the districts ceded by the Nizam to the Company?—I was employed in settling the district ceded by the Nizam to the Company.

By having resided in so many parts of India, and particularly by that mission into the Nizam's country, had you great opportunity of observing the character and habits of the natives of Hindostan?—I had full opportunity of understanding both the character and habits of the natives.

Were there many Europeans in that part of the country, meaning the district ceded by the Nizam?—There were no Europeans in that part of the country, except such as belonged to the Company's or King's civil or military service, and a few suttlers belonging to the army.

Colonel Thomas Munro.

Are you not of opinion, from your observation of the Hindoo nation, that they are much attached to their own modes of living and thinking?—From my observation, they are very much attached to their own modes of living.

In your opinion, are they not as unchangeable upon those points as any thing human can possibly be?—I do not think that they are positively unchangeable, but they are as unchangeable as any thing can possibly be.

Do you mean without exception, or with any exceptions, among those who have intercourse with Europeans?—I make no exception; I think there is very little or no change, in those settled at the principal European settlements.

When you went into the ceded districts, were they not in a state of great anarchy and disorder?—They were in a state of complete anarchy when I entered them.

How long did you reside there?—Seven years.

During the course of that time, were not those districts reduced to a comparative state of order and good government?—They were reduced into very good order.

Are you of opinion that it is not now necessary for the Company to use great caution in selecting those persons who should be sent into those districts, for fear of the natives recurring to their former state of disorder?—I think it is necessary to use great caution in the selection of persons to manage, not only those districts, but all districts under the Company's government.

Do not you think that more particular caution is necessary for districts that have just been reclaimed in the manner you have stated?—For districts such as are newly reclaimed, greater caution certainly is necessary.

What, in your opinion, would be the consequence of permitting English traders of all descriptions to range and to reside in those districts?—I think such a permission would be attended with very dangerous consequences, and great inconveniencies to the peace of the country.

Are you of opinion that persons just arrived from Europe, and ignorant of the customs of the natives, would produce more mischief than persons who had resided some time in the country, and were acquainted with their manners and habits?—Persons newly arrived from Europe would produce greater mischief in the country than those who had been some time there, and had become acquainted with the habits of the natives; this is so much the case, that it is always usual when European troops, newly arrived from Europe, are sent up the country, to send a detachment of native troops along with them, to prevent their getting into disputes with the inhabitants; those disputes happen, not only with newly arrived European troops and the natives, but among all newly arrived Europeans, whether King's or Company's officers, or civil servants: a single ensign, newly arrived from Europe, going up the country to join his regiment, produces more alarm than would be occasioned by a whole regiment of veterans.

In your opinion, if newly arrived Europeans were permitted to enter the interior of the country, would they be likely to exercise acts of violence against the natives, and to outrage their religious and civil prejudices and feelings?—They would be likely to commit such acts of violence against the religious and civil prejudices of the natives, often from ignorance, and sometimes from a contempt of such prejudices.

In your opinion, would not such conduct on the part of the newly arrived Europeans be likely to excite disturbance among the natives, that might eventually be dangerous to the government of the country?—I think it might occasion disturbances that would eventually be dangerous to the government of the country; but although they might at the time occasion some partial riots, I have no idea that they would occasion insurrection, they would produce that sort of discontent which might remain at rest till an enemy entered the country, when the minds of the inhabitants by such conduct would be prepared to favour the view of any invader.

In your opinion, would such conduct of the newly arrived Europeans, if it took place, degrade the British character from the high respect which the natives at present bear towards it?—It would certainly have the effect of lessening the high character which Europeans now have in India.

Is it not your opinion that the high respect entertained for the English character in India, is one of the main supports of our government there?—I think it is the principal pillar of our government there, that when the respect for the European character is gone, our government cannot exist. Colonel Thomas Munro.

In case of oppression of the natives by Europeans at so great a distance as those ceded districts, would it be possible for them to obtain any justice, considering that Madras is the only seat of a court that has criminal jurisdiction over Englishmen?—I think that very few of them ever would obtain redress, because not one in twenty would ever take the trouble of going so far, or could bear the expense.

Are there not ports upon the Malabar coast which are still subject to the Marattas?—There is a tract of country on the Malabar coast, from Goa northward to Bombay, which is still subject to the Marattas.

Might not Europeans entertaining hostile designs to the East India Company's government in India, penetrate by the ports upon that coast to the courts of the native princes?—They might certainly; there could be no obstruction given to them there by the Company's officers.

If the native princes were hostilely inclined to the Company, and inclined to violate the treaties with them, might they not receive Europeans into their dominions without detection from the Company's resident?—I do not exactly understand that question; is it meant through that part of the Maratta country which is to the north of Goa, or through the Company's own territories.

Through that part which is to the northward of Goa, between Goa and Bombay?—They might certainly receive Europeans through that part of the country.

In the event of a free trade, are you of opinion that there would be any considerably increased demand for British commodities or manufactures, among the natives of Hindostan?—I do not think that there would be any considerable increase of the demand for European commodities among the natives of India; I do not think that this want of demand depends exactly upon the high price. The high price in India ought to have the same effect as it has in Europe; it does not in Europe prevent the general consumption of Indian commodities, it only makes people take less of them, but every person, I believe, purchases in some degree according to his circumstances; this is not the case in India, there are very few people there, that purchase any European commodities; it does not depend upon a man's wealth or poverty, the wealthy man purchases no more than his poor neighbour; there is no gradation in the consumption of European commodities, depending upon the wealth of the individuals; at our principal settlements, where we have been longest established, the natives have adopted none of our habits, and scarcely use any of our commodities; the very domestics of Europeans use none of them; there are a few natives at Madras, and some other places, who sometimes purchase European commodities, and fit up apartments in an European style, to receive their guests, but it is done merely, I believe, in compliment to their European friends, and what is purchased in this way by the father, is very often thrown away by the son; the consumption does not extend, but seems to remain stationary: I think there are other causes of a more permanent nature than the high price, which preclude the extension of the consumption of European articles in India; among those causes, I reckon the influence of the climate, the religious and civil habits of the natives, and more than any thing else, I am afraid, the excellence of their own manufactures: In this country, people who know little of India, will naturally suppose, that as the furniture of the house and the table require so much expense, a great demand will likewise be made among the natives of India for the same purposes; but a Hindoo has no table, he eats alone upon the bare ground; the whole of what may be called his table service, consists of a brass basin and an earthen plate; his house has no furniture; it is generally a low building, quadrangular, rather a shed than a house, open to the centre, with mud walls and mud floor, which is generally kept bare, and sprinkled every day with water, for coolness; his whole furniture usually consists of a mat or a small carpet, to rest upon; if he had furniture, he has no place to keep it in, it would be necessary to build a house to hold his furniture; he likes this kind of house, he finds it accommodated to the climate, it is dark and cool, and he prefers it to our large buildings; again, the food of the Indian is simple, and is entirely found in his own country; his clothing is all the manufacture of his own country, we cannot supply

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him, because while he can get it, not only better but cheaper, at home, it is impossible that we can enter into competition in the market.

In your opinion, does the demand of the natives for European commodities increase at all, as they are near the source of supply?—I think the nearness or distance from the source of supply has no perceptible influence upon the demand; if this were the case, I should expect to see the demand gradually increase.

Have you means of stating with accuracy the price of labour in the ceded districts of which you were superintendent?—I had the means, but I can only now speak from memory; during my residence there, a great number of statistical tables were drawn up by many of the most intelligent natives, containing the price of labour and subsistence; but those tables, not having brought with me to Europe, I can only recollect the general result; I think that the average price of labour, in agriculture, is about 5*s.* a month; 5*s.* I think is a high average; some of the calculations made it as low as 4*s.*, none above 6*s.*

Is the price of labour you have stated, more than adequate to the subsistence of the labourers, and of their families?—Not more than adequate to the subsistence of a labourer and his family: Tables were also drawn up at the same time, giving a general average of the annual price of the subsistence of every class of individuals for a whole year; I can only remember now the three principal branches; in the first class, containing about one fourth of the population of a country containing two millions of inhabitants, they made the average per head 40*s.*; the second class was 27*s.*, this second class contained about half the population, or something about one million; a third class, containing the remainder of the population, the poorest class of people, was 18*s.* per head: this comprehended the whole expenditure of each individual, for clothing, food, and every other article.

In your opinion, and from your observation, is there any probability of a change in the state of society in Hindostan, which you have just stated?—I do not think, from all I have been able to observe personally, or to learn from reading, that there is any probability of any essential change being produced, unless at a very distant period; the natives of Hindostan seem now, in their state of society, and in all their customs, to be in much the same state as they were when we first heard of them in history.

In your opinion, is there any probability of extending to any great amount the use of the woollen manufactures of England among the natives of the colder climates of Hindostan, or the countries to the north and east of Hindostan?—I do not think that there is any great probability of extending the consumption of the woollen manufactures of England in India, because the natives have already coarse woollens of their own, which answer all the purposes for which they require them better than those of England do; there is hardly a native of India who has not already a large piece of woollen, as it comes from the loom, which he uses something as a Highlander does his plaid, he wraps it round him to defend him from the weather, and he sleeps upon it, and it is so much cheaper than any thing which can be made in this country, that until we can very greatly reduce the price of our woollen, we shall never be able to find a market in India for it; the thermometer in the greater part of India, in the interior, is for many months in the year generally as low as from forty to sixty in the morning, and the cold is as much felt as it is in this country, except during hard frost; the natives require warm clothing, but they have all their own coarse woollens, and many of the richer sort, who do not use those woollens, employ, in their room, quilted silk and cotton, which is both warm and light.

Do the same causes operate in the countries to the north and west of Hindostan?—I cannot speak with respect to the countries to the north and to the west of Hindostan, from any observation of my own, I can only speak from information, and that leads me to suppose that there can be no material increase in the use of European manufactures in those countries, because they also have coarse woollen manufactures of their own.

Are you able to state to the Committee the prices of the common woollen cloths manufactured in India, used by the natives?—The common woollen which the natives generally use is a piece, as it comes from the loom, of about six or seven feet long, by four or five broad; such a piece generally costs eighteen pence or two shillings, the coarser

coarser kind; the finer kind, much of the same texture as our camlet in this country, is made of a greater length and breadth, about ten feet long, by six or seven broad; such a piece sells for twelve or fifteen shillings, but it depends a good deal, I believe, upon the markets; in some parts of the country it is dearer, in others it is cheaper: I speak with respect to Mysore. Colonel Thomas Munro.

Do the more opulent natives of India, that have much intercourse with Europeans, purchase to any extent European commodities, and for what purposes?—I think I have already stated, that the consumption of European commodities in India does not depend upon the wealth of the natives, that the opulent seem to take no more of them than the poorer sort, that it chiefly depends upon the caprice of the individual.

Does it fall within your knowledge, that Tippoo Sultan was in possession of European articles to a considerable amount?—Tippoo Sultan had a considerable quantity of European articles that he had collected from different quarters, of which, I believe, a large quantity had been sent to him from France; but he made very little use of them; they were found upon the taking of Seringapatam, most of them, in a lumber room, and, I believe, many of them not unpacked.

From your observation, do you think the market for European commodities in India is fully equal to the demand, in all parts where you have been?—I think the supply was certainly equal to the demand, in every part of India that I have seen.

In your opinion, is the present system of trade in India fully adequate to the supply of any probable increase of demand for goods among the natives; for European commodities?—The present system of supply is equal, and much more than equal, to any probable increase which is likely to take place.

Are not the Indians themselves ingenious in manufactures, and likely to supply themselves, any demand they may have for them?—The natives in India are ingenious manufacturers, and would be likely to imitate any European manufactures for which they had any particular use, and in a very short time to carry it to such extent as to answer their own supply.

Are not the natives of Hindostan very quick in learning any manual operations, or any new arts they may find useful to them?—They are very quick in learning all manual operations, and all arts which they think will be useful to them.

Have you the means of knowing the manner in which the Company provide the investment of piece-goods in India?—I never was directly concerned in the provision of any of the investments, but I believe that the investments are provided through the agency of an European commercial resident, by means of advances given to the weavers, receiving in return the cloth at stated periods.

Do you know whether those weavers work indifferently for the Company and for any other merchants that may apply to them for the same purposes?—The weaver works indifferently for the Company and for private merchants, there is no distinction whatever; he works according to the priority of advance; if he receives it first from the private merchant, he is first obliged to supply him; I believe there is a regulation of the government of India to that effect.

Has it not come within your knowledge, that where the commercial residents have used improper authority over the weavers, that has been effectually checked by orders of the Company's government in India?—I have had myself an opportunity of seeing an instance of the kind; in taking possession of the Barramahl, the country ceded by Tippoo Sultan, in 1792, to the Company, the persons employed in the Company's investment, forced the weaver to receive some advances, and to work for the Company to the exclusion of the private merchant; but as soon as the circumstance was represented to government, a stop was put to it; and I believe such a practice has never been renewed.

Do the Company's servants ever interfere with the free price of commodities that are purchased for the Company, in any part of India?—The Company's servants never interfere with the free price, prices are all open in every part of India.

Is not India full of merchants and dealers of every class, that are as intelligent and more economical than ours?—India is full of merchants of every class, from the pedlar up to the highest merchant; they pervade every part of the country; there is

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no article for which there is the most trifling demand, whether European or Indian, that is not soon carried to the spot where the demand is, by the travelling merchants; they have correspondents in every quarter upon the coast, and in the interior, and wherever they hear of a demand, they take care to supply it immediately.

Do not you know that the commercial character of the Company is very high, all over India, both for honour and regularity?—I know that the commercial character of the Company is very high all over India; but the natives of India make no distinction between the Company and the British government, they consider the purchases made by the Company for the investments in the same light as any other purchases made for the public service, whether of supplies for the army of tents or grain for forts, they scarcely regard them as a commercial body; the natives of India have always been accustomed to see their own governments acting as traders, purchasing articles for the public service at a low price by requisition, and selling them again at an advanced price beyond the market rate; they now see the purchases made by the Company at a fair market price, and they are astonished at the moderation of government, so different from what they have been accustomed to see under their own native princes: I think that the commercial character of the Company has rather contributed to raise than to depress the character of the nation with the natives of India.

In the event of a free trade between this country and India, and Englishmen being permitted to enter into the interior of the country, is it your opinion that it would be absolutely necessary for the peace and security of the natives, and to prevent their oppression, that the power at present possessed by the local governments in India, to remove such persons in case of misconduct, should be continued?—I am of opinion that the powers which the local governments now possess in India, of removing such persons, should be continued; and that those powers will hardly be sufficient, under a more open trade and a great influx of Europeans, unless they are confirmed by some act of the legislature in this country.

(Examined by the Committee.)

Does it come within your knowledge to form a judgment what would be the consequence to the British empire in India, and the British interests in Europe, if the commercial transactions of India were separated from those hands who may exercise the sovereign power?—This is a complicated question, but I should rather think that by such a separation the power of the Company of carrying into effect their government would be very much weakened.

Does it come within your knowledge to form an opinion what may be the proportion of the Hindoos to the Mahomedan population?—I can only speak of the south of India, but of that part I can speak with some certainty, as there was a very accurate census taken of that part of Mysore which was ceded by the Nizam to the Company; the whole population amounted to nearly two millions; the proportion of Mahomedans to all the rest of the population was something more than a twentieth part, less than a nineteenth, about one to nineteen and a half.

Do you not think that the whole population of India under the British sway, is at present submissive and apparently contented?—I think the great mass of the population is certainly both submissive and contented, both apparently and in reality; but there are many chiefs and men of rank, who held situations under the old government, who cannot be expected to remain contented under any European government by which they are themselves excluded from all high situations.

Do not you of course conclude that Mahomedans who have been deprived of those lucrative situations, and situations of power, would put down the British power if they could?—I have no doubt but the Mahomedans, if they were able, would put down the British government to-morrow; and that the Hindoos, if they were able, would put down both.

As long as the Hindoos are well treated by the British power, would the discontented part of the Mahomedans be able to effect any of their purposes?—I do not conceive that the discontented part of the Mahomedans would be sufficiently powerful to effect any thing against the Company's government while the Hindoo population is satisfied.

Does

Colonel Thomas Munro.

Does it not come within your knowledge, that there are at the different presidencies British artisans and manufacturers of almost every description of trade that is exercised in this country, such as coachmakers, carpenters, cabinet-makers, upholsterers, workers in the different metals, workers in all kinds of tanned leather, tailors, and shoemakers?—I believe that all the different artisans and manufacturers enumerated in the question, are to be found at Madras, and that they will in time supply the European establishment in India with all those articles which are now sent from Europe; and that in proportion to the number of those artisans established there, the export trade of this country will be diminished.

Do you perchance know what is the price of a pair of shoes made in India by a European shoemaker?—I cannot answer that question, because I never bought any shoes in India, except those of the manufacture of Europe, but I believe the price is ten or twelve shillings.

The price of shoes made in India?—Of shoes made in the country by European shoemakers; they are also made by natives along with those European shoemakers, who employ them.

Do you conceive that, which you have stated, to be the price of shoes made under an European shoemaker by native workmen?—Sometimes by native workmen under European shoemakers, and sometimes by European shoemakers themselves.

Have not the European shoemakers instructed those native workmen to work in the manner they chuse; and is not the price of their labour so cheap, that the European shoemaker would find it most to his interest to employ them?—I believe that the European shoemakers have instructed many of the natives to make shoes after the European fashion, and that the cheapness of the Indian labourer induces the European to employ him; but many of the Indian shoemakers themselves make shoes of the country leather, without any connection with Europeans; they sell them at various prices, it depends entirely upon the quality of the leather; I have seen them, I think, from a shilling a pair to eight shillings, made of country tanned leather.

Are not the woollen cloths which you described as being made in India, and used by the natives, peculiarly adapted to the climate of India?—I conceive the woollen cloths made by the natives of India, to be better adapted to the climate of that country than what we make here, they are better for suffering all the rough treatment which they receive from the natives, being thrown upon the ground, and they are likewise, I think, more water-proof.

Are the Hindoo women kept in a state of seclusion?—The Hindoo women, with the exception of one or two very small tribes, which perhaps do not form one fiftieth part of the population, have as much liberty, and I imagine more, than the women in Europe; I believe there are no men who have been in India, that may not see the women of all ranks, young and old, bathing every day, not only in retired places, but at large garrisons of Europeans, and without being at all alarmed at the appearance of Europeans.

Is their state that of slaves to their husbands?—Their state is not that of slaves to their husbands, they have as much influence in their families as, I imagine, the women have in this country; I often found them, when in charge of the ceded districts, very troublesome tenants as farmers; I have frequently known women of respectable families, who kept their husbands, and sons grown up, at home, and came to the cutcherry to debate about their rents.

If the European regiments were to be reduced, and the infantry of the Company's army were to consist of natives alone, what would be the effect upon the character and the efficiency of the Company's army in general, and on the European officers of native corps and sepoys in particular?—If such a separation were to take place, I am of opinion that it would tend materially to destroy the efficiency of the Company's army; it has been a part of our military policy in India to raise the European character by all possible means, to employ Europeans only in leading the assaults of all places taken by storm, and to employ them in the field in all enterprises where courage is required; by a separation of the European part of the establishment from the native, the European part of the establishment will be exclusively employed in all those services in which military renown or distinction is to be acquired: In the

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sepoy service, the officers cannot be employed, except in all the lower drudgery and fatigue of war, they will in consequence sink in their reputation, and will become in time little better than a kind of country militia; they will become somewhat like what the sepoys of the French government formerly were, who, being separated from the European branch of the service, were commanded by officers of an inferior description; the officers, by being excluded from all great occasions of signalizing themselves, would sink in character, and would be held in no estimation by the officers of the European part of the establishment; the sepoys whom they commanded would likewise lose their respectability, and the whole native branch of the establishment would then become no better than a native army is when commanded by Europeans under a native prince; the European officers of the sepoy establishment, excluded from all distinction, both in India and in their own country, would become discontented, and they would most probably in time, sooner or later, by means of a civil war, effect the separation of India from this country.

Would these be the probable effects, if the three regiments of the Company's European infantry were reduced?—I conceive that the reduction of the three Company's regiments of Europeans would most likely be followed by those effects.

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

Would then the efficiency of the Company's army be improved by an increase of their European establishment, cavalry as well as infantry, so as to admit of the officers on first entering into the army, being attached for a time to an European regiment before they were permitted to join the native corps?—The efficiency of the Company's army, I conceive, would be very greatly improved by a considerable addition of European infantry and cavalry; by such an addition as would enable every officer, upon his first going out from Europe to India, to be employed one or two years with an European regiment, until he had learnt his duty. He ought not to be transferred to a sepoy corps, until, by previously serving with an European one, he had made himself master of all his duties, and likewise, by being in some degree acquainted with the character of the natives, qualified to command, and to act with sepoys.

Would any advantages result from filling up the casualties in European regiments in India with recruits from Europe, instead of relieving intire regiments?—I conceive that very great advantages would result from such a practice, because, by sending out recruits only, you have always veteran regiments; the recruits, upon their landing, are thrown into old regiments who are acquainted with the mode of living in the country, and the recruit soon becomes a perfect soldier: By sending out intire regiments, however excellent the officers may be, from their not being acquainted with the manners of the country and with the modes of living, a corps upon its first arrival,

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arrival, and sometimes for one or two years afterwards, is quite inefficient; if it is sent to the field, it is rather an incumbrance than an advantage to the army: There is likewise by the system of sending out recruits instead of whole regiments, a considerable saving, not only in expense, but likewise in the lives of men; for when regiments are sent out in a body, from their inexperience in the country mode of living, a much greater proportion of them die, than among those recruits who are thrown into old veteran regiments established in the country.

Have the military regulations of 1796 removed the discontents and jealousies which had previously prevailed between the King's and Company's troops, and the Company's troops belonging to the different presidencies?—I do not conceive that the regulations of 1796 have in any degree removed the jealousies that subsisted between the King's and Company's troops, and the Company's troops at the different establishments; it was supposed that those regulations went upon a principle of equality, both in rank and emolument, but with regard to emolument, while the Madras army was on half batta, the Bengal army continued to receive full batta, and when serving beyond the province of Bengal, an allowance equivalent to double full batta, I believe, until it was struck off by the Marquis Wellesley. With regard to equality in appointment to distinguished situations, there appears to have been very little; for while the Company had an army of nearly 150,000 men, and I believe above 4,000 officers, and His Majesty's officers in India did not amount to more than 1,000, since 1796 there have I believe been fifteen or twenty officers of His Majesty's service appointed to the distinguished situation of commander in chief or governor at the different presidencies, while not a single Company's officer has ever held such a station.

What has been the effect on the minds of the Company's officers, by their exclusion from the higher military stations in India, and all marks of honour and public distinction?—I conceive that the effect produced upon the minds of the Company's officers. by their exclusion from all high stations in India, has been to render them dissatisfied with their situation.

Has not a preference been shown to His Majesty's officers, in the distribution of military commands generally?—A preference has in many instances been shown to His Majesty's officers, in the distribution of military command; and remonstrances have in consequence come to this country, which have produced an order to reverse such appointments.

Is there not a considerable growth of cotton wool in different parts of India?—The growth of cotton wool is very general in most parts of India.

May not such growth be greatly increased, under proper encouragement?—I have no doubt but that the growth might be greatly increased; there is no particular advantage to the farmer in the cultivation of cotton, he derives no more profit from it than he does from grain.

What is the general quality of the cotton wool grown in India?—I am not sufficiently master of the subject to answer that question particularly; all that I know is, that there is a great variety of kinds of cotton wool grown in India, some long staple, and some shorter, some cotton that is biennial, other that is annual.

Might not the quality be improved, if proper encouragement were given to it?—I have no doubt but that the quality might be considerably improved by proper encouragement.

Could not, under such encouragement, a supply to any extent be obtained?—I think that the supply might be carried to any extent

Have they not in different parts of India the seed of the cotton grown in the islands of Bourbon, and may not the same be cultivated to produce cotton wool of equal quality in India?—I have only seen some small experiments made in India upon the Bourbon cotton, and I am doubtful if it can be brought to answer upon a great scale in India, in the climates to which I have been accustomed, because the Bourbon cotton does not grow without artificial watering; the Indian cotton grows without any watering, it is left entirely to the rain and dew of heaven: but it is probable that the difference of price in the Bourbon cotton might compensate for the expense of watering; there are probably districts in India where there is moisture enough to supply the want of artificial watering.

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Do you think that an open trade, under the present restrictions in regard to residence, to the principal settlements of India, would be followed by any consequences likely to disturb the government and tranquillity of that country?—An open trade under the present restrictions, and supported likewise by an act of the legislature from this country, and such a trade confined to the principal establishments, could not, I apprehend, be productive of any consequences detrimental to the peace of the country; it might occasionally produce disputes at those principal settlements, but the European authorities already established there would be quite sufficient to controul them.

Do you conceive that the number of Europeans now in India would be greatly augmented by the establishment of an open trade?—I imagine that at the first opening of the trade, the number of Europeans would be very considerably augmented; but I imagine that, by degrees, that number would limit itself to the demand of the trade, that no person could remain in India, unless Europeans employed either in trade themselves or as agents for commercial houses; they could not possibly subsist by manufacturing, on account of the superior skill of the natives; and if the trade was not greatly increased beyond its present extent, I conceive that the European settlers in that country could not, for any length of time, be greatly increased.

Do you think it possible that any considerable portion of Europeans can maintain themselves in India, so as to colonize that country?—The Europeans at present, by law, cannot become proprietors of land in India; they cannot be manufacturers, on account of the superior skill and economy of the natives; they are therefore excluded from almost every other means of subsisting themselves, except by trade, and I therefore conceive that their numbers never could augment so greatly as to make them what might be called a colony.

Then the Committee is to understand, that in your opinion, if the colonization of India were desirable, it is not practicable?—I do not think that the colonization of India, under the existing regulations, by which an European in India cannot become a proprietor of the native soil, is practicable; and supposing it to be desirable, and that that law was repealed, I hardly imagine that even then they could colonize to any extent, they would be borne down by the superior population of the natives, more industrious and more economical than themselves.

Do you know of any quarrels having arisen with the natives of India, in consequence of the admittance of the Americans into our settlements?—I never heard of any disputes of that nature, but that might have arisen from my not being upon the spot to which American traders resorted; I think it very possible that many affrays took place between the American seamen and the natives, as happen between our own and the natives.

During the whole or any considerable part of your residence in India, did you acquire that intimate knowledge of the characters and habits of the Hindoo and Mahomedan population, which enables you to form an opinion whether the use of British manufactures might, in the event of a free trade and a considerable reduction in the price, become more generally extensive among the natives?—I acquired a very complete knowledge of the character, both of the Mahomedan and Hindoo population; and from all I have been able to observe, I have very little hope of any material increase being produced, except at some very distant period, upon the export of our own manufactures, even if the price is reduced; because I do not apprehend that there is likely to be such a reduction as can bring our manufactures into competition with those that the natives require and can produce in their own country: It has been sometimes said, that the natives have a prejudice against the manufactures of Europe; the Hindoos have no prejudices against the use of any thing that they can convert to an useful purpose, whether European or native manufacture, it is pure as it comes from the hand of the workman to all Hindoos; but they have one prejudice, which I believe also is a very common one in this country, against the paying a higher price for a worse commodity, and until we can undersell them in such articles as they now require for their own use, we have no hope of extending the use of our own manufactures in India; it is entirely a question of price; whenever we can undersell the Hindoos in any article which they require, it will find its way into the interior of the country without much help from the British merchants, it will find its way to the interior in spite of all regulations to prevent it.

If

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If the native inhabitants of India possessed the means of purchasing the manufactures of this country, do you think the use of them in India would be gradually increased?—I have no doubt but that the possession of the means of purchase would tend greatly to facilitate the consumption of European articles in India; but I imagine that the first use which the Hindoos would make of the improvement of their own circumstances, would be to purchase a larger quantity of their own manufactures, which are so much better adapted to their climate, and so much superior in beauty to ours.

Do you believe that a free trade would tend to increase the wealth of the native population of India?—I apprehend that a free trade, so far as it encouraged the manufactures and raw produce of the country, would tend to increase the prosperity of the inhabitants; and I have no doubt but in one article in particular, that of cotton, an increasing demand would be very beneficial to the country.

In the event of an open trade, do you think that in seasons of scarcity at home, large supplies of rice might be procured advantageously from India?—I imagine that in seasons of scarcity very large supplies of rice might be obtained from India.

With reference to the gradual improvement, civilization, and prosperity of the native population of India, do you think those objects would be advanced by the establishment of an open trade, under the restrictions which you conceive to be necessary for securing the tranquillity of that country?—I imagine that an open trade, restricted to the principal settlements, under such regulations as might be established, would be productive of an increase to the prosperity of the country, but that that would be very slow and very gradual: With regard to civilization, I do not exactly understand what is meant by the civilization of the Hindoos; in the higher branches of science, in the knowledge of the theory and practice of good government, and in an education, which, by banishing prejudice and superstition, opens the mind to receive instruction of every kind, from every quarter, they are much inferior to Europeans: but if a good system of agriculture, unrivalled manufacturing skill, a capacity to produce whatever can contribute to convenience or luxury; schools established in every village, for teaching reading, writing and arithmetic, the general practice of hospitality and charity amongst each other; and above all, a treatment of the female sex, full of confidence, respect and delicacy, are among the signs which denote a civilized people, then the Hindoos are not inferior to the nations of Europe; and if civilization is to become an article of trade between the two countries, I am convinced that this country will gain by the import cargo.

When you speak of an open trade, do you speak of a trade limited to the three principal settlements, Calcutta, Madras, and Bombay?—I speak of a trade limited to those three principal settlements.

When you speak of such regulations as might be suggested for carrying on a free trade, so defined by you, without any danger to our possessions in India, what sort of regulations have you in contemplation?—The detail of those regulations would perhaps be more extensive than I could immediately mention; but among them I should continue those that now exist in India, supported by similar regulations established in this country, which should leave no hope of any person being enabled to reside in India without the licence of government, or of his being enabled to remain there after he should by his conduct have made it necessary to remove him; it might be necessary to oblige masters of vessels going out to India to account for all their passengers and crew, and to bring back all who were not permitted by licence to remain in the country; there might be some other regulations, which I cannot at present suggest; but I have no doubt that, by restraining the trade to the three principal establishments, there would be no difficulty in preserving the peace of the country and the security of the government.

Is the Committee to understand from you, that unless a free trade was confined to the three principal settlements, and subject to such regulations as you have now referred to, danger might arise to our possessions in India?—I am of opinion that unless the trade was so restrained, the consequences would be very dangerous to the security of our possessions in India.

The Committee is to understand you are of opinion, that unless a power be vested in the government in India, at its own good pleasure to send home any person

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whom it thought dangerous, inconvenience would arise?—I am of opinion that the government could not maintain its authority, without such power being vested in it.

Do you think that if the legislature should pass a law, declaring that every person in these United Kingdoms should have a right to go to India, to what parts of the coast he pleased, danger would arise to our possessions in India?—If every person in the United Kingdom were allowed to go to India, and to what part of the coast he pleased, I am of opinion that very great danger would arise to the security of our possessions in that country; there would be constant disturbances at all the little sea ports upon the coast; those disturbances might not immediately affect the stability of the government, but they would greatly tend, at a future period of war, or of the invasion of an enemy, to facilitate the overthrow of our power, by rendering the minds of the natives disaffected to the British government.

Do you believe that if the legislature, by law, should enable all British subjects to go to India, and to trade to any part of India they pleased, the regulations now existing could be practically enforced by the East India Company?—I do not perfectly comprehend the question, because I should suppose that if all individuals in this country were enabled to go to any part of India they pleased, in order to trade, it would in a great measure supersede the regulations now existing in India; if the legislature of this country authorizes persons to go there, without being subjected to the existing regulations, it would be impossible to enforce them against them.

Do not the regulations now existing apply to persons going to India with the permission of the Company?—The regulations now existing apply to persons going to India with the permission of the Company; but I conceive that they would not apply in the same manner under an open trade; that the people in this country, from ignorance, would suppose that they were independent of those regulations; any regulations that would be effectual in restraining Europeans going out to India, must be made in this country, under any thing like an open trade.

When you speak of a licence, do you mean a licence from the East India Company, or the government in India, as the only security there would be against the inconvenience that would otherwise arise from a free trade?—I am of opinion that there can be no other security but such licences, coming either through the East Indian Company, or the government in India.

When you speak of a free trade, you mean a trade limited to the three principal settlements, and open only to such persons as shall have the licence of the Company for trading?—When I speak of a free trade, I mean limited to those three principal establishments; on account of the European authorities that are now established there; but there are one or two other principal ports, in which, if there were European establishments sufficient to controul traders from this country, I should have no apprehension of any danger arising from their calling at such places, under proper regulations.

By "proper regulations," you mean licences?—Licences.

Do not you believe that if licences were not granted by the Company, but the regulations of the Company still remained in force, to be applied to persons sent out under the authority of the law of this country, the government in India must necessarily be much lowered in its authority, and that those regulations could not be practically enforced?—I think that such a measure would have the effect of virtually subverting the authority of the Company in India.

Do you think that an open trade from every port of the United Kingdom to every port in India, could be efficiently conducted, unless the proprietor and the merchant, or his agent, were at liberty to sojourn in the ports or places to which his merchandize should be carried, or consigned?—I should apprehend that such an open trade could not be efficiently conducted, unless the proprietor or his agent were permitted to reside at the place to which the goods were consigned.

Do you think that unless the present regulations, and perhaps still stronger, were enforced by this House, in regard to all those agents or persons who might think it their interest to settle in those different places, material injury might be done to the British Empire in India?—Certainly, unless the same regulations which now exist,

and

and others which it would be necessary to establish upon the opening of any thing like a free trade, were applied to those agents.

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You have stated, that you did not think an open trade could be carried on by British merchants with advantage, unless they or their agents were allowed to reside at the places to which their merchandize was carried; is it not your opinion that in carrying on an open trade, it would be necessary for those merchants to have agents in the interior of the country, or to be allowed to send their merchandize to the different fairs in the interior of the country?—I am clearly of opinion that it would be necessary in such a case for the merchants to have their agents in the interior of the country, but I apprehend that those agents never could become numerous; that in a very short time the merchants would find it much cheaper to employ native agents.

Is it not the practice of the East India Company to send their merchandize to the fairs in the interior of the country, where it is likely to be in demand?—I am not aware that such is the practice of the East India Company; I believe that under the government of the Marquis Wellesley an experiment was made in the northern parts of Bengal, by sending up European goods to the fair at Hurdwar, but I believe with very little success; wherever there are fairs in the interior of the country, there is no occasion for the European merchant to send his goods, he will find plenty of natives to carry them there, at a much smaller expense than he can possibly do, provided there is a demand; there is no great fair, I may add, in any part of India, on the coast or in the interior, no large village having a market, in which such European articles as are in demand are not found, but those articles are very trifling, a few penknives or scissars, or small looking glasses, or spectacles, compose almost the whole cargo of European goods that are to be found in the interior of India.

Can you state the proportion of Christians, Europeans and Natives, in that part of India with which you are acquainted?—I cannot state the proportion of Christians in that part of India with which I am acquainted; in that part of Mysore in which I was stationed for seven years, in a population of two millions, there were not ten Christians; on the Malabar coast, I believe that before the accession of Tippoo Sultaun there were reckoned to be very nearly from fifty to sixty thousand Roman Catholic Christians, but the greater part of them were carried into captivity by Tippoo, and very few of them returned, the greater part of them died in confinement.

If the ships of three hundred tons, belonging to the open traders, should be allowed to go armed to India, and should fail in their commercial speculations, would there not be a danger of their passing the straits of Malacca, and committing outrages on the Chinese junks, and thus exposing this country to a dispute with China?—I am very doubtful if such conduct would ever take place on the part of the commanders of such vessels; we have instances of vessels, without passing the straits of Malacca, becoming pirates: it is, I think, barely within probability that some vessels filled with disappointed adventurers, and passing those straits, might commit depredations upon Chinese junks or others; but I am not aware that the Chinese government would break off their connection with this country, on account of depredations committed upon the high seas.

Supposing the adventurers to fail in their trade at the principal settlements, and government not to have the power to send them home, would they not be likely to go into the service of the native princes?—They would be very likely, failing in their adventures, unless government had such a power of sending them home, to go into the service of the native princes; there are very few of the lower class of Europeans, who if once allowed to land in India ever wish to quit it.

You have stated, that you think it would be necessary that Europeans, trading with the subordinate settlements, should have a licence; do you think that a licence would be equally necessary for Europeans going to the principal settlements, or would not the power of removing those Europeans at pleasure be sufficient?—I imagine a licence would be equally necessary in all cases.

You have stated in a former answer, that an increased demand for the products, and particularly the cotton of India, would be a great advantage to that country;

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are you not of opinion that any supply, both of cotton and rice, could be brought to England, without an introduction of the proposed system of a free trade?—I am of opinion that an increase of those articles might be brought to this country, without the introduction of the proposed free trade; but I am not certain that the same capital would be employed for that purpose, under the present system, as would be under a free trade.

[The further examination of the Witness was postponed.

[The Witness withdrew.

The Chairman was directed to report Progress, and ask leave to sit again.

9.

Lunæ, 12° *die Aprilis* 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Colonel *Thomas Munro* - p. 131 to 134.

Ordered, by The House of Commons, *to be printed*,
12 *April* 1813.

10.

House of Commons.

MINUTES of EVIDENCE

TAKEN BEFORE THE COMMITTEE OF THE WHOLE HOUSE,

To whom it is referred, to consider of the Affairs of The *East India* Company;—and to whom the several PETITIONS, which have been presented in this Session of Parliament, relating to the Trade and Shipping of The *East India* Company, and the Renewal of their Charter, were referred;—and also, the PETITION of The *East India* Company, praying to be heard by Counsel before the said Committee.

Martis, 13° *die Aprilis*; 1813.

STEPHEN RUMBOLD LUSHINGTON, Esq. in The Chair.

RESOLVED, That the Chairman be directed to move the House, That, in order to facilitate the progress of this Committee, in the matters referred to them, a Select Committee be appointed, for the purpose of taking the examination of such Witnesses as shall be ordered by the House to attend this Committee, and to report the Minutes of such Examination, from time to time, to The House.

Colonel THOMAS MUNRO,

Was again called in, and Examined by the Committee, as follows:

Colonel Thomas Munro.

IN your judgment, would not a very considerable reduction in the freight of cotton, afford a facility in the introduction of that commodity in the manufactures of this country?—This is a question which I cannot easily answer, because I am not acquainted with the prices of cotton in this country.

You have mentioned in your evidence yesterday, that you conceived licences would be necessary to persons going to the presidencies for the purpose of trade; in your judgment, does that licence refer to a person going for the purpose of trade, or with a view to residence; in your opinion, is any licence necessary for a person going to one of the presidencies with a view to trade, and returning by the same ship?—If a person is going to reside, I should think that the licence would be absolutely necessary; if he is going to trade, there will be a licence with the ship.

In the event of an open trade, a merchant in this country fitting out a vessel to South America, and afterwards proceeding to India for the purpose of trade, do you imagine that a licence forthat vessel, previously to her proceeding from this country,

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is necessary?—I should think that all vessels going to India should be furnished with licences; but proceeding by America, there might be cases in which such a licence might be dispensed with.

If a licence in some cases be not necessary, in order to guard against offence which may disturb the tranquillity of India, on what ground do you think that such licences are necessary, in the event of a direct voyage from this country to India for the purpose of trade and not of residence?—I should think that, in the former case a licence could be dispensed with only on the ground of its being made out, that they could not have known before sailing that it would be necessary to proceed to India; but although I think it may be dispensed with on particular occasions, I should think it a good rule to observe it in all others.

Do you conceive any difference would exist in India, whether those licences of which you speak were granted by the East India Company, or, in consequence of any provision to be made by the East India Company, under the direction of the Board of Controul?—I should think that in this country it is merely a question of arrangement; but that in India all licences going from this country, should go from the Company: I should think that while the government of India remains in the hands of the Company, all licences should pass through the directors.

Would any difference exist in India, whether that licence were given directly from the East India Company, upon the application of the merchant in this country, or granted by the East India Company in consequence of any provision, in an Act of Parliament for that purpose, that they should grant that licence by the direction and controul and under the authority of the Board of Controul?—I do not conceive that in this case any difference could exist.

Would not a considerable reduction in the expense of the transportation of cotton, naturally give advantages to the purchaser of cotton in India, with a view to its sale in this country, and thereby tend to enable him either to give an advanced price in India, or to dispose of it upon more moderate terms here?—The reduction of the charge of freight, in so far as it would enable the cotton to come to this country, would certainly increase the quantity.

Would not the increased price which would thus be procured by the cultivator of cotton in India, in the event of a free trade tend to a considerable increase in the cultivation of that commodity?—Cotton in India does not yield a greater profit in general than common grain, because the demand for it is not very considerable; but every increase of the demand, which should raise the price, would likewise extend the cultivation and increase the quantity of produce.

Are you of opinion that the best of means have been already used of discovering what articles, suitable for British manufacture and consumption, are either produced or are produceable in the Company's territories?—I believe that orders have at different times been sent by the government of India, to encourage the growth of cotton, but I do not know of any other article for which orders have been sent.

Are you not of opinion that if easier access to India were allowed to persons bred to the cotton trade, and more practised and skilled than general merchants in distinguishing the different kinds of cotton used in British manufactures, such persons would soon discover the situations most favourable for the growth of each sort of cotton, the best means of cultivating them, and of keeping the finer separate from the coarser cottons?—I should have no doubt that if persons skilled in cotton were admitted into the interior of India, they would probably find the means of improving the quality of the cotton.

According to your opinion, would not an open trade give additional facilities and encouragement to such persons as have been described in the last question, to accomplish those objects?—I am of opinion that all those facilities might be given as the trade now stands, with proper regulations, by granting such persons licences to proceed to the interior and settle in the situations they best liked.

Have such facilities actually been given?—I do not know that they have been given, or that they have been refused; in the part of the country where I was, there were no such settlers; but there are settlers, I believe, in other parts of the country, to whom such licences have been given.

Are

Are not the natives of India in the habit of cleaning and preparing cotton for their own spinning, by hand labour?—They clean it for their own spinning, both by hand labour and by a machine, a kind of a bow. *Colonel Thomas Munro.*

Have you had the means of learning how much is added to the cost of the cotton in India by this operation?—I have had the means of learning, but I cannot at present recollect it.

Do you recollect nearly?—No, I cannot with any certainty specify what the cost was.

Do you suppose that a similar operation can be performed at an equally small expense in America, or in any other part of the world, meaning the operation by manual labour?—Certainly not in a country where labour is not so cheap as it is in India, and I believe there is no country, in which cotton grows, where labour is so cheap.

Has not cotton been cultivated in India more with a view to the trade with China, than that with Great Britain?—I am only acquainted with the cultivation of cotton in the south of India; I believe that there the cultivation is chiefly for the consumption of the country, and for the investment of cloth, on account of the Company and private merchants, brought to Europe.

Have you had the means of knowing whether the Chinese will give a much higher price for the finer and superior, than for the coarser and inferior cottons?—I have not had the means of knowing this.

You have stated, that the opening of the Indian trade to the private merchants of this country would not be dangerous, if confined in India to the three presidencies; might not the other ports to which the honourable Company's ships resort, be added with equal security, under the same restraints, as to Europeans, as now prevail at the presidencies?—It could not be extended to all the ports to which the Company's vessels now resort, without considerable danger to the peace of the country, because the ships of private traders are not under the same discipline as those of the Company; they must be confined either to the principal settlements, or to such settlements as have an European garrison, and European magistrates established.

In such ports as have those establishments, or where European traders might be placed under the necessary restraints, is it your opinion that a free access might be allowed without danger?—I think that in such places it might be allowed without danger; there might be some inconvenience occasionally, but I should suppose there could be no danger.

Does not the chief part of the import and export trade of India now entirely flow to the three presidencies?—The chief part both of the import and export now flows to the three presidencies, certainly.

Will it not, under any probable circumstances that can now be contemplated, continue to be confined to the presidencies, or to the principal seaports where the residence of the great merchants and capitalists of the country now attract it?—I imagine that it will always be confined to those places, that there is no probability of its being diverted to any other at present.

Are the Americans confined, by any law in force, to any particular ports in India?—I am not acquainted exactly with the regulations respecting the American intercourse with India.

Do the Americans, under their present freedom of resort to other ports, chiefly, if not entirely, resort to the three presidencies, particularly to Calcutta, for the purposes of their trade?—I believe that while the trade was open with America, their vessels resorted chiefly to Calcutta.

Are not the goods of the interior brought in great abundance to the principal seaports by the natives, cheaper than if this was done by European agency?—I am convinced that they are brought cheaper to the seaports by the natives from the interior, than they could possibly be brought by European agency.

When the European merchants, settled at the principal seaports, require particular articles from the interior, do they not, generally speaking, find it more for their advantage to employ natives for this purpose, than to proceed into the interior themselves?

Colonel Thomas Munro.

—I believe that on such occasions they always employ natives; that there is scarcely an instance of their going themselves.

Are not the Company's exports from this country to India sold at the presidencies and the principal seaports?—I never heard of their being sent into the interior for sale, and I therefore believe they are sold at the principal seaports.

Are they not commonly sold at public sale?—I believe they are commonly sold by public sale.

Do not native merchants and agents come down from the interior to attend those sales?—I do not know that native merchants come down from the interior to attend those sales.

Do you know whether it is common for European merchants to attend those sales, or are they wholly attended by natives?—I do not know whether they are chiefly attended by natives or Europeans, because I was very little upon the coast during my residence in India; I was not at Madras for seventeen years, and I do not know that during my residence in India I ever saw a sale; I only know it from hearsay.

Do not the private merchants now established in India, also for the most part dispose of their goods to buyers at the seaports and on the coasts?—On the Madras establishment, I believe that private merchants generally dispose of their goods at the seaports.

Is it not likely therefore that the trade, if now opened as proposed, might be carried on without any great resort of Europeans into the interior?—I imagine that if the trade were opened as proposed, the resort of Europeans to the interior for some time would be considerable; because Europeans going from this country, not being acquainted with the customs of the country, would be more sanguine in their expectations of profit by going to the interior, than those Europeans are who have been some time settled in India, and know that no advantage can be gained by going in person into the interior.

Under the circumstances of the trade as to buying and selling, which you have just described, is it likely that those European traders who had once penetrated into the interior and been disappointed, would be induced to go again?—It is not likely that, after being disappointed, they would think of going again.

You have stated, that Europeans going into the interior, might commit excesses and violence which would involve them in unpleasant disputes with the natives, particularly alluding to young men in the Company's service, ignorant, on their first arrival, of local habits and manners; do you not think that private traders, men of sedate habits and pursuits, would be less likely to conduct themselves thus irregularly, seeing they had a manifest interest to conciliate the natives with whom their dealing lay?—I think that private traders going into the interior, whatever their habits might be, would be likely to commit those excesses, for I scarcely ever knew an instance of any European trader coming into the interior without being involved in some dispute with the natives.

Have you known of any instances of private traders going into the interior and committing those disturbances?—I have heard of many instances, although I cannot exactly recollect particulars: In the district in which I was myself, that ceded by the Nizam, there was only one European trader came into the country while I resided in it; he applied to me for a place to put up in for a few days; I sent an order to the head man of the village to accommodate him for two or three days; he was shown into an empty house, the master of which had gone on a pilgrimage; he remained there above a month, the master returned; the private trader, whether a man of quiet habits or otherwise I do not know, would not quit the house; the owner returned, and complained to me; I directed the private trader to quit the house, which he did, after receiving the order, in the course of two or three days: it was fortunate for the owner that he (the private trader) was a Dane, had he been an Englishman he would most probably have kicked out the owner, for presuming to molest an Englishman in his castle, and it would have required a suit at law to eject him. I find no difference in traders; whether their habits are quiet or not when they quit this country, they are very seldom quiet when they find themselves among an unresisting people, over whom they can exercise their authority; for every trader going into India

India is considered as some person connected with the government: I have heard, that within these two or three years, I think in Bengal in 1810, private traders, indigo merchants, have put inhabitants of the country in the stocks, have assembled their followers and given battle to each other, and that many have been wounded. *Colonel Thomas Munro.*

Do you know whether the private trader you allude to, knew the master of the house to be it's owner, when he applied for admission into it?—I am perfectly certain that he knew him to be the owner.

Do you know any instance of an English trader committing any such violence within any district subject to your authority?—No English trader ever came into any district that was subject to my authority.

From what is above stated, in respect to the natural course of the import and export trade of India, as it is probable that few European traders would require to go into the interior, might not those few be easily placed under such legal restraint as to prevent serious commotion?—I think that I have answered the substance of this question, in an answer to a former one, in which I stated, that such persons might be allowed to proceed to the interior with a licence, and to be removable at the discretion of government.

By the existing regulations in India, can any European trader remain there without the permission of government?—He cannot.

Can any European go into the interior of the country, to any greater distance than ten miles from the presidency where he resides, without the permission of government?—Not beyond ten miles, without the permission of government.

Can any European, of any description, even travel through the interior of the Company's territories, without a passport?—Before the war with France, civil and military servants of the King's and Company's service, required no passport, but since the commencement of the war with France, all Europeans, whether in the service of the Company or not, cannot travel without a passport.

Would not such European be stopped at every village or military station he came to, unless he had this passport?—He certainly would be stopped, unless he had a passport.

Do not our treaties with the native princes of India, prohibit their entertaining Europeans and Americans in their service, without the permission of government?—Our treaties with the principal Indian states prohibit their entertaining Europeans, and I believe Americans, without the permission of government; but I still think that, notwithstanding those treaties, they would entertain them, although not in great numbers; not as bodies of troops, they would retain them as artificers of different kinds; but there are also many feudatories under all those great states, who would entertain Europeans without any reserve, and without any controul from their government.

Which are the feudatory states to which you allude?—I could not particularize the whole of them, because I imagine there are above a hundred zemindars and polygars of all descriptions, petty rajahs, such as the rajah of Solapoor under the Nizam, who would give refuge to all persons, not only Europeans, had they gone there, but to all rebels, both from the Company's territories and those of the Nizam.

Would it be possible, in your opinion, for the principal native princes of India, or their feudatories, to entertain such Europeans or Americans in their service, without the knowledge of our political residents at the native courts of those princes?—Such Europeans could not, without the knowledge of the resident, be entertained by the native princes in their own capitals; but they might be entertained in other parts of the country, and likewise by all their petty tributaries, without it's ever reaching the knowledge of any resident.

Are you acquainted with an attempt once made by the French, to land adventurers on the coast of the Concan, who afterwards tried to get service in the Mahratta armies; and do you know, or did you ever hear of this coming instantly to the knowledge of Colonel Close, then resident at Poonah, and his remonstrances, to the durbar of Poonah, preventing his ever getting active employment?—I am not acquainted with the circumstance, but I have no doubt of the accuracy of it.

Colonel Thomas Munro.

Did you ever hear of those French adventurers being seized, and delivered up to the British government?—I have heard, that those French adventurers were delivered up.

Can any European purchase land in India, or become in any other way a proprietor thereof, without the permission of government?—Not without the permission of government.

Cannot the governments of India, now send any Europeans, not in the Company's service, out of India, without assigning a cause?—They can.

Are not the Company's servants in authority in the districts of the interior, now obliged to make periodical returns of the Europeans residing within their several districts, and of their general demeanour and conduct?—I received no instructions to that effect, nor do I know that any such were issued by the Madras government; returns of Europeans, where there were Europeans, were sent, but I do not know that any account was given of their demeanour.

Are not the lower classes of European traders, such as shopkeepers and others, now settled at the different presidencies, remarkable, generally speaking, for their respectability and orderly conduct?—I am very little acquainted with the characters of such Europeans, because I was very little at any presidency.

Do you know whether it is usual for Europeans going to reside in the interior, to enter into an engagement, subjecting themselves in civil cases, to the jurisdiction of the Adawluts?—It is usual I believe.

Are not the judges of those Adawluts also justices of the peace, and in the legal exercise of that authority?—They are likewise justices of the peace.

Can those judges and magistrates, from the nature of their office, resist any order of the government of the country to send an European out of the district, whose conduct had been offensive, or otherwise so irregular as to require his removal?—Certainly not.

You have stated, that there exists no religious prejudice among the natives of India against the use of British manufactures, but that long established habit, and the greater cheapness of their own commodities, leads the natives to give those a preference; in as far, therefore, as this question has reference to the poverty of the people, would not the increased wealth of the natives produce the same effect, as the great reduction of price mentioned by you in augmenting the demand for our commodities, since in both cases the goods would equally fall within the means of the respective purchasers?—I have said, in an answer to a former question, that any improvement in the circumstances of the natives, would induce them to apply their superfluous wealth, rather to the purchase of their own commodities, than of those sent from Europe; because I have not observed, that, among the rich natives, those who have superfluous wealth, there is any more disposition to purchase our commodities than among the poor.

Is not the woollen or hair manufacture, alluded to by you in your evidence last night, as in common use among the natives of India, called *The Comely*; and are not those comelies chiefly used by the lower classes?—The comelies are used both by the lower classes and the higher classes; the lower classes have the coarser sort, the higher classes the finer.

Are they not necessary, in every part of India, to guard against the inclemencies of the weather, particularly the rainy season?—They are necessary in almost every part of India to guard against the inclemencies of the season.

Have you observed that those comelies, particularly the coarser kind, are common articles of dress among the higher classes of natives?—I have not observed the higher classes of the natives use the coarser kind in common dress; many of the higher classes of the natives do not use either the coarser or the finer kind; many of them use shawls, in place of them, and quilted cotton and silk stuff, which are equally warm as comelies; comelies are in more general use among the poorer than the richer class.

Do you allude to the Ceded Districts, when you talk of the finer comelies being in use among the higher classes of natives?—I allude both to the Ceded Districts and to the neighbouring countries.

Do

Coloncl Thomas Munro.

Do you know whether they are commonly used by the higher classes of natives in other parts of India?—I do not know whether they are in general use among the higher classes in other parts of India or not; I only know they are in very general use, as far as Poonah.

Do you know, or have you ever heard that in other parts of India, particularly in towns of great commercial wealth, a native of rank and consequence would be ashamed to appear abroad in a coarse comely?—I believe a native of rank would be ashamed to appear abroad in a coarse comely, either in other parts of India, or in those which I have been describing.

Is there any such sense of shame in respect of broadcloth, as an article of dress?—I do not know that there is any sense of shame with respect to broadcloth, because I believe that no broadcloth of so coarse a kind goes out to India, as to make him ashamed of wearing it.

In those countries where finer comelies are not used by the richer natives, does any thing but the poverty of the people induce them to give a preference to their own comelies over broadcloth?—I believe that they find their own comelies better adapted to the purpose for which they require them, than broadcloth.

The countries alluded to, are those where the finer comelies are not used; in those countries would there not be an extension of the use of broadcloth by the natives, who were rich enough to buy it?—I am not sure that the natives prefer broadcloth, even in those countries where they have not the finer comelies, to their own quilted cottons and silks.

It has not fallen within your own personal observation and experience, to see the richer natives of India dress in gowns made of broadcloth, during the cold and rainy seasons?—I never saw a native of India dressed in a gown made of broadcloth in the rainy season, or in any other season; I have seen natives occasionally use broadcloth, but not made into gowns, but thrown over their shoulders, as it came from the loom.

Did you ever hear of this habit being far from uncommon among the richer natives on the western side of India?—I have heard that it was sometimes used among the richer natives, along the west part of India, towards Bombay and Surat.

In different parts of India, particularly in countries distant from each other, are not the habits or dress among the natives, as well as their manners, various?—Their habits and manners are various in different districts of India; their dress also is various.

Are not great quantities of iron, steel, copper, lead and tin, now in common use among the natives of India?—Iron and copper are in great use among the natives of India; but I do not remember having seen or heard of much lead or tin being in use among them.

Is it within your knowledge, whether or not the natives of India sometimes use tin in linning their copper pots, as well as for other purposes?—They use it for linning their copper pots, and I believe for other purposes.

As those articles are now in common use among the natives of India, would not the greater wealth of those natives occasion a greater demand for the articles in question?—I believe that it would occasion some increase of the demand, that those who have not a copper pot just now would buy one; but I do not apprehend that those natives, who now have a sufficient stock of copper pots for their domestic purposes, would take any more.

Would not the demand for iron increase?—I do not know that there would be any considerable increase of demand for iron; they have abundance of iron, and I believe very cheap.

Are you acquainted with the quantity of iron imported annually into India?—No, I am not.

Do not the richer natives of India admire and buy our cut glass ware; and are not their houses commonly furnished with chandeliers, lamps, mirrors, and other articles of European manufacture?—I have scarcely ever seen five men in India whose houses had either a chandelier or other glass ware in them.

Colonel Thomas Munro.

Do you allude to the towns in the interior, or to the richer commercial seaports?—I allude to all towns, except those immediately upon the coast, where there may be a few natives that have houses so furnished to please their European guests.

Do not the richer natives at the different presidencies commonly drive European carriages?—I believe that some of them at the different presidencies do drive European carriages.

Is it within your knowledge, or have you ever heard, that in Bombay in particular there is not a single native of eminence who does not use those carriages; that many natives have an establishment of six or eight carriages, and several of those superb equipages?—I have not heard particularly what equipages are used by the principal native inhabitants of Bombay, but I believe that they are chiefly Parsees, not Hindoos.

Have you ever heard that there is not a native of eminence in Bombay, whether Parsee, Mahomedan, or Hindoo, that has not a house superbly furnished with European furniture?—No, I cannot say that ever I have heard of the particular kind of house in which the principal natives of Bombay reside.

Are not the finer, and some of the more elegant manufactures of Britain, also in demand among the richer natives; elegant guns, for example, pistols, watches, and articles of that description?—I believe that among a very few of the richer natives, such articles as pistols and guns are sometimes in demand, but very seldom; I believe they rather expect them as presents than as articles to be purchased.

Are not the natives to whom they are presented, much pleased with them as presents?—I believe they are pleased.

Do not the native princes of India, and the richer inhabitants of the interior, often send large commissions to the different presidencies, for the purchase of the rarer and finer articles of British manufacture?—I do not know that they often send such commissions, I think it very possible that they do so occasionally.

Have you ever heard of such commissions being sent from Poonah, from Hydrabad, or from Oude?—I have heard of such commissions being sent both from Hydrabad and from Oude, but not from Poonah; and I believe that their being sent was principally on account of their connection with Europeans.

Have you ever seen the richer natives of India dressed in Irish linen, or Scotch and Manchester cambrics?—I never did.

Do you know the price of the Scotch and Manchester white cloths, in India?—I do not.

Did you ever hear that they can be sold cheaper in India than the Madras long cloths?—I never heard that they could be sold cheaper than the Madras long cloths; but I suppose that, even if they were sold cheaper, they would not be preferred to them, because the Madras long cloths are much pleasanter to the wear, more durable, and wash better.

Did you ever see the printed cottons of this country used by the natives as articles of dress, and in furniture?—Very seldom, except among natives attached to Europeans on the coast.

If you were to be informed from good authority of commissions being actually sent to England by natives for those articles, for their own use, would you be induced to believe that the consumption of those articles might become more general, if the means of the natives admitted of their being purchased?—I should suppose that if the natives sent commissions to England for the purchase of those articles, and afterwards repeated their commissions occasionally, that the consumption would be extended; but I believe it frequenly happens that they give a commission for articles, and do not repeat it a second time after having seen them.

Are you of opinion that if the cotton goods of this country, suited to the tastes of the natives, whether of those countries which you have visited, or of others, could be imported into India, so as to undersell the manufactures of the country, there is any religious or other prejudice prevailing in India, that would induce the natives, of whatever cast, pertinaciously to reject the cheaper commodity?—Provided those manufactures

manufactures suited their taste, and were cheaper than their own, there is no prejudice that would prevent them from purchasing.

Colonel Thomas Munro.

In any of the countries which you have visited, have you ever seen Norwich shawls in use among the natives, or do you know, or have you ever heard, whether they are admired and used by natives in other parts of India?—I have never seen such shawls in use among the natives; but from my own observation of the taste of the natives, I have often thought that they would be an article more likely to find a sale in India, than most of the European articles that go there.

Have you seen in print, or otherwise, an account of the export by private traders to India, since the year 1800?—I have seen such an account, without now remembering the particulars.

Can you call to your recollection, whether those accounts or statements exhibit a great increase of export by the private traders?—I believe they exhibit a considerable increase of export by the private traders.

Have the Company's exports, during the same period, diminished?—I cannot from my own memory answer that question.

You have represented the habits and manners of the native Indians, to be very much fixed and little prone to change; have you ever contemplated the effect of long established despotism, in necessarily producing such a state of manners in every society?—I believe that there has been long established despotism amongst most of the nations of Asia; but that their manners have not been equally fixed as those of the Hindoos.

Are you inclined to think, from your long experience and great knowledge of India, that the fixed manners and habits of the Hindoos are in some, or in any degree, to be ascribed to the despotic nature of the governments under which they have so long lived?—I think that those habits and manners being of so fixed a nature, are less owing to the despotism of their government, than to their own civil institutions.

What is the nature of the Indian governments generally?—The nature of Indian governments, in general, is that of a pure despotism, but usually mildly administered.

Does it occur to you, that the ancient governments of India exhibit in them any thing like the former feudal institutions in Europe?—The ancient governments in India, in my opinion, have very little resemblance to the former feudal institutions of Europe.

Have they any?—I do not know that they have any.

Have you ever contemplated the effects of commerce in the western world, the share it has had in oversetting or softening the despotisms, and changing the established manners of Europe, and in improving and enlightening the state of European society generally?—I have seen and observed that the effect of commerce has been that of very greatly tending to the enlightening of most of the nations of Europe.

Have not those blessings and improvements been established in Europe, in very many cases, in despite of strong local and national prejudices, and even in despite of the most strenuous efforts of human power to oppose them?—I believe that they have.

If the same causes were to be allowed to have free operation in India, and to receive a just and prudent support from government instead of opposition, what in your opinion would be the gradual effect on the manners and prejudices of the Indians?— If the manners and customs of the Indians are to be changed, I think it likely that they will be changed by commerce; but commerce does not seem to have produced much effect upon them.

Do you think that there is any thing in the natural disposition, passions or prejudices of the native Indians, that would lead them permanently to resist the silent operation of causes, which would thus multiply to them the blessings of life, and which have been productive of effects as irresistible as beneficial in other countries, and among other classes of human society?—I do not imagine it would lead them to resist the operation of such causes permanently; but that it would be very long before any change was effected.

Colonel Thomas Munro.

Have you ever heard the commercial character and proceedings of the Company talked of, by those natives who either dared or had confidence enough in you to speak on the subject, in terms of complaint or disrespect?—I never heard the commercial character of the Company talked of by any natives except with respect.

Have you ever seen any official vouchers, in print or otherwise, stating the grounds on which the permanent settlement was introduced into Bengal?—I have seen the proceedings on that subject, which have been published in an Appendix to the Fifth Report of the Select Committee on the Affairs of the East India Company.

Do you know whether the average of the collections of a certain number of years preceding the permanent settlement, was assumed, as the amount of the land revenue expected to be derived from the country under the permanent settlement?—I believe that the average of a certain number of years collection previous to the settlement, was assumed as the foundation of that settlement.

Do you know what the rate of the collection of the land revenue was at this period, that is, what portion of the produce of the soil was taken as the tax of government?—I cannot with any certainty state what portion of the produce of the soil was taken as the tax of government; that must have entirely depended upon the accuracy of the accounts, and the mode in which the investigation was carried on.

Do you know what portion of the produce of the soil was considered at this period to be the tax of government?—I believe that the proportion varied in different districts, that it was from one-fourth to one half.

Was not one half of the actual produce of the soil, the common rate of revenue collection in the Company's districts in India, previous to the introduction of the permanent settlement?—In all the parts of India of which I have any accurate knowledge, I believe that from one third to one half was the usual rate supposed to be the share of government.

Have you ever seen any documents in print or otherwise, stating the great confusion and vexation that existed in Bengal, when this system of collection was enforced, and previously to the introduction of the permanent settlement?—I have seen documents, stating that such inconveniences existed in those countries previously to the permanent settlement.

As the average of the collections of this period of confusion, was taken as the basis of the permanent settlement, is there not as much land revenue taken from the country of Bengal under the permanent settlement as before?—If the average of a period of confusion is taken as the basis of a permanent settlement, the proportion after fixing that settlement will not be so great, because the country improving will leave more to the inhabitant and less to the government; the more confused the period is at which the average is taken, and the permanent settlement made, the more it is in favour of the ryott. In times of confusion, particular districts frequently do not pay one-fourth of the rent, which they pay five or six years afterwards in times of tranquillity.

Is this benefit likely to accrue to the inhabitants, when the revenues exacted from them on the principle of taking one half of the actual produce of the soil, has been enforced as a system for a long precedent period of years?—I should think that if the principle of taking one half rigidly has been enforced for a long period of years preceding, the produce will be small in proportion to the nature of the soil.

When the permanent settlement was introduced upon this basis into Bengal, and the net rent of estates fixed, do you know the proportion which government took of that net rent, as their own tax?—I am not acquainted with the proportion which government took as their own tax.

Have you ever seen it stated in print on any occasion?—I have seen it stated in print, but I do not exactly recollect the proportion at present; I should suppose it must have varied in different districts, according to the accounts which were received.

Can you recollect whether it is not stated in a publication, said to be written by Mr. Colebrook, of Bengal, that this tax averages ten-elevenths of the net rents of the

the estates?—I have not seen it in the publication of Mr. Colebrook; but I know, in general, that the allowance granted to the zemindar or farmer was about one-tenth or one-eleventh of the net rent: government receive the rest. *Colonel Thomas Munro.*

[The further Examination of the Witness was postponed.

[The Witness withdrew.

The Chairman was directed to report Progress, and ask leave to sit again.

10.

Martis, 13° *die Aprilis*, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Colonel *Thomas Munro* - p. 135 to 145.

Ordered, by The House of Commons, *to be printed,*
13 *April* 1813.

11.

House of Commons.

MINUTES of EVIDENCE

TAKEN BEFORE THE COMMITTEE OF THE WHOLE HOUSE,

To whom it is referred, to consider of the Affairs of The *East India* Company;—and to whom the several PETITIONS, which have been presented in this Session of Parliament, relating to the Trade and Shipping of The *East India* Company, and the Renewal of their Charter, were referred;—and also, the PETITION of The *East India* Company, praying to be heard by Counsel before the said Committee.

Mercurij, 14° *die Aprilis*, 1813.

STEPHEN RUMBOLD LUSHINGTON, Esq. in The Chair.

Colonel THOMAS MUNRO,

Was again called in, and further Examined by the Committee, as follows:

HAVE you not stated in an official report, dated the 15th of August 1807, that one half the actual produce of the soil, or nearly so, was the rate of collection under the Mahomedan government of India?—I have stated that one half of the produce of the soil was the share of government, under the Mahomedan government.

Have not you stated also, that the assessment of the emperor Acbar, which is so often quoted in Indian revenue proceedings, and which is called a nominal third, or nominal fourth, was in reality nearly one half of the produce?—I have so stated.

Do not you also understand it to have been the expressed opinion of the emperor Aurengzebe, that one half of the produce was in general enough for the ryots?—I have stated that opinion.

Did not the British government continue the same rates of collection, in the districts conquered by our arms from the Mahomedans; and has it not, as a general principle, been considered that one half the produce was in fact the rate of government?—Our government continued the rates of assessment which they found established in the countries which they conquered from the Mahomedan government; I believe in some cases they rather lowered them, but in none, increased: the usual principle of assessment in most countries of India, has generally been considered as half to government and half to the cultivator.

Colonel Thomas Munro.

Have you ever seen in print, or otherwise, a report on the districts subject to the Madras government, which led to the introduction of the permanent settlement under that presidency?—I never saw that report.

Have you ever seen, in print or otherwise, a letter of the supreme government on that report?—I never saw the letter of the supreme government on that report; I have seen a letter of the supreme government, to the government of Madras, directing the permanent settlement to be introduced; but I am not perfectly certain whether it refers to this report or not.

Do you remember, in that letter which you have seen, that the supreme government have expressed an opinion on the state of the Madras districts, to the following effect; That they found these valuable possessions, namely, the northern circars and the other ancient possessions of the Company on the coast of Coromandel, to be destitute of every institution which can either promote the ease and happiness of the people, or the vigour and efficiency of government?—I believe that it was so stated in that letter.

Do you know whether the collections of this period, under the Madras government, were assumed as the basis of the permanent settlement adopted there?—As far as I can remember, the basis of the permanent settlement was founded upon an average of a number of years preceding collection.

Do you know what aggregate amount of land revenue is taken in the Madras districts under the permanent zemindary or mootidary settlement, and what was the aggregate amount previous to its introduction?—I do not know whether this amount applies to the proportion taken by the government, or the amount of the whole revenue.

To the amount of the whole revenue, in both cases?—I do not exactly recollect the amount of the revenue, in both cases, or in either case; but I believe that it was not much less after the settlement than it was before; government, in their own share, founded upon taking half the produce, relinquished in favour of the zemindar or farmer, I think, about fifteen per cent.

Was that fifteen per cent of the gross produce?—The fifteen per cent was from the government share of the produce, not of the gross produce.

Can you state, from your own knowledge, when this permanent settlement was introduced at Madras, what was the proportion of produce secured to the ryot?—I cannot state exactly what the proportion of produce secured to the ryots was, but I believe that it was from one-half to two-thirds of the produce.

Do you understand that the situation of the ryot at Madras was at all bettered by the introduction of the permanent settlement?—In all those districts with which I am acquainted at Madras, into which the permanent settlement was introduced, I believe that the condition of the ryot was improved, because his rent was not increased; in many places it was lowered, and it was likewise more certain.

Do you conceive that, when for a long series of years land revenue has been collected from the ryots at the rate of one half the actual produce of the soil, any change of system, which still takes from them the same amount of revenue, is likely materially to improve their condition generally?—If one half the produce continues to be exacted, I do not see how their condition can be improved; but when the rent is fixed upon the produce, collected in times of uncertainty, after a certain period, when the ryot has been in the secure enjoyment of a fixed rent, his lands improve and the produce increases, and what was originally one half, perhaps is only one fourth: I should say that in all districts with which I am now acquainted, if the settlement is fixed upon the half, and continued at that rate without any extra assessment, and a period of peace follows, that in a very short time the half will be a third, and in many instances not a fourth, and not even a fifth; I have known hundreds of examples myself to that effect.

Can the zemindar or mootidar, in your opinion, accumulate any considerable degree of wealth under the system described, and with the small share of the produce which you say has been apportioned to the zemindar, except when he may be possessed of an extensive estate?—Not unless he is possessed of an extensive estate; but in cases where he is not only zemindar but likewise himself the farmer, he may in that case certainly acquire considerable property.

Is it common for the mootidars under the Madras government to become the ryots of their own estates?—I believe that the greater part of the mootidars under the Madras government are mootidars and ryots, they were ryots before they became mootidars, and continued so afterwards. *Colonel Thomas Munro.*

Are the mootidaries under the Madras government, extensive or limited?—They are extensive in some districts; but I believe in those that were last settled, the average was from three to five thousand pagodas, or from one to two thousand pounds annual rent.

Is not the possession of extensive zemindaries, under the existing circumstances, manners and dispositions of the natives of India, dangerous to the public tranquillity?—Extensive zemindaries under the management of a military chief are certainly dangerous to the tranquillity of the government, but I imagine that in time all those zemindaries must break up, because as there is no right of primogeniture, the zemindaries will be divided among all the sons of the family.

Is it possible for the courts of justice now constituted, effectually to restrain the excesses or oppressions of those great zemindars?—Not of all the great zemindars, but of the greater part of them.

Have not you stated in your official report before alluded to, that the zemindary system is on the whole detrimental to the country, and dangerous to government?—I have so stated, alluding to large zemindaries.

In making that remark, did you believe or understand that the situation of the ryots under that settlement was likely to be materially improved, or otherwise?—In making that remark, I did not conceive that the situation of the ryot was likely to be much improved, because I could not conceive that it could be so improved, where the authority of government could not perfectly extend.

Do you know, or have you heard, whether the zemindaries in Bengal are or are not still extensive?—I know, and have also heard, that many of them are still very extensive.

Has any permanent revenue arrangement been extended to the ceded districts of which you were the collector?—Until the period that I left India, no permanent settlement had been made; but the ryots were so far protected in the enjoyment of their property, that a fixed rent had been settled upon all the land, and every ryot could retain his own farm for ever, provided he paid that rent; no increase could be made upon the land rent.

On what calculation of the produce of the land has this arrangement been established?—The calculation varied in different places, according to the expense of cultivation; in no district was it higher than one half, in many it was little more than one fourth of the produce, as the tax to government, especially in those places where the expense of cultivation was high and the produce comparatively small.

Have not you in your report of the 15th of August 1807, in reference to this revenue arrangement, stated it to be your opinion, that any payment to government, or land tax, exceeding the amount of one third of the produce of the soil, is calculated to destroy private landed property; and that no permanent settlement can be made that would improve the condition of the ryots or of the public revenue, when a higher rate than a third is taken as the share of government?—I have so stated in that report.

Have you not stated in the same report, that when the rate of revenue exceeds one third of the actual produce, land, generally speaking, is of little or no value, and is often abandoned?—I have stated to that effect.

Have not you also given it as your opinion, that when so high a rate of revenue as one half the actual produce is exacted, persons who are not actual cultivators cannot occupy circar lands without loss?—I have so stated.

Is not the Committee to understand from all these facts, that the state of India under the permanent settlement, particularly where the ryots are only allowed one half of the actual produce of the soil as their portion, must continue to be that of great poverty?—I do not perceive that that conclusion can exactly be drawn, unless government continues, according as a man improves his circumstances, to increase its

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share, and keep it constantly at one half: Under the native government, what was called one half was always taken; if the crop was better next year, one half was still taken; this is not the case under the permanent settlement.

Does it appear to you probable, that under the existing poverty of the ryots of India, and consequent limited demand for produce, the cultivation of waste lands can be carried to any considerable extent?—I have no doubt but that, under the present circumstances of the ryots, if the demand of government is limited, the cultivation of waste land may be carried to a very great extent.

Is it not consistent with your experience, and can you not state from your own knowledge, that a modification of those high rates of revenue, which have been alluded to, or lowering of the land tax, has been followed by an immediate extension of the agriculture of the country, and improvement in the condition of the people?—I can state from my own knowledge, that the modification of the tax, or the lowering of it, has always been attended with such effects.

Have not those effects been experienced in the ceded districts?—This effect has been experienced in the ceded districts.

Have not the higher authorities in India acknowledged that this prosperity of the ceded districts was entirely owing to the humane arrangements and wise modification of the revenue system introduced into those districts at that period?—I believe that the higher authorities in India have stated that opinion.

Is it within your knowledge, that any such effect has been produced, and particularly so rapidly, within any districts where the permanent zemindary settlement has been introduced?—It is not within my knowledge that the same effect has been produced in any districts permanently settled, to so great an extent as in the ceded districts; but considerable increase of cultivation has been made in many of those districts, and particularly, I believe, that of the Barramahl is in a much higher state of cultivation now, since the introduction of the permanent settlement.

Are not the districts into which the zemindary or mootidary settlement has been introduced, generally speaking, considered to be poorer and in a more backward state than those districts which have had the benefit of the ryotwar settlement?—I do not know that this is generally the case among the districts permanently settled; I believe that in some of them the rent has been so low, that they are in a better state than the ryotwar districts; in the greater part, however, I believe that the reverse is the case.

Whilst this poverty exists generally, is it possible, in your opinion, to extend very materially the commercial intercourse between Great Britain and India?—I do not suppose that the commercial intercourse between Great Britain and India can be very considerably extended, but I do not think that the poverty of the ryots is the chief cause which prevents it; I think that that poverty is every day diminishing, and under a long peace and a settled government, that it will be less felt every year.

Do you suppose that poverty to be one cause?—I suppose the poverty of the inhabitants will always be a cause of preventing the consumption, either of the articles of their own produce or of foreign countries, in proportion to that poverty.

Are not the natural habits and dispositions of the people of India such as would lead them to engage with great zeal and ardour as well in commercial as in other pursuits, were the means of gain or advantage open to them?—The people of India are as much a nation of shopkeepers as we are ourselves, they never lose sight of the shop, they carry it into all their concerns, religious and civil; all their holy places and resorts for pilgrims, are so many fairs for the sale of goods of every kind; religion and trade are in India sister arts, the one is seldom found in any large assembly without the society of the other: It is this trading disposition of the natives, which induces me to think it impossible that any European traders can long remain in the interior of India, and that they must sooner or later all be driven to the coast; what the European trader eats and drinks in one month, would make a very decent mercantile profit for the Hindoo for twelve; they do not therefore meet upon equal terms, it is like two persons purchasing in the same market, the one paying a high duty, the other paying none; the extra duty paid by the European is all the difference between his own mode of living and that of the Hindoo, it is impossible therefore that he can

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long carry on the competition upon such an unequal footing; he may for a time with a large capital carry on some new manufacture, or improve some old one, such as indigo or sugar; the Hindoo will wait till he sees the success which follows the undertaking; if it is likely to be successful and to be permanent, he will engage in it, and the European must quit the field: There can be no doubt, I think, that this cause will in time operate so as to force all Europeans to the sea coast, and I can have little doubt but that hereafter, when the Hindoos come to correspond directly with the merchants in England, that many of the agents now settled upon the coast will from the same cause, the superior economy and diligence of the Hindoo, be obliged to leave India: I do not however think, that because those merchants cannot maintain their ground in the interior, that it is not necessary still to protect the natives from Europeans by government granting licences, for this country is still populous enough, and full enough of adventurers, to furnish a few hundreds to go out every year to try their fortune in India.

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Have the goodness to state whether you have perused Colonel Wilks's work on the south of India?—I have read it.

Do you agree, generally speaking, in the sentiments expressed by Colonel Wilks on the effects of the zemindary settlement?—I do not perfectly recollect all the sentiments expressed by Colonel Wilks upon that subject; but my general impression is, that I did agree with him at the time.

Do you recollect that Colonel Wilks has stated in that work, that the condition of the ryots was not improved by the zemindary settlement?—I recollect that Colonel Wilks has so stated in that work.

You have stated, that you concurred generally in the sentiments expressed by Colonel Wilks in respect to the permanent settlement; do you concur in the sentiments expressed by Colonel Wilks in the following paragraph, in which he winds up his review of the permanent settlement, and its effects:—"I admit, without reserve, that almost any thing was better than the incessant fluctuation of our former plans; but there is an infinite distance between condemning capricious innovation, and allowing that political nullity, an irrevocable law: To terminate abuses by shutting out improvement, to render it impossible for the land tax to increase, and probable, nay certain, that it will diminish, is a system of revenue which has succeeded to our former errors: If the facility so confidently alleged by the authors of this plan, of raising in India the requisite revenue from other sources, had any real foundation, we should not now hear of the deficit of Indian revenue; and it may be permitted more than to doubt, whether we should not at this day have witnessed higher taxes and more ample revenue, if a less rash and ambitious haste for unattainable perfection had left improvement to be the offspring of knowledge, and the landords rent to have enriched the real proprietor of the soil, instead of pampering the hereditary farmers of revenue." By "farmers of revenue," Colonel Wilks meaning the zemindars, whom he styles throughout his work to be no better than hereditary farmers of the public revenue?—The question is so long, that I cannot, without long consideration, give more than a general answer to it, that I concur with most of the opinions delivered in that extract.

Having stated, that in the commercial dealings of the Company the prices are left open in every part of India, have you any knowledge of the manner in which the Company obtain their investments of piece-goods and cotton in the Ghuzzerat?—When I spoke of every part of India, I alluded generally to the old establishments of Madras and Bengal, I am not acquainted with the manner in which the investments of piece-goods are obtained in the Ghuzzerat; the mode in which I stated those investments to be laid in at Madras and Bengal, is directed by the regulations of government, and is part of the law of the country.

Having stated that the commerce of the Company has tended to raise the character of the nation in India, do you think that the commercial transactions of the Company in Travancore have raised the character of the British nation in that country?—I am not acquainted with the detail of those transactions in Travancore.

Are you acquainted with the nature of the subsidiary treaty and pepper contract entered into between the Company and the rajah of Travancore, about the year 1795?—I know that a subsidiary treaty was entered into with the rajah of Travancore, by which he was to deliver a certain quantity of pepper; but I do not precisely remember the terms.

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Have you heard that the rajah continued to deliver, and the Company to receive the pepper alluded to, at the contracted price, which was very considerably under the market rate, so long as pepper formed a favourable article of commerce with this country; but that the Company ceased to receive the pepper when it no longer was so, and insisted upon the rajah paying them the subsidy in money?—I have heard such reports since my return to this country, but I treated them merely as reports.

Have you heard to what causes the disturbances in Travancore are to be attributed?—I have not heard particularly to what causes those disturbances are to be attributed, but generally I understood that they were owing to the rajah's failure in his payments.

Is it not within your knowledge that pepper has been almost unsaleable, for several years, upon the Malabar coast?—I do not know that it has been unsaleable, but the price, I believe, has very considerably fallen.

Have the goodness to state the highest and the lowest prices of that article, within your recollection?—It is so long since I left that coast, now nearly thirteen years, that I cannot charge my memory either with the highest or the lowest prices; while I resided on that coast, I had statements prepared of the prices for fifty or sixty years, but I cannot now state the particulars, they have gone from my mind.

Have you heard of the price of pepper in Malabar being as high as two hundred to two hundred and twenty rupees the Malabar cundy, which is six hundred pounds?—I cannot speak with any certainty with respect to the price of pepper.

Have you heard of its having fallen as low as sixty rupees?—I have heard that it has fallen very low, but I do not know that it has fallen to sixty rupees the cundy.

Have you heard that the price agreed upon between the Company and the rajah of Travancore was under a hundred rupees the cundy?—I have heard the price agreed upon by the rajah of Travancore, stated at a former period, but I do not now remember what it was.

Is not pepper the principal article of produce in Travancore?—I believe that it is a principal article, but grain is another.

Do you think that it was possible for the rajah of Travancore to pay his subsidy in money, if he could not dispose of his pepper?—I do not know what the amount of his pepper was, therefore I cannot say how far or in what degree it would affect the payment of his subsidy; but I should have no doubt that he would have been able to pay the subsidy from other sources.

Have you heard that the disturbances at Travancore were considered by the Madras government as a rebellion on the part of the rajah's subjects, and not as a war on the part of the rajah with the Company?—I have heard that it was considered by the Madras government as a war on the part, not of the rajah's subjects, but of his dewan.

And not on the part of the rajah?—And not on the part of the rajah.

Have you heard that, notwithstanding this, the military stores and ordnance, taken by our troops in Travancore, were made over to those troops as prize; that they were valued, and the rajah of Travancore compelled to pay the valuation so put upon them to the troops as prize money, the Company retaining the ordnance and stores, notwithstanding a great part of which had been supplied from the Company's warehouses at the different presidencies, principally at the presidency of Bombay; consequently that the rajah paid for the ordnance and stores twice, without being allowed to retain them?—I have heard since my return to this country merely the common report which every body else hears, that the stores and ordnance were given to the troops as prize, and that the rajah was obliged to pay the amount.

Do you think that such a transaction as this, originating in a commercial concern, can possibly tend to raise the character of the British nation in India?—I should imagine that the Madras government knew nothing of the commercial concern, how the guns and stores were acquired.

The question alluded to its having originated in the contract for pepper between the rajah and the Company, which contract not having been fulfilled, from the circumstances,

circumstances stated, gave rise to the disturbances in Travancore which produced this oppressive proceeding on the part of the Company towards the rajah?—I do not think that this transaction will, among the inhabitants of India, make any unfavourable impression with regard to the character of the Company or the British government; they will consider it merely as a question of revenue, that the rajah failed in his payment, went into rebellion, and received the punishment due to it; the natives, I imagine, will make no distinction between the rajah and the dewan. *Colonel Thomas Munro.*

Have not you heard that the rajah originally entered into the subsidiary treaty alluded to with great reluctance, and received our troops into his dominions, for the payment of which the pepper was agreed to be delivered?—I have not so heard.

Have not you heard that the payment of the subsidy was to be made originally in money?—I have heard that the payment of the subsidy was originally to have been made in money, but I am not acquainted with the circumstances which induced the change.

Having, in the course of your examination, stated that the great mass of the natives of India are well satisfied and contented with the British government; how do you account for the disposition of the Mussulmen to put down the English, and that of the Hindoos to put down both, which you have stated in such decided terms?—I believe that in the answer to the former question, in speaking of the content of the natives, I spoke only of the middling and lower classes, I excepted the higher order of men who had formerly been employed in great situations under the governments; those men, I conceive, would be ready to introduce any government that would enable them to resume their former situations, and that even if their own governments were re-established, that another set of men of the same religion would be found ready to overthrow them, in order to take their places.

Having mentioned an act of oppression exercised by one of the commercial residents of the Company towards the native weavers in the ceded districts, have the goodness to state the nature of that act of oppression?—The nature of that act of oppression consisted in assembling the principal weavers, and placing a guard over them, until they had entered into engagements to supply the Company only.

What part did you take in this business?—I directed the weavers to be released from the guard under which they were placed, and I reported the circumstance to the board of revenue at Madras.

Did the government of Madras approve, or otherwise, of your conduct on that occasion?—At so distant a period, it is now one and twenty years, I think, since the transaction took place, for it was in 1792, I do not exactly recollect whether government gave any specific approval; but I suppose that they approved of the conduct observed, as they sanctioned the measure.

Have you no recollection of the government of Madras having disapproved of your interference with the commercial resident upon that occasion?—I have no recollection of such disapproval.

You have mentioned the coast of the peninsula between Goa and Bombay, as a point at which Europeans might be landed and proceed into the interior; does not this part of the coast belong to the Peshwa and the Kolapoor rajah, with whom we have treaties, by which they are prevented from receiving or entertaining Europeans of any description in their territories?—That part of the coast, I believe, does belong to the rajah of Kolapoor, and to the Peshwa.

You last night spoke of restricting the private ships going from this country to India, to the three presidencies, for the sale of their outward and purchase of their returning cargoes; would it not be attended with a very serious loss, to a ship proceeding from hence to Bombay, to be obliged to send for pepper to the Malabar coast, or to purchase that article in Bombay, when, by touching on our way to England at the ports on the Malabar coast of Calicut and Anjengo, or others, to which the Company's ships proceed, they might receive that pepper on board without the risk and expense of conveyance to the presidency?—I have no doubt but there would be a considerable loss, but still I think that that commercial loss is not to be put into competition with the political question of the tranquillity of the country: In my answer last night I think I excepted those ports where there were European garrisons and magistrates to

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preserve the peace, and if there are any such at Calicut, I do not apprehend any danger from vessels touching there.

Is it not within your knowledge that we have also troops in and near Anjengo?—I know that there are troops near Anjengo, but I do not know that there are now any stationed in the place itself.

Is not the Travancore country now entirely possessed by English troops?—There is a subsidiary force established in Travancore, but I am not acquainted with the mode of their distribution.

Do not you know that the English resident in that country, Colonel Munro by name, is considered to have the sole control over the revenue and military establishments of that country?—I do not know that he has that control, because his appointment has taken place since my return to this country.

You have mentioned that the export trade from India might be greatly increased, particularly in the article of cotton; might not hemp also be raised in large quantities and of the best quality, particularly in the Concan and Salsette?—From all the information I have acquired, I believe that hemp might be raised in considerable quantity, both in Concan and Salsette.

Might not coire, for cables and cordage, become an advantageous article of commerce from India to this country?—There is plenty of the tree on the Malabar coast, from which the coire is produced; but I do know how far the commerce might be advantageous; I can only speak of the produce of the article, what the profit would be, I cannot say,

Is it not much esteemed and often preferred to European cordage, in India?—I have understood that in many cases it is preferred to European cordage, on account of its superior elasticity and lightness.

Have not you heard of ships having rode out gales with coire cables, after parting from all the European ones?—I cannot say that I have heard by what cables they rode out the gale, but I have heard often of ships riding out very strong gales with coire cables.

Is not coire much cheaper in India than European cordage?—It is cheaper, I believe.

Have you heard that a coire cable will not cost more than one third of an European one of the same dimensions, and that it will last three times as long?—I have heard that a coire cable is cheaper, and that it lasts longer than an European one; but the relative prices of the two I do not know exactly.

Have you heard that the Bourbon cotton was originally raised from the Ghuzzerat seed, commonly called the Surat; and do you not think that a change of seed might produce an improvement in the quality of cotton throughout India?—I have not heard from what seed the Bourbon cotton was originally got, but I have no doubt that a change of seed might produce an improvement in the cotton throughout India.

In proportion as the native population of India may, in consequence of their increased habits with the British increased and increasing population, depart from that character of submission and patience with which they bowed to Asiatic despotism, what effect do you imagine that change may have on the tranquillity and security of the British empire in India?—I apprehend that any change in the manners of the people, which should make them more intractable than they now are, will make it more difficult to maintain the authority of the government.

Do you imagine that any possible reduction in the price of freight of the imports of articles of British produce or manufacture, could afford those articles to be sold in India at so low a price as the same articles fit for use, made there by British artisans and manufacturers through the means of native labourers?—Those articles made in India by Europeans through the means of Indian labourers, will, I have no doubt, always undersell any thing that can be brought from this country, under any reduction of freight.

Is it your opinion that the present rate of the produce taken from the ryots, on the land in general, admits of the improvement and increased cultivation of the country?

country?—The rate taken from the ryot, I believe, though nominally the same in general, is in many places very different, according to the accuracy of the accounts upon which the assessment was founded; I believe that in some places the rate of assessment upon the ryots is as easy as upon the inhabitants of almost any other country, and quite sufficient to enable them to extend their cultivation. *Colonel Thomas Munro.*

Have not the political revenue and commercial departments in India a close connection in the respective duties which they have to discharge; are not their duties frequently blended?—I believe that their duties are perfectly distinct and separate, as far as I have seen them.

Would not any reduction in the commercial department, either in point of the number of the Company's civil servants, or the present extent of their purchases, tend to weaken the authority of the government in the opinion of the natives?—I do not know that any reduction in the number of the commercial servants would have that effect, but as long as there was a sufficient number left to carry on the duties of the department, it would not affect the character of the Company's government in the eyes of the natives.

If the commercial department should be abridged, and still more, if it should be suppressed, could the remaining departments, political, revenue, and military, be equal to the support of the British authority in India?—I should apprehend that even if the commercial departments were suppressed, the remaining departments would be able to maintain the authority of the British government in India, but not with the same ease as when those departments remain.

Would not the effect of this diminution tend to lower the opinion, of the native military officers and soldiers, of the power and authority of the Company and of the European officers by whom they were commanded, and consequently their allegiance?—The number, I believe, of Company's servants, both military, civil, and commercial, are occasionally reduced: I conceive that a reduction, as long as the remainder are sufficient to carry on the duties of the department, can have no bad consequences among the natives.

In your opinion ought not licences to individuals to go to India, to be granted by the East India Company, whose authority is paramount in India?—Undoubtedly, I have stated that in an answer, I think, to a former question.

What would be the effect, in your opinion, if licences to go to India were granted by the Board of Commissioners independently of the Company, and the persons holding such licences were on their arrival in India to be subject to the regulations of the Company?—I should think that such a mode of granting licences would interfere with the duties of the Company's government, both in this country and in India.

Under the permanent settlement, are not the zemindar and the ryot entitled to all the benefit of extended improvement in cultivation; is not this engagement secured under the Company's faith, and is not this security an effectual incitement to the general improvement of the country?—The ryots and zemindars are secured in the enjoyment of all improvements, either in the land actually under cultivation at the time of settlement, or of such wastes as may be brought into cultivation at any future period.

Were not the customs on articles of commerce generally suspended when the permanent settlement was made?—I believe those customs were generally suspended when the permanent settlement was made.

Do you not think that the renewal of those customs and duties, under judicious regulations, will enable the government to share in the growing prosperity of the country?—I certainly am of opinion that, to a certain extent, the renewal of those customs would enable government to share in the growing prosperity of the country; but I apprehend that the revenue which would be realized from that source or from any tax upon consumption, would not be of any great amount.

Do you know that since the permanent settlement was established in the southern pollams, the zemindars have paid double the amount of their former tribute, have been obedient to the government, and have refrained from oppression and depredation in the neighbouring districts?—I know that the zemindars in the southern pollams have paid double the amount of their former tribute, and that since the permanent settle-

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ment they have, for the first time since they were under the Company's government, been obedient subjects, and refrained from committing depredations on the neighbouring districts.

Do not you think that a permanent settlement of the revenues of any district, calculated upon moderate principles, and secured by an administration of justice that shall protect the ryots from extra assessment, must conduce to the prosperity of the district so settled in perpetuity?—I have no doubt that such a settlement would greatly contribute to the prosperity of the countries into which it might be introduced; but in speaking of permanency, I should introduce no system that should be unalterable, I would always reserve to the government the power of imposing an additional land tax in times of war and other emergencies, which I suppose the country would be able to bear if the settlement were founded on moderate principles.

Do you contemplate any probable increased demand for woollens, glass, or other European articles, which cannot be amply supplied through the present medium of the Company's commerce, including the private and privileged trade, and at as reasonable prices as the respective articles will admit of?—I do not contemplate any probable increase of demand of glass, woollens, or any other European articles, which may not be supplied amply through the present medium of the Company's and private trade; but with regard to the prices at which those articles can be furnished in India, I am not sufficiently master of the subject to know whether it might be done cheapest as the trade is now carried on, or by a freer trade.

Do not you understand that articles are now carried out by the commanders and officers of ships free of any charge or freight; and do not you conceive that must give the present system a considerable advantage, with respect to the prices at which the articles can be sold in India?—I have no doubt but that those articles going out now free of freight, gives the present system a considerable advantage; but how far this advantage may be counterbalanced by shorter voyages, I cannot say.

Has there been any want of European articles, such as the natives have been disposed to purchase?—There never has been any want of such articles.

Have the natives in the interior had ample opportunities of making such purchases, when they have been so disposed?—The natives in the interior have had ample opportunities of making such purchases, the same opportunities as they have of purchasing the goods of their own country.

Have not you understood that tin in any quantity may be obtained from the island of Banda, and at a cheaper price than the Company are obliged to pay for that which they export from this country?—I have heard that tin may be obtained from the island of Banda, and likewise from other places to the eastward, at a much cheaper price than the Company now pay.

[The following Question and Answer were read over to the Witness:

"Is it your opinion that the present rate of the produce taken from the "ryots, on the lands in general, admits of the improvement and increased cul- "tivation of the country?—The rate taken from the ryot, I believe, though "nominally the same in general, is in many places very different, according "to the accuracy of the accounts upon which the assessment was founded; I "believe that in some places the rate of assessment upon the ryot is as easy "as upon the inhabitants of almost any other country, and quite sufficient to "enable them to extend their cultivation."

To what proportion of the land, from which rent is taken, do you conceive that answer to apply?—I cannot state with any precision the proportion, but I should imagine one fourth of the land, probably; that in the remaining parts, the assessment, though higher, is not such as to prevent the gradual though slow progress of improvement.

Are you acquainted with the rates of duties exacted by the Company from the private merchants who resort to the provinces of Canara and Malabar for the produce of those countries?—I once was acquainted with those rates, because I drew up tables of them myself, but I do not now recollect them; it is probable that they have since that time undergone a considerable alteration.

Have

Have you heard that the duties paid upon pepper and other produce are equal to twelve per cent?—I have an imperfect recollection of their amounting to that rate, but I am not certain. *Colonel Thomas Munro.*

Is not the whole of the sandal wood monopolized by the Company?—I cannot speak with respect to the Malabar coast; the sandal wood in Canara, the only part with which I was acquainted, was in general, I believe, left to the proprietors of the land on which it grew; there were many forests which were considered as public land, in which it was reserved to the Company.

Have you heard that the whole of the timber is monopolized by the Company?—I have not heard that there is any such monopoly, unless where the forests are the property of the public.

[The Witness withdrew.

WILLIAM ROE, Esquire,
Was called in, and Examined as follows;

Mr. Adam.] You are at the head of the Board of Customs, first Commissioner?—One of the Chairmen of the Board of Customs. *William Roe, Esq.*

Have you had an opportunity of considering the probable effect of throwing open the Indian trade, in respect of smuggling?—That matter has been very fully considered by the Board of Customs, in consequence of references from the Lords of the Treasury; they have obtained all the information they could from the most intelligent officers at the out ports, and from the most competent officers in the port of London; and having fully weighed the information thus obtained, they have made a report upon the subject, which comprehends what they have thought right and fit, upon the most mature and deliberate consideration.

Have they, in consequence of that investigation, reason to believe that the smuggling of teas or Indian goods has taken place to any considerable extent in the course of the last four or five years?—They have annexed to that report an account, which states the seizures that have been made in those years; they have reason to believe that there has smuggling taken place, but to what extent I am not prepared to answer.

Can you state in what ports or places the smuggling has chiefly existed?—That account distinguishes the ports where the seizure has been made; I apprehend the smuggling has principally been upon the arrival of the vessel in the channel, in her transit along the coast, and in her passing up the river, till her final delivery at this port.

Can you state in what manner this illicit traffic and smuggling has been carried on?—I apprehend principally from boats or vessels meeting the arriving vessel in the course of such transit, and by some occasional smuggling from the vessel in the river.

Upon the supposition of the import trade from India being extended to the out ports of the kingdom, and not being confined to the port of London, do you consider that the danger of smuggling would be increased; and if you think it would be increased, are you able to state in what degree it might be increased?—I consider the danger of smuggling would be increased, but in what degree, I am not enabled to state.

Can you assign the reasons that induce you to think it would be increased, the question having relation to the out ports generally?—I apprehend that would depend very much upon the situation of the port, upon the establishment of the officers in that port for the prevention of smuggling, and upon other local circumstances.

According to the present system, the importation from India is brought directly to the port of London, and is warehoused in the Company's warehouses, and now carried into their wet dock; upon the supposition that that continued no longer the case, but that the importation from India might be carried to other ports than the river Thames, can you assign any reasons why the smuggling would increase, in consequence of such opening of the trade; will not it take off the guards which at present can be imposed upon the importation?—I apprehend that upon the importation of Indian articles to

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the port of London, there are some peculiar circumstances of guard at present which might not altogether be practicable, or in an equal degree be applicable, to the out ports; I allude particularly to a system which has been recently adopted, of sending from the port of London superior officers of the water guard, with a certain number of inferior officers, to meet the arrival of the Indian fleets in the Downs, and to station on board those several ships such a number of officers as may operate to guard the revenue, in the transit from the Downs up the river, and to their final arrival in the docks: I beg further to state, that the system at present is, that upon the arrival of an Indian fleet at the mouth of the channel, it is the duty of the different cruisers in our service, as soon as they fall in with that fleet, to take the fleet under guard, to continue that guard either by the same cruiser or by any other cruiser which may fall in with them, in aid or relief of the first, until such vessels arrive at the Downs, where the guard, to which I before alluded, has been recently directed to meet the ships so arriving.

Have you considered how far this judicious system is applicable to the out ports, supposing the trade from India to be opened to them?—I apprehend I have given partly an answer to that, in the reply to the former question.

Is the Committee to understand from you, that you do not consider this system as equally applicable to a trade to the out ports?—I am not prepared to say that some system might not be adopted of a similar nature, but I think it could not at present be adopted, and is not applicable without great alterations.

Have you had occasion to consider whether the danger of smuggling would be increased or diminished in the case of peace?—I apprehend the danger of smuggling would be increased in time of peace.

Have you had occasion to consider whether a great part of the protection arising to the revenue from the institution of wet docks, does not arise from their being inclosed within high walls, and by that means properly guarded at the different gates or doors?—I apprehend that the smuggling to which I allude, rather takes effect before the arrival of the vessel at the port, so as to have the articles warehoused in the way described; and that the benefit of their being so warehoused goes principally to preventing all plunder, and to preserve a better and more orderly examination and disposition of the goods, and conduct of the business.

Have you had occasion to consider, upon the supposition of the import trade from India being carried to the out ports, the best size of ships to be used for that purpose, with relation to the collection of the revenue?—I cannot undertake to give an opinion precisely as to the best size, but it appears to me that the smaller vessels would be pregnant with greater danger to the revenue, as drawing a less draft of water, and being better calculated for smuggling; and that vessels of about 400, or from that to 500 tons, might be the safest to be employed.

Do you consider that it would be adviseable for the sake of the revenue, that if the trade were opened, a regulation should be made, that the vessels should not be less than that size?—I beg to refer to my former answer.

Is the Committee to understand from your former answer, that your opinion is, that vessels of that size are necessary, in that trade, to the safety of the revenue?—My idea was, that as small vessels would be most dangerous, so somewhere about that tonnage, or approximating to that tonnage, would be attended with safety to the revenue.

Have you had occasion to consider whether, if the trade from India was opened to the out ports, the duty could be raised by an ad valorem duty, or whether it would be necessary to alter it to a rative duty?—I apprehend, touching certain articles, there would be great difficulty in the substitution of an ad valorem duty for a rative duty, I allude to those where there is great diversity in price and value, and which appears annexed to the account to which I allude; in exemplification of that difference, I apprehend one material difficulty would arise, that if any average rate was taken, it would introduce those of the highest value at a rate beyond what would be just and fair to the revenue, and that the others of inferior value would be so loaded by such average as very much to impede their import.

Do you consider that the system of warehousing, and the mode of sale which is practised by the East India Company, is well calculated for the purpose of imposing an ad valorem duty, and raising it with accuracy?—I apprehend it is.

Do you think that it would be practicable to introduce that system in the out ports of the kingdom, or to adopt those regulations which prevail in all sales at the India House?—I apprehend not easily practicable.

Are you aware that by the mode of sale practised at the India House by the authority of the Company, and the mode of superintending the sales, all combination amongst the buyers is prevented, so as to produce any bad effect in ascertaining the value, or affecting either the quantity or quality of the goods?—I apprehend very judicious and proper measures are taken to that end.

Are you aware that those measures are taken in consequence of the authority exercised by the court of directors, and the regulations laid down by them in pursuance of their constitution?—I am not prepared to answer that question.

Are you enabled to state whether, if sales were left to individual merchants in the out ports, it would be practicable to introduce such regulations, and to enforce them, as prevail at the sales of the Company?—I apprehend that would not be easily practicable, if at all so.

You have already stated, that there might be an inequality in the rative duties to the prejudice of the revenue, if they were to be substituted for the duties ad valorem; have you considered whether it is possible to apply any means to prevent this evil to the revenue, supposing the trade from India to be opened to the out ports, other than that which you have already alluded to?—I have stated the difficulty of so doing, and I have nothing further to add to that opinion.

Would not the general increase of trade, and the number of ships, create a danger of the increase of smuggling; and would not that likewise be affected by the introduction of a variety of new articles, upon the supposition of a trade to the out ports as well as to the port of London?—That question must materially depend, as I conceive, upon the ports to which it alludes, and to the size and number of vessels employed, with other local circumstances, which, I think, might more or less endanger and affect the revenue.

Have you had occasion to consider whether any mode could be fallen upon to secure against the probability of the increase of smuggling, by any regulations to be made respecting the examination of ships at any port, before their arrival at their port of destination, such as at Saint Helena?—That matter has been considered, and an opinion given upon it by the Board; and it appeared to them that no such examination could take place at Saint Helena, without that disturbance of the cargo, and possibly that interruption of the voyage, which might be inexpedient.

Have you any reason to believe that there has been any considerable amount of smuggling of East India goods in American ships, or through America?—I have no grounds that enable me to answer that question with any exactness; in the accounts annexed to the report before alluded to, where the seizures on board vessels have been distinguished, those taken from Americans have, as far as it was practicable, been stated.

Have you had occasion to consider whether any danger might arise to the revenue, from the exportation from this country to India being open to the outports as well as to the port of London?—I apprehend if the import trade was admitted to the out ports, there would be no peculiar danger from admitting the exportation from that port to India.

Would there be any difficulty in regulating drawbacks for export?—I do not foresee any.

Or as to relanding the goods after they are shipped?—I apprehend the danger of relanding is not in exportations to India, but of prohibited articles from this country, exported under security not to be relanded, but destined to the Continent, or any adjacent ports of Europe.

Would that danger be increased by the exportation being opened to all the out ports of the kingdom?—I apprehend it would.

(Examined by the Committee.)

It appears in the report made to the Lords of the Treasury, that the Commissioners of the Customs are of opinion that the only out ports which can safely be allowed to

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have the trade to India, are *Liverpool, Bristol,* and *Hull*; why are those three ports particularly selected?—I believe they are stated in the report as selected as having docks, and some of them warehouses; I should state, as my own opinion, that they were selected as being large ports with considerable establishments, and possibly from the contiguity of those parts of England which have the demand for the articles which might so be imported.

What were the reasons, in respect of collection of duties and prevention of smuggling, why those places are selected as the only ones fit to have that privilege?—Upon the ground of their having warehouses and docks.

Is the Committee to understand, that previous to making that report the Commissioners of the Customs had taken into their consideration the other ports in the kingdom generally?—I was not in town at the time of making that report, I did not sign that report, and was not then in attendance; but it becomes incorporated in the subsequent one, and is so incorporated as being the opinion of the Board of Customs; the selection was made from reference to the different officers, and their opinions and reports, and having weighed them, these three were selected as being the most fit.

Are you aware whether there were separate reports made from each of the other out ports in the kingdom, upon the queries referred by the Lords of the Treasury to the Commissioners of Customs?—Before I left London, they were sent to all the ports, and the opinions of the most intelligent officers were taken; they were then abstracted, and upon deliberating upon their several opinions and returns, the Board made that selection; they were not only sent then, but the question was twice referred to the out ports upon two sets of queries, the first set consisting of nine questions, and the subsequent of six questions; and the officers were enjoined to particular care and attention, before they made their returns.

Those returns to which you now speak, can be produced, if the House wish to have them?—Yes. Other ports were proposed by those officers; but I mean to say, upon deliberation, in consequence of those returns, these were the ports selected by the Board.

Do you mean that the three ports of Liverpool, Bristol, and Hull, were selected as the most fit; or that such objections were made by the reports from the different ports of the kingdom, as make the others unfit?—I apprehend they were selected as most fit.

Can you state the grounds upon which they were selected as most fit?—I have no other grounds to state, than those I have already stated.

What were the objections to allowing the ports of Glasgow and Greenock?—That is not in our department, it is in the department of the Scotch Commissioners of the customs.

The Customhouse in London have no opportunity of giving any opinion upon the ports in Scotland?—It is quite under a distinct management.

The Commissioners of the Customs for Scotland, communicate with the Treasury direct?—Yes, we have no communication with them at all, except in respect of some duties which come in through us.

Was there any reference made in respect of any port of Ireland?—I believe the same document contains some papers from Ireland, but I have no official knowledge respecting the Irish ports.

Are you aware what were the objections to Plymouth?—I do not know that the objections were stated; some of the officers recommended those ports, but the selection was made by the Board as the most fit; these three were deemed the most fit, if it was thought fit to extend the whole of the trade or a divided trade to the out ports.

The ports of Liverpool, Bristol, and Hull, are stated at present not to be in a state to be recommended, but that some addition must be made to the buildings, in the docks and warehouses?—I think there is some allusion to that in that report.

Can you state what those alterations will be?—I have not the means of stating that with accuracy.

Are

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Are you aware of the amount of seizures of East India and China commodities, made within the last six years?—They are distinguished in the return annexed to that report, distinguishing London and the out ports, and the several ports.

Are you aware, from recollection, of the proportion of value of goods seized on the Thames, and in the London district, under the London custom-house and excise office, and the other custom-houses in the kingdom?—I cannot speak with any accuracy; the account itself will answer the question more accurately than I am enabled to do.

Are you aware, that in the London district, by that account, the seizures appear to be 48,000*l.* and in all the other ports in the kingdom 11,000*l.*?—I rather think they may be in some such proportion; but I should wish to add, that the whole trade in India being brought at present to the port of London, it is natural that, as far as measures are taken, they should be principally in the navigation of the river; the smuggling is common along the whole coast, but when once the vessel comes into the river, it is then confined within those limits; there is no other river admits the introduction of Indian articles.

With respect to the seizures made on the river Thames, were those seizures generally from Company's ships, or from private ships?—I apprehend principally from the Company's ships, but I cannot speak with accuracy.

Are you of opinion that the extent of smuggling must depend upon the extent of inducement arising from the amount of duty and other advantages held out to the smugglers, and also upon the means by which he can carry on with safety his occupation?—I apprehend the temptation of profit, and the facility of carrying into effect the measure, must be the great motive to the smuggler.

Are you aware that from the price of tea in America, Madeira, and in other countries from which vessels daily arrive in the ports of this kingdom, a very great inducement, nearly approaching to an inducement that could tempt smugglers to engage in such a commerce from China and India, at present exists?—I am not competent to answer that question, not being at all aware of the prices alluded to.

Are you of opinion that the means of smuggling, arising from a systematic arrangement of persons engaged in that commerce in the river Thames, are greater than exist in any other of the great ports in the kingdom; and that it would require similar arrangements to enable smuggling to be advantageously carried on to any great extent in those ports?—As far as river smuggling goes, I apprehend the system must prevail most in the Thames, because no other river at present is competent to receive Indian articles.

In your opinion, must it not be extremely difficult, in a less populous district, to conceal articles even on shore, after they are smuggled, from those persons whose duty it is to make this seizure?—I am not aware of such difficulty; I apprehend in many of the ports, particularly about Deal, the means of concealment are greater than they are in any other place in the kingdom, and that in many other parts of the kingdom the means of concealment are very great.

Setting aside the means of concealment, do you think that those goods, after they were smuggled, could be, with any degree of safety to the smugglers, disposed of in districts less populous than the district to which the trade of India and China is at present confined?—I apprehend that a great portion of the smuggled goods are brought to London for vend, and that in countries where they have consumption for those goods, they dispose of them, if they can.

Then the Committee is to understand, that, in your opinion, if goods were smuggled into the out ports, they would probably, after concealment there, be transported to London for sale?—A considerable portion of them, I conceive; it is the practice to transport a considerable quantity of smuggled goods to London, I am convinced.

Would not that circumstance, in your opinion, tend very much to the chance of their being seized in their transportation from the original place of concealment to the port of London?—That would depend much upon the nature of the article; some of them are so easily concealed in various modes, it is difficult to discover them; others of greater bulk, there might be more difficulty in so transporting; but I am not prepared to give any precise opinion upon the point.

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You have stated, that it might be very difficult to arrange any mode of collecting the ad valorem duty in the out ports, in the same manner they are now collected from the East India Company; have you seen any plan for collecting those duties in any other manner than an ad valorem duty?—I do not recollect having seen any such plan.

Are you acquainted with the mode of collecting the duty on tea in America?—I have no knowledge of it.

Are you acquainted with the mode of collecting ad valorem duties in Russia?—I have no knowledge of the system.

Then your opinion of the difficulty arises principally from your not being acquainted with any other mode?—The difficulty I have stated is the great difference in the price of certain articles, some being of so high and others of so low a value, that no average could be formed; I state this from a knowledge of that fact, and not from any ignorance of the mode of collecting the duties either in Russia or in America.

Are you acquainted with the amount of the ad valorem duties, exclusive of tea?—They are stated in the report.

You state a great part of the facilities, with regard to smuggling, to arise from rivers being in the neighbourhood of the ports?—I stated that the first great danger was in the transit along the coast, from the time the vessel arrived in the channel till her ultimate arrival in the port, and the guard being put upon the article; the great danger now arises in the Thames, because that is the only river into which Indian articles can come, and therefore I look upon it as a principal danger, as applicable to the port of London.

Do you conceive greater facility, with regard to inward smuggling, would exist in the rivers connected with Liverpool, Hull, and Bristol?—I am not prepared to answer that question accurately, I never was at Hull, at Liverpool I have been very transiently, at Bristol I have not been lately; but I should imagine where there is a great length of navigation up a river, from the mouth of the port, there is always great danger.

In recommending these three ports, have any precautions been recommended, by which the great danger might be got over, in the case of Hull, Bristol, and Liverpool?—I am not aware that there have been any such precaution or regulations, it would have been rather premature to have thought of them till the matter had been determined upon.

Then with respect to Hull, Liverpool, and Bristol, they have not been finally determined upon by the Custom-house?—No further than in the mode in which that report expresses their opinion.

In making the report with respect to Hull, Liverpool, and Bristol, the Commissioners of the Customs had no reference to the dangers arising from the rivers leading to those ports?—I am not aware that there have been any special informations upon these points; I think I recollect there was a statement as to the danger of the export trade of prohibited articles, particularly with reference to Liverpool, from the difficulty of getting out, and from the proximity of Ireland, the proximity of the neighbouring coasts; but I am not aware of any inquiry to the point mentioned.

Then at present the Commissioners of the Customs are not prepared finally to recommend the ports of Liverpool, Bristol, and Hull, to be open to the Indian trade for export and import?—Upon the supposition of an extension of the trade to the out ports, they have recommended those as the most fit, for the reasons I have assigned, as being warehousing ports, and having a large establishment of officers, to which those guards which are established in London might be most applicable.

Are the Commissioners of the Customs prepared finally to recommend the ports of Liverpool, Bristol, and Hull, to be opened to the participation of the Indian trade?—They have recommended these three ports as in their opinion the most fit, in case of the trade being opened.

The question is not whether they are the most, but whether in the judgment of the Commissioners of the Customs they are fit?—I am not prepared to answer that question.

You

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You are not prepared to say that the ports of Liverpool, Bristol, and Hull, are thought, in the judgment of the Commissioners, fit to be admitted to a participation in the import and export trade to India, without reference to the comparison with other ports?—I before stated that other ports had been suggested, that Dover had been mentioned, that Falmouth had been mentioned, that Cowes had been mentioned, and Plymouth; but that these were, in the opinion of the Board, the most fit.

In the judgment of the Commissioners of the Customs, are they now considered as fit?—It would be I apprehend premature to form an ultimate judgment, because if they were selected, very many improvements might take place, which might render them relatively fit, and most fit; it would have been premature in the Commissioners of the Customs to have gone on that point, till it was determined whether the trade should be extended to the out ports or not; I mean as to the alterations and arrangements, not the original selection.

Subject to alterations and improvements, these three ports might be rendered fit, in the opinion of the Commissioners of the Customs, to participate in the Indian trade?—They were considered, as I before stated, as the most fit.

Is the Committee to understand that, in the opinion of the Commissioners of Customs, the ports of Hull, Liverpool, and Bristol, might, with improvements and alterations that can be suggested by the Commissioners of the Customs, with safety to the revenue be allowed to participate in the import and export trade to India?—They have certainly never gone into that consideration, but they were selected as the most fit of the ports, on the supposed extension of the trade of India to the out ports.

Supposing these three ports to be recommended by the legislature to participate in the trade to India, do the Commissioners of Customs mean to report that they are fit, with safety to the revenue, to be allowed to enjoy such participation?—It is a difficult thing for me to stand here and give the opinion of the Board of Customs: there was a report made upon the full consideration of the Board; I have before observed I was not in town at the time that report was framed; I did not sign the first report; I did sign the other report, and have considered the subject as far as lay in my power; that opinion was given as to the selection of these ports; upon full consideration, the primary report was grafted in the second one; we were ordered to incorporate them, we found that not easy, and we put them in succession, and they were therefore a report of the whole Board; four members of the Board signed one report, and four the other; a member at that time was absent from the kingdom on a West India commission, so that it took the aggregate sense of the Board: I am not prepared to say further than that if they were selected, and if the trade was extended to them, by various regulations which might be adopted, the revenue might be materially guarded against danger.

Have you seen a copy of the report published by order of this House?—I have it in my pocket.

Is the Committee to understand that no other report has been made upon the subject of admitting the out ports to the participation of the trade of India, than that mentioned?—I am aware of no other than the two reports I have mentioned.

You are understood to say, you are not competent to answer all the questions which have been put to you, because you were not in town when the first report, which was the material report, was made?—I do not apprehend the first report to be more material than the other; but standing here upon a point affecting the whole Board of Customs, it would be improvident in me to say more than that I have, that they were selected as the most fit, and that if they are not fit now, they might, by regulations that might be adopted, be rendered more fit; whether perfectly fit I am not prepared to say, but I should think so fit as to prevent any great evils from carrying it into effect.

You say that danger might be materially excluded?—I mean to say that every measure would be adopted to remove and obviate that danger, so as to make the guard complete; but that it is impossible for me to anticipate, if such danger should be found to exist, how far any perfect and complete system could be adopted.

How many years have you been a Commissioner of the Customs?—I was appointed in the year 1788.

William Roe, Esq.

In your opinion, can such guards and regulations be introduced as would effectually protect the revenue, at the ports of Hull, Bristol, and Liverpool, if they were admitted into the participation of the import and export trade of India?—I apprehend it is not practicable possibly to frame any such perfect system in any port as to exclude all smuggling, it is not so in the port of London; but in the port of London, where the system has long existed, there is a great deal of smuggling, and it would be extremely rash in me to say, that what has not been found to be complete in London, where the system has so long existed, and the attention of the Board been directed to it, could be adopted in ports where the system has not yet been tried.

Do you believe that any regulations you can suggest, would make the ports of Hull, Liverpool, and Bristol, as safe for the collection of the revenue as the port of London now is, for Indian goods?—I am not prepared to answer that question without further inquiry.

Do not you believe, that no regulations, considering the particular circumstances attending the ports of Hull, Liverpool, and Bristol, could put them upon a footing of equal security with repect to the revenue, as the port of London now is?—With the port of Hull I am no way acquainted, with Bristol not for many years, and at Liverpool I was only two days; and I cannot take upon myself to answer that question from my own personal knowledge.

You have stated, that the difficulty which you apprehended to arise in the collection of duties upon ad valorem articles, was occasioned by the great difference in price in many of those articles; have the goodness to state the particular articles to which you allude in that answer?—There is a very long list to be found in that report, they are principally calicoes and muslins, piece-goods principally; having prepared the account, and rendered the account, I am not prepared to specify them at the instant.

In the event of piece-goods being only importable into the out ports for the purpose of exportation, you of course cannot see any objection arising from the ad valorem duties upon them, since, in the event of their sale for home consumption, they are to be conveyed from the out ports to London, and there sold in the manner now practised?—I do not apprehend there is any thing before us stating that system; if I understand the proposition, it is, that if imported into the out ports originally, under the extension of that trade to the out ports, they would then come to London to be sold in the usual mode; that, it appears to me, would obviate so far the difficulty as to price, and the danger to the revenue from their not finding their real value, so as to raise the duty thereon.

Are you aware that seizures to any considerable extent have been made of East India and Chinese commodities, on board neutral vessels reaching this country?—I am not prepared to answer that question very accurately; the account to which I refer distinguishes the vessels on board which the seizures were made, as far as we had the means of distinguishing them.

If persons were disposed to engage in illicit trade, do not you think that they would prefer to use neutral vessels, not liable to many of the provisions of our laws, and of less value, rather than employ British vessels?—I am not prepared to answer that question.

In the list of articles which appear to have been seized in the river, and which are specified by the report, does not a very considerable proportion consist of articles of wearing apparel, as well as trinkets, toys and trifles that have been brought home apparently for presents, and not for purposes, as you believe, of trade?—I apprehend many of them may be of that description; but I apprehend that a considerable part consists of silks, bandana handkerchiefs, prohibited articles, and which might or might not be for private use.

Do not a considerable proportion of them consist of wearing apparel?—I am really not prepared to answer that question, I have not looked at the account with that particular view.

Is the Committee to understand you to give a more positive opinion as to the unfitness of other ports, than you have as to the fitness of Hull, Bristol, and Liverpool?—I can only say that the selection of these ports would appear to decide, in the judgment of the Board of Customs, they were the most fit, as they now stand.

Do

William Roe, Esq.

Do you think that the revenue is as faithfully collected in the out ports, in other articles, without including Indian and Chinese commodities, as in the port of London?—I have no reason to think it is not.

You have referred to the increased danger of smuggling in time of peace; in that answer, did you refer at all to the circumstances of there then being a friendly coast opposite to ours?—I alluded to various causes; the not coming in convoys, the vessels being allowed to loiter, not having the apprehension of being impressed, and possibly the want of so many admiralty cruisers as there are at present in the channel.

Is that cause of a friendly coast opposite, referred to among the principal causes?—No doubt that would have an effect, if there were means of entering the ports of France, and smuggling Indian articles.

There would be a greater danger in the ports of the channel, or in any port opening to the channel, if there was a communication with the coast of France?—In the narrow parts of the channel, there is always the greatest danger when there is communication with the opposite coast.

When the new warehousing duties on muslins are imposed, what will be their amount?—I am not prepared to answer that question.

Have you any knowledge of it?—No, I have not.

[The Witness withdrew.

The Chairman was directed to report Progress, and ask leave to sit again.

11.

Mercurij, 14° *die Aprilis*, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Colonel *Thomas Munro* - - - p. 147.
William Roe, Esq. - - - - - p. 157.

Ordered, by The House of Commons, *to be printed,*
14 *April* 1813.

12.

MINUTES of EVIDENCE

TAKEN BEFORE THE SELECT COMMITTEE,

Appointed for the purpose of taking the Examination of such Witnesses, as shall be ordered by The House to attend the Committee of the Whole House, on the Affairs of The *East India* Company; and to report the MINUTES of such Examination, from time to time.

(No. 1.)

Jovis, 15° die Aprilis, 1813.

The Right Hon. JOHN SULLIVAN, in The Chair.

COLONEL MUNRO,

Was called in, and Examined by the Committee, as follows:

Colonel Munro.

THE Committee understand you have a wish to explain some part of the evidence you gave yesterday?—I wish to give a general explanation with respect to the effect my evidence may have produced. In the course of my evidence I stated the simplicity of the mode of life among the Hindoos, and it may be inferred from that, that the Hindoos, scarcely expending any thing upon their own subsistence, must have a greater overplus of wealth to appropriate to the purchase of European commodities. There are causes which prevent the accumulation of wealth among Hindoos, that seem to be peculiar to that country; one of them is, the law of inheritance to property among the Hindoos: by this law all property is divided equally among all the sons; after such division, the property still remains in common; those sons, supposing them to be four or five, still remain together under the same roof; it is a kind of copartnership. Among the poor class it is often dissolved in one or two years, but among all the trading and mercantile classes it frequently continues ten, fifteen, or even fifty years; it is not necessary to the existence of this copartnership that they should remain together under the same roof, or even in the same country, they may go out of it and pursue different occupations, some may be bankrupt, some may be successful; until a formal dissolution, by which each member gives his acquittance to the other, and takes his share, the copartnership is not dissolved, so that it frequently happens, that in a family of five brothers, one who has acquired a large property is obliged, after a period of twenty or thirty years, to divide it equally among the other four brothers, who are beggars; if the division does not take place during the life of the father, it is continued to the

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son, and even to the grandson. I have known instances of it after a period of forty and even of fifty years. This cause I apprehend, though it contributes to place all the members of a Hindoo family in some degree above poverty, likewise tends to prevent the accumulation of such wealth in any one person, as to leave him the means of making large purchases of any foreign commodities. Even when the Hindoo has by a long life of successful industry acquired a competency, he has many ways of expending his property, without making any demand for European articles. Every Hindoo must marry, marriage is a most expensive ceremony amongst all Hindoos: Even among the poorest the expense is never less than the amount of the savings of three, four, or five years; among the richer class, the marriage expense is only measured by the extent of their fortunes; men frequently dissipate half their property in the course of a few days, in a marriage; in marriage the man is not always left to his own discretion in judging of the extent of the expense to which he should go, there are thousands of mendicants, brahmins and fakeers, who always know when a rich man is to be married, and who are as jealous of his honour in this respect as he can be himself; it is not left to his own will to limit his expense, they assemble in parties of three or four hundred, and live with him several days, during which he is obliged to distribute food, clothes, and sometimes money, to the whole party. I remember an instance myself, of a rich shopkeeper, who finding his uninvited visitors to come in greater numbers than he expected, made his escape from them, and came to me for protection; he was followed by a small party of the guests, who claimed a right of being guests at his marriage; the shopkeeper said he was willing to entertain a proper number; he agreed, I think, to entertain about three hundred, the opposite party wanted four hundred, and I believe that there was a compromise for three hundred and fifty. Among the other sources of expense to the Hindoo, besides marriage, are charitable distributions to a great extent, on the anniversary of the death of several of his ancestors, his father, his mother, and several others; though he gives no dinners to his friends, he gives dances; the Hindoos are expensive in dancing women, in servants, in fine clothes, and in horses; all these articles are the produce of his own country, and not likely to be sent from our out ports.

Upon the occasions you have described, have you observed any disposition towards the purchase of European articles, either for ornament or use?—I have observed no disposition for the purchase of European articles, except perhaps some very small lamps, or some pieces of broad cloth, among the most expensive.

Were those in any material degree?—Not in any material degree. In another part of my evidence, it may seem unaccountable, that while so large a demand is stated to exist among the population of Bombay for European articles, there should be so little on the continent of India; the reason of this I conceive to be, that Bombay can hardly be called a Hindoo community; it is a kind of modern Babel, inhabited by foreigners from all parts of the Globe, Arabs, Greeks, Armenians, Parsees, and almost every thing but Hindoos: if among all the vessels belonging to the port of London, from 200 tons and upwards, we should not find among all the owners the name of one Englishman, we should doubt whether London were an English city; among the owners of the vessels belonging to the port of Bombay, there is not the name of a single Hindoo; we have Munagee, and Soorabjee, Artaxerxes, and Bruce, and Fawcett, certainly not Hindoo names. It is said that the Hindoo there likewise conforms to the European modes of life followed by Parsees and Europeans; it is possible that he may in some instances do so to accommodate his European visitors, but I can have no doubt that, after the ceremony of the visit is over, he retires from his lustre-hung hall to his Hindoo family, in their own Hindoo house, sprinkled with cow dung and water. The influence of the society of Bombay upon the continent of India, can have no more effect than that of the island of Heligoland. Let any man take a boat at Bombay and land upon the nearest point upon the coast, the Mahratta village of Panwell, he will find every thing unchanged, every thing Hindoo. I am likewise convinced that the Hindoo of Bombay, notwithstanding the fascination of the example of Artaxerxes, and Bruce, and Fawcett, is still a hardened Hindoo. If he comes pure from the fire of such a trial, with what hope can we expect to corrupt the great mass of the population of the continent of India. If any person leaving Madras goes to the nearest Hindoo village, not a mile into the country, he is as much removed from European manners and customs as if he were in the centre of Hindostan, and as if no European foot had ever touched the shores of India. In a former part of my evidence,

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evidence, in speaking of the Hindoo women, I mentioned the custom of their bathing in public at European stations: this statement may perhaps leave an unfavourable impression of their demeanour, but there is no man who has been in India but must maintain, that nothing can be more modest than their behaviour, and that they confide in it on all occasions for their protection from insult, and are seldom deceived. It would be no slight praise to the women of any nation, not even to the ladies of England, to have it said, that the correctness of their conduct was not inferior to that of the Brahmin women and the Hindoo women of the higher classes.

At Bombay has there always been an ample supply of European articles for every description of purchasers, whether natives or Asiatic foreigners, or Europeans?—I am not sure with respect to the supply of Bombay, but I should imagine the supply has always been ample; the native merchants themselves would take care of it; they have a direct correspondence with Europe; by native I mean the Parsee merchants.

In a former part of your evidence, you alluded to the manufacture of woollen in India, and to the pretty general use of a coarse kind of woollen; are not shawls of a very fine quality of woollen in India?—The shawls are of a very fine quality.

They are not the manufacture of India Proper, are they?—They are not the manufacture of India, they are an import from Cashmire and Thibet.

Are they in considerable consumption among the Indians?—They are in great demand among the Indians; every Indian who has the means gets a shawl.

According to your observation, do you conceive that there is any thing peculiar to the manufacture of shawls, that might not be imitated in this country?—I have stated, I think, in a former part of my evidence, that I thought the shawls of this country have so great a resemblance to the real shawl, that if they could be sold cheaper there might be a considerable demand for them.

In reference to another part of your evidence of last night, with regard to the permanent settlement, inform the Committee whether you consider the situation of the ryot (the cultivating proprietor) to be equally secured, as to property and prospective advantage, under the control of the zemindar, or when he immediately is connected with the government?—The ryot in almost every part of India that I am acquainted with is considered as the cultivating proprietor, and in that capacity he is certainly in a much better situation than under any zemindar, even if his assessment is equal; in both cases he still feels the pride of independence, and considers himself as a person of higher rank when he holds immediately of the crown, than when he holds of any zemindar; he is likewise the master of all his own profits arising from improvement, which he can hardly ever under a zemindar be secure in the possession of; the authority of zemindars is so great, that they will always find means while they exist, to levy extra contributions upon the ryot, in spite of the utmost vigilance of the officers of government.

Have the goodness to inform the Committee what you understand by a zemindar?—The zemindar seems to have different characters in different parts of India; in some parts of India he is a military chief having no land or farm of his own, a kind of petty tributary sovereign, who collects his rents from the ryots in the same manner as any other sovereign; in other parts of India, as he has been constituted by the permanent settlement, he is not so much a cultivator or a proprietor of the soil as a farmer of the land-tax, and he receives from the land-tax to government a certain portion, a tenth, sometimes more, sometimes less, for his own subsistence.

Are the zemindars, in the part of the country in which you have been resident, in the habit of giving written engagements to the ryot, specifying the proportions they are to have of the produce of their industry?—I have never known any instances of any zemindar, in the parts of the country with which I was acquainted, giving such written engagements; a great deal of trouble is sometimes taken by the officers of government to compel them to do it, but without constant compulsion it is seldom done, and even when done the terms are generally evaded; the ryot, even when he pays an extra exaction, will rather submit to it than complain, he is afraid both of the expense of legal process and of the influence of the zemindars.

You alluded to another description of persons, speaking of the permanent settlement, namely, the mootidars; have the goodness to explain to the Committee what

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you understand by a mootidar?—From what I have been able to observe with regard to the mootidars, they are in some places the ancient hereditary head farmers of the village, who formerly exercised the profession of farmers in cultivating land belonging to themselves, and acted in the capacity of collectors of the village rent to government; those mootidars now continue to cultivate their own farms, and likewise to receive, like the great zemindars, a portion of the government rent of the whole village, or villages (for there are sometimes three or four in one mootar) amounting to about fourteen or fifteen per cent of the government share of the rent: other mootidars are men who never had any connection with the cultivation of the country, merchants and adventurers of all kinds, who have purchased what is called the mootidar's share, or 15 or 16 per cent of the government share of the produce; they receive this share, and become answerable for the rents of the village; they are proprietors likewise of all the waste land in the village, but are not in general cultivators or farmers themselves.

Have the goodness to explain to the Committee what you understand by the ryotwar system?—I shall state what I understand to be the principle of the ryotwar system, the details will perhaps be too extensive: the principle of the ryotwar system is, to fix an assessment upon the whole land of the country; this assessment is permanent; every ryot, who is likewise a cultivating proprietor of the land which he holds, is permitted to hold that land, at a fixed assessment, as long as he pleases; he holds it for ever, without any additional assessment; if he occupies any waste or additional land, he pays the assessment that is fixed upon that land, and no more, his rent undergoes no alteration.

Do you consider the intervention of a zemindar, or a mootidar, necessary for conducting the business of the revenue with the ryots?—I think the intervention of either of those characters is perfectly unnecessary, and that it is upon the whole to be lamented; and that the business of the collection of the revenue can best be conducted by the old office established in every Hindoo village, held by the person called the potail, who is the head farmer of the village, and cultivator himself, and likewise the hereditary collector and magistrate of the village under all Hindoo governments.

Have the goodness to inform the Committee what might have been the extent of the country, under the denomination of the ceded provinces, that was under your special management?—The whole of the ceded provinces were under my special management; no geographical survey had taken place during the period I was in India, but the number of acres by an agricultural survey was, I believe, as far as my memory serves me, something above twelve millions.

When you took charge of this extensive district, what proportion of it was in cultivation?—About two millions of acres, I believe; but that twelve millions includes a great deal of land which never can be cultivated, rocks, jungle, &c.

Did you find it necessary to lower the rate of assessment when you took charge of those districts?—I found it necessary in almost all instances to lower the rent; in others, where it was already low, to keep it at that low rate for several years, to enable the country to recover from the ravages of war.

Have the goodness to inform the Committee to what gross amount you lowered the rental in the first instance?—The gross amount of the rental I think, in the first instance, was lowered in different proportions from 15 to 20 per cent below what it had been the preceding year under the native governments.

Can you mention the gross sum of the whole?—About one lack of pagodas was the amount of remission.

During the period of your administration, to what extent were you enabled to raise it?—I think that the revenue was raised from about eleven lacs of pagodas to seventeen and a half, or eighteen.

Was that increase in consequence of waste lands, lands that had not been cultivated, being brought into cultivation?—Part of it arose from raising the lands in cultivation to the usual rate of assessment under the Hindoo governments; the rest arose from extended cultivation, amounting, as far as I can recollect, to about one million of acres: I speak from memory.

Have

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Have the goodness to state what you understand by a village in India?—A village in India does not apply to what is commonly called a village in this country, a collection of houses; a village is a certain portion of country generally from two to four square miles, the boundaries of which are unalterable; whatever cessions or transfers of country are made in the course of war from one power to another, the boundaries of the village remain permanent; the ryot considers the village as his country, he does not look to the province, or to the country at large, he considers the village as the little republic in which he resides, and lives are very often lost in struggles among neighbouring villages for a quarter of an acre of land, which never has been cultivated, nor never can be cultivated, merely to include it within the boundary of one or the other village.

Is a shawl part of the dress of the Hindoos which every Hindoo who is capable of purchasing it is desirous of possessing?—Every Hindoo who is capable of purchasing it is desirous of possessing a shawl.

Is a shawl esteemed a necessary part of the dress, both of men and women?—It is not esteemed a necessary part, but it is a desirable part; it is much more in use among men than among women; the Hindoo women seldom wear it; it is more general among the Mahomedan women.

Are the shawls in use in India made principally of wool?—They are made entirely of wool, I believe.

Do you know whether any quantity of shawls have been exported to India from Great Britain, by the East India Company?—I do not know that the East India Company have exported any quantity of shawls to the East Indies; but I imagine that whenever it is found that the European shawls are so cheap as to become an article in demand in India, that the Hindoo merchants will make it their business to have them ordered out from this country.

Have you ever seen the shawls which are manufactured at Paisley, and at some other places in Great Britain?—I have seen the Paisley shawls.

What is your opinion of the quality of them, compared with the quality of the shawls in general use in India?—I am not sufficiently a judge of the difference in shawls, but as far as I can form an opinion the resemblance is very near to the eye but not to the feel; they are hard and hairy, and they have the great defect of throwing off their wool by wearing.

Have you seen any of the shawls which are manufactured at Norwich, which have been exported to India?—I have not seen the Norwich shawls, at least have not known them to be such, I may have seen them without knowing that they were Norwich.

In your opinion is there any thing in the nature of the raw material, or in the nature of the manufacture, which necessarily precludes the manufacturers of Great Britain from making shawls equal to those now imported into India?—I apprehend that there is a great obstacle to our rivalling the Indian shawls, from the superior quality of the raw article in India.

Has it come within your knowledge that shawls which have been exported from Great Britain to India at the price of 15*s.* or 20*s.* each in England, have been sold in India for as many rupees as they cost shillings here?—I have not heard that circumstance, but I should imagine that if they have been sold for twenty rupees in the first instance, the purchasers will not repeat the demand when they find that the shawl wears away so fast.

Are not the Hindoos very desirous of obtaining shawls of very bright colours?—They are desirous of getting shawls of the colours which are most common in the shawls that come from Cashmire, and those are generally of a great variety of colour, from the brightest to the darkest.

Do you think there is any difficulty in our sending out shawls of as fine colours as they obtain in India from other parts of the world?—I should think there can be no difficulty in the colours of this country rivalling those of India, but I doubt whether they are so durable, or would so well resist the weather.

If shawls have not been sold in India at the profit implied in the question which has just been put, have you any doubt that they may be sold in India at a profit of

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20 or 30 per cent upon the first cost?—If the shawls could be made so as not to part with their wool, I have no doubt that they would bring a profit in India.

Do you happen to know what are the prices of shawls of India manufacture, in India, the lowest and the highest?—I have seen shawls in India, and at all prices, from ten rupees to a thousand; and I myself from my own judgment could not determine whether a shawl was worth fifty rupees or one hundred and fifty, the difference appears so minute, that none but a judge can distinguish it.

Can you form any judgment of the quantity of shawls which have been imported into India from Cashmire and Thibet, at any of the Presidencies?—I cannot form any accurate judgment, but I should think that statements of them will be found in the India House, that they will be reported as an article of trade.

Is not the consumption of shawls in India, in your opinion, exceedingly great?—The consumption of shawls in India is very considerable; but the shawl is a thing that lasts so long, that it does not require a frequent renewal.

How many years may a shawl be worn in general?—I have used a shawl myself in India as a kind of blanket in cold weather upon my couch, and I found very little difference in it after having used it seven years.

You have stated the objection to the shawls of English manufacture, that the wool is apt to separate; do the shawls of India of the lowest quality, at ten rupees a piece, possess that quality?—They do not possess that quality.

Is the raw material of which the Indian shawl is made, altogether sheep's wool?—I believe it is altogether sheep's wool.

That there is no camel's hair or goat's about it?—No, I believe not.

Have you seen the wool, of which the shawls are made, in its raw state?—I never saw the wool in its raw state.

The sheep that produce that wool are confined to Thibet and Cashmire, are they not?—I believe they are confined to those countries.

Is that wool of the same description as any European wool?—I have not seen the article, so that I cannot exactly answer the question.

Has any attempt been made to propagate the breed of those sheep in India, within your knowledge?—I do not know that any sheep have been brought from Thibet and Cashmire to India.

Or that any such sheep are to be found in any other part of the world?—Or that such sheep are to be found in any other part of the world.

Does not the departure from the use of their own manufactures, in preferring the shawls of Cashmire and Thibet, and other shawls imported, hold out some expectation that the population of India might be induced to use some other manufactures of this country, if found suitable to their taste?—I have stated, I think, in a former part of my evidence, that the Hindoos have no predilection for their own manufactures, further than as they are superior to those of other countries; and that whenever we can furnish from this country a similar manufacture as good as their own, and a little cheaper, they will prefer it to their own, and all the custom-house officers in India will not prevent them from using it.

Have any shawls as yet been produced, of European manufacture, of equal quality or inferior price to those made in India?—I never have seen any such; I never have seen an European shawl that I would use, even if it were given to me as a present.

Are not shawls as much used for show as comfort?—They are.

Are not the natives who cannot afford to buy shawls, in the habit of buying silk, which they wear round their waists for the same purpose?—Many of the natives do.

Do you not think that they would prefer the Norwich and Paisley shawls to those silk sashes?—I am not so much master of the taste of the Indians as to determine which they would prefer.

At

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At present the distinction in the military services in India is between that of King's and Company's; do you think that the separation of the European from the native branch of the Company's army would increase the distinction and jealousy which has prevailed between the King's and Company's officers, as the distinction would then be between an European and Native establishment, as well as between the Company's and King's services?—I am of opinion that such a separation would greatly tend to increase the jealousies and differences which have sometimes prevailed between the King's and Company's services; the present distinction is only between the King's and Company's army; the distinction then would be that between an European army and a Native black army. The officers of the Company's service, by being excluded from the command of armies, seem to have been regarded as a kind of Indian Roman Catholics, and subjected to the disqualification without having undergone the ceremony of conversion; this disqualification, by the separation of the Native from the European army, would be unavoidably extended, because, as the officers of the native army would sink in character, it would be the duty of government to exclude them, not only from the command of armies, but from the command of divisions and of stations, as they could fill them by officers of a higher character from the European branch. The officer of the Indian branch of the service, by exclusion from all those superior commands, from the emoluments of which alone he could have the means of revisiting Europe, would be deprived of all hope of returning to his native country; he would relinquish Europe, and consider India as his home. A native army commanded by officers who have no hope of ever returning to Europe, would be a most dangerous instrument for effecting the separation of our Indian possessions from the British empire. I do not speak of a Company's army, I think the case applicable to all armies under similar circumstances, and that had there never existed such a body as the East India Company, had the European and native Indian armies always belonged to the Crown, yet had the Crown made a complete separation between the Indian and European branch of its army, the consequences would have been the same; that Indian army would have become dangerous to the state.

[The following Question and Answer were read over to the Witness:]

"Have the goodness to explain to the Committee what you understand by the "ryotwar system?—I shall state what I understand to be the principle of the "ryotwar system, the details will perhaps be too extensive: the principle of the "ryotwar system is, to fix an assessment upon the whole land of the country, this "assessment is permanent; every ryot, who is likewise the cultivating proprietor "of the land which he holds, is permitted to hold that land at a fixed assess-"ment as long as he pleases; he holds it for ever without any additional assess-"ment; if he occupies any waste or additional land, he pays the assessment "which is fixed upon that land, and no more, his rent undergoes no alteration."

Is the Committee to understand, that with respect to permanency there is no difference between the ryotwar system and the Bengal permanent settlement?—With respect to permanency, there is no difference between the two systems; but the ryotwar system leaves to government an increasing revenue arising from the waste, in proportion to its cultivation. My idea of the ryotwar assessment also is this, that the assessment should be so moderate in peace, as, by enabling the ryot to become substantial, a war tax in times of necessity, of ten, fifteen or twenty per cent. may be imposed by government, to be struck off when the necessity ceases to exist; I have no doubt that such a war tax could be easily levied, and that it would in a great measure preclude the necessity of borrowing money at such periods at a high interest.

Has any such war tax ever been imposed?—Never under the Company's government; but under all native governments it is usual to raise the assessments of the ryots, and likewise to exact a kind of forced loan from all the mercantile classes.

Are the rules of inheritance of property applicable to the ryots, the same as those applicable to zemindars?—The rule of inheritance among the ryots, is the equal division of the property of the father among all his sons; every man has a son; if he has none born to him, he adopts one; and that I conceive to be another cause which tends to prevent the accumulation of property in particular families.

How many years in general is a Company's officer in India before he obtains command of a company; and how long before he obtains the command of a regiment?—

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That in a great measure depends upon the period of war or peace; I myself was in India sixteen years as a subaltern, twenty years before I was a major, and twenty-four before I was lieutenant colonel, and I believe that is nearly the average: there are cases in which men acquire those ranks sooner, but many of them in which they are longer.

Do the officers rise in the line, or do they rise in the regiment?—Under the present regulations the officers rise in the regiment to the rank of major, from the rank of major they rise in the line.

That is by a late regulation?—The regulation of 1796.

You speak from hearsay as to those parts of India which you have not visited?—I certainly speak from hearsay to all parts of India, except those which I myself have visited.

Do you know the rate of interest generally paid by the ryots, for money borrowed for the purpose of paying their rents in seasons of scarcity, when the produce of their lands does not afford them the means of doing so?—The ryots under the native governments very often paid two and three per cent per month, that was for one or two months; the account is generally settled within two, three, or four months, but even if it is not, he does not continue to pay at that rate for the year. Among the Hindoos themselves, according to the common law of the country, although the debt may be of ever so long standing, the amount of interest is never allowed to exceed the principal; the usual rate of interest among the substantial people themselves is about twelve per cent.

There being no law against usury in India, are you not acquainted with instances of debts, both European and native, amounting sometimes to four or five times the principal?—There is a law against usury in the regulations of the government no doubt, for no debt for interest above twelve per cent can be recovered in a court of law.

Do you allude to the courts of justice established by the British judicature, or to the native courts?—I allude to the courts that now exist in all parts of the Company's government on the Madras establishment and in Bengal.

The British courts, or the courts of adawlut?—There are courts established under the sanction of the Company's government, which extend to all villages, and afford a protection to every ryot in India.

Have not you heard of the payment of debts being resisted on the plea of usury, and that plea not being admitted in His Majesty's courts in India?—I have heard of no such suits.

Have not you heard of interest being paid to native shroffs, or money lenders, at the rate of twenty-five, thirty, and forty per cent per annum?—I have heard of money being paid at that rate of interest to many shroffs under all native governments, and even occasionally under the Company's government, but not since the establishment of the courts.

Have not you heard of as high as twelve and eighteen per cent interest being paid to Europeans by natives for loans made to them, particularly in the Tanjore country, and in the Travancore country?—I have a general recollection of Europeans having been concerned with natives in such transactions, but I do not know the particulars; in many cases, I believe, the European lost both principal and interest.

Did he not in many other cases recover both?—I believe that he has in some cases recovered both, but never with the sanction of government, that I know of; all officers found concerned in such transactions have generally been suspended the service.

Do not the usual rates of interest vary throughout India, from six to twelve per cent?—I do not recollect ever having observed them among the natives lower than eight per cent, from eight to twelve.

Do not you know that the interest allowed by the native shroffs, particularly on the western side of India, is only six per cent?—I do not know the rate of interest allowed by the native shroffs on the western side of India; the rate of interest in different

ferent districts, I believe, depends upon the security of the country, and its being liable to invasion or otherwise. *Colonel Munro.*

Is not one of the evils that you apprehend, from the admission of Europeans into India not in the Company's service, that of usurious transactions with the natives?—That is one of the evils I apprehend.

Is not it more likely that the European trader will have occasion to borrow than to lend money to the natives?—If the European trader is in that predicament, I apprend his trade will not be of much use to the country.

The question is founded on the probability that the import trade from India to Great Britain will for a length of time greatly exceed the exports from this country, thereby increasing the demand for money in India for the purchase of returning cargoes, and consequently that it is not very probable the European merchants will have the means of making loans to the natives at an usurious interest; you are therefore requested to give a direct answer to the question?—Under such circumstances, it is very likely that the European trader will be the borrower.

Upon what security will the European be able to borrow?—I apprehend he would have no other security than his cargo and character, and that of the house of agency with which he might be concerned.

Will not the rate of interest depend upon the security?—The rate of interest will depend on the security.

Might not an European trader, not in the Company's service, be tempted to convey capital to India for the purpose of carrying on a speculation in usurious contracts or loans?—I think there is no doubt that the European trader in such cases might be tempted, but the risk would be great; he could not recover in any court of law. . . . . I am afraid I have not been able to give full answers to the questions put to me on such a variety of subjects; I have felt myself incompetent to give the answers I would wish to have done to all kind of points, embracing the quiet habits of the European traders in India, the civil wars of the Bengal indigo planters, the oppressions of the East India Company, and, in short, to questions comprehending almost every subject, from the coarse blanket of the Hindoo, to the feudal system: I have to thank the Committee for their indulgence, and to beg pardon for any omissions.

[The Witness withdrew.

GLOCESTER WILSON, Esq.

Was called in, and Examined as follows:

Mr. Jackson.] YOU are one of the Commissioners of Customs?—I am. *Glocester Wilson, Esq.*

You were one of those commissioners who signed two reports to the Lords of the Treasury?—I signed one of those reports, dated on the 26th of December 1812.

Considering the great extent of the trade and the rate of the duties, has the smuggling of teas, or of East India goods, upon the whole, taken place to any considerable extent within the last five years, under the present system of conducting the East India and China trade, looking to the great increase in the proportion of trade?—I do not know whether, looking to the increase, there has been a proportional increase of smuggling; we do not know of smuggling, except by the seizures we have made; there have been seizures, of which we have made a return.

Is the proportion regarded by the commissioners as great in proportion to the quantities brought into legal consumption?—I do not know that I am competent to say, not having considered it in that view of the subject; I believe the value of the articles seized in the port of London has been about 10,000 *l.* a year, as far as I recollect; these are questions to which we could return an accurate report, and to which I should be sorry to be considered as speaking positively, without examination.

In the event of the import trade from India and the China seas being opened to the out ports, would the dangers of smuggling be in your opinion increased, and in what degree?—Certainly it is the opinion of the Board, and the practical officers we consulted, that it would be increased.

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Is it not the opinion of the practical officers that it would be increased in a great and serious degree?—That certainly would depend in a considerable degree upon the regulations that were made to counteract it; the apprehension certainly is that it would be increased, and considerably increased.

Would not such danger be considerably greater still in times of peace?—We certainly think so.

Have the goodness to state to the Committee your reasons for thinking that the danger would be still greater in times of peace?—Because of the ships coming single, and not coming in convoys; because of there being fewer of the King's cruisers, who would be likely to examine them; and likewise, because they might loiter more in their way: there would not be the same necessity of their coming with convoys for the sake of their being guarded.

Are not the commissioners already in the habit of enforcing every regulation which their judgment can devise for the security of the revenue?—Of course it is our duty to do so; every thing that suggests itself we submit to the higher powers, and we should continue to add to those regulations as far as any thing suggested itself to us.

Can you name any port which would be equally safe for the revenue with that of London, for the importation of East India and Chinese commodities?—I am not personally acquainted with many of the ports; certainly the general opinion of the Board is, that there is no port perfectly with the same security as there is in the port of London.

Is it not the opinion of the practical officers and commissioners, that there is no port which is not comparatively very insecure, compared with that of London?—I am not competent to say how far it is the opinion of the commissioners in general, and I am not myself personally acquainted with many of the ports; there are many ports constructing docks, which are in an infant state at present, and we do not know to what extent they may be carried; it is a question to which I am not, from my knowledge of the ports, competent to speak.

Can you state whether, according to the opinion of the commissioners or their practical officers, there is any port which at present is not very insecure, compared with that of London?—I certainly am not prepared to state any port we look upon as so secure.

If such import trade be permitted to any of the out ports, meaning the import of Indian and Chinese articles, would the security of the revenue require that such ports should be limited, and in that case, which ports would you recommend such import trade to be limited?—The Board have reported, recommending a limitation certainly, and the limitation I think is to Liverpool, Bristol, and Hull.

Have the goodness to state the grounds upon which those ports have been recommended in preference?—I certainly do not feel myself competent to do that, because that may be recommended by each upon very different grounds; the ground of my own opinion would be, their being ports of very large export and import, and therefore having a large establishment of officers, and also their having docks; but I am not competent to state what circumstances decided each member of the Board.

In the opinion of the commissioners, each of those ports have notwithstanding been declared to be dangerous to the revenue, from their open and exposed situation?—I do not think they have in the report, and I do not know to what else I am to speak.

Be pleased to state your own opinion as to the safety of those three ports, or the opinion of the commissioners, if you are enabled to state it?—I am not personally conversant with either of them; I have been at Liverpool, but very long since; I have been at Bristol, but before the docks were constructed.

Do you know what the opinion of the commissioners is as to those three ports, whether they do or do not regard them, from their exposed situation, as dangerous to the revenue?—I do not feel I can know the opinion of the commissioners so far that I could be entitled to say here that I know it; I do not know that it has been the subject of particular conversation, nor do I know to what extent the

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question goes; I recollect with respect to Liverpool, that it has been said there would be opportunities perhaps for the relanding of goods, from the vessels being wind-locked; I could only answer to things I may have heard in conversation; but I am not entitled to speak the opinion of the Board, as having heard them say that either of those ports are particularly unsafe; I do not suppose they are thought fit without perhaps some fresh buildings or improvements; the docks would require some completion before we should consider them equally secure to the port of London.

Are not ports having wet docks, but without such docks being surrounded with high walls, in the opinion of the commissioners and their practical officers, considered more dangerous to the revenue, than ports without wet docks?—Referring to the opinions of the practical officers, upon which the report was founded, I certainly think a considerable majority of those practical officers hold them more dangerous.

The wet docks in the port of London are surrounded by high walls?—They are.

Can you name any other port, in which there are wet docks surrounded by high walls?—I am not sure; I think I have heard there was a wall completing to one of the docks at Liverpool, but I am not competent to speak to that.

Are not the wet docks at Bristol, in the heart of the city?—I understand so.

And incapable of being surrounded by high walls?—I certainly cannot speak to that of my own knowledge at all; I believe that they are unwalled.

Are not the docks of Hull likewise in the heart of the town, or within it?—I cannot speak of my own knowledge to that.

Are not the docks of Liverpool, within that town?—I certainly should speak without knowledge, of the particular situation of those docks, not being at all acquainted with them personally.

In the opinion of the commissioners and their practical officers, are not the docks in the port of Liverpool, being open on all sides, and surrounded by shops, warehouses, public houses and other buildings, greatly exposed to, and almost calculated for smuggling, notwithstanding the care of tidesmen and the vigilance of the watch?—I have already said, the opinion of the practical officers in general was, that they were more exposed to smuggling, from not being walled, than if there were not wet-docks: I do not know that that particularly applies to Liverpool; but that opinion is not uniform among our officers, though I consider it that of the majority.

Is not the greater part of the duty payable upon East India goods and Chinese articles an ad valorem duty?—I think it is; but I am not competent to say whether it is the greater part; there is a very considerable part of the duty which is an ad valorem duty, I think it is very considerably the most; but I should wish not to speak without actual reference to the amount.

How is such ad valorem duty at present ascertained?—By the sale price at the Company's sales.

Have the goodness to describe in what manner it is so ascertained by the Company's sales?—I hardly know in what manner to answer that question.

Is not the open and exposed mode of sale by the East India Company regarded as producing the bona fide price, by preventing combination amongst the buyers, and from the quantity and value of the goods so offered, encouraging purchasers from the Continent; and do not the officers of the customs, as well as those of the excise, take an account of the real price which each lot fetches?—Yes, certainly we look upon it as a very great security at present for estimating the full price and value of the article.

Have not these circumstances been considered hitherto as accurate and effectual in ascertaining the bona fide amount of such sales?—Certainly.

Do you therefore impute this security of the revenue to the open and public mode of sale practised by the East India Company in Leadenhall-street?—We certainly do; we think that the revenue is in every respect extremely conveniently collected by means of the Company; that we have less difficulty in proportion than in the collection of other duties; we think it a very secure mode of the collection of the duties.

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Do you think that thereby the revenue is safely, as well as conveniently collected?—Certainly the revenue upon what comes to the warehouses of the Company.

At present does not the whole of the imports from the East Indies, and from China, in your opinion, come to the Company's warehouses?—The whole, with the exception of what may be landed in the Channel illicitly.

Can such ad valorem duty be collected at the out ports, without incurring the risk of a great defalcation of the revenue?—In the opinion of the Board, it certainly, I believe, could not; at least without very considerable regulations; there would be very great difficulty in it, in the first instance.

Has not that difficulty hitherto appeared to them, as far as they have considered it, almost to amount to impracticability?—We have reported, I think, that we know of no present means in which it could be so effectually collected.

Do you think it easily practicable, if possible, to commute such ad valorem duties for rative duties on East India and Chinese articles?—Not without entirely perhaps altering the nature of the trade, because it probably would throw all the smaller priced articles out of being imported, if they were to pay the same duty.

If it were practicable to commute the ad valorem for rative duties, would not such an alteration, in the opinion of the commissioners, be highly dangerous to the revenue?—We have reported, I think, that it would endanger a defalcation of the revenue.

Supposing a free trade to all His Majesty's subjects, from every port in the United Kingdom to every port within the limits of the Company's charter, Canton excepted, what additional establishment would be necessary to guard the revenue; can you state the nature of such establishments, and where they should be fixed?—It certainly would not be in my power to state here what kind of arrangement it would be necessary to make in that case; it would be our duty to consider maturely what arrangements should take place when the thing might be decided upon. It is wholly out of my power to say now where I should propose to place the additional guard, or what additional guard it would be necessary to place: it would depend entirely upon what the nature of the alterations were.

Supposing the trade to be opened to His Majesty's subjects, with a right to export from every port in the United Kingdom to every port within the limits of the Company's charter, and to import into all such out ports as may make themselves sufficiently secure, would not, in the nature of things, that require numerous additional establishments, and must not they be of a very expensive nature?—Any answer I could give, must be considerably conjectural on my part: I should think it might lead to expensive establishments; but, unless one were entering upon the thing, knowing it were to take place, and to what extent it were likely to go, one can form no accurate idea. If it were to take place, we should consider what guard it might be necessary to add, in consequence: we have a guard round the coast, which would not be adequate, I conceive; but it would then be a material question to know what addition it would be worth while to make; and I cannot say offhand from myself, whether an immense extension of that establishment would be necessary; I suppose some would be necessary, indisputably.

Is not the amount of customs payable on East India and Chinese articles, paid to the public by the East India Company, according to the present system, with comparatively small expense, trouble or risk in the collection?—I certainly think it is.

Can you say about the annual amount of customs paid by the East India Company in the manner described?—I should like upon all these subjects to be allowed to refer to returns we can make more accurately. My idea is, that the custom duties alone are about six hundred thousand pounds; they amount together to between three and four millions, but the principal are excise duties. I think our receipt from the East India Company, is hardly above seven hundred thousand pounds a year.

Supposing such to be their extent, are they upon the whole collected with that facility which you have described?—I think they are.

Supposing the trade from India to be opened in the manner described, with the right of importing into the out ports all East India and all Chinese articles with the exception of tea, do you think that the danger to the revenue would still be great and material,

material, notwithstanding such exception?—I think it would; that the danger would be great. *Glocester Wilson, Esq*

Would the exception of the article of tea, make any material difference as to the great difficulty or degree of impracticability which you have described, of substituting rative for ad valorem duties?—It certainly would make no great difference; it would make a difference of the duties on tea, but I think the duties on tea would be less concerned than the duties on other articles, because I should think tea would be more likely to find its true value in every part of the country, than other articles of East India produce.

If an attempt were to be made to effect such substitution of rative for ad valorem duties, in what manner would you proceed with respect to the rating of articles now paying their duty ad valorem?—It was suggested by the Board, that the only way would be to average the sale prices, but that is a question which would be much better decided by the practical officers.

If such substitution were attempted by way of average, according to the sale prices at different periods, would not articles of the higher qualities and prices be admitted by such operation at duties very inferior to those at present raised upon them, and would not the inferior articles of the same sort be loaded with a duty which they could not sustain?—That must entirely depend upon the rate, because, of course, if the rate of the highest was taken, though that might be absurd, it would secure the revenue, but if an average of the present prices was taken, it would be attended with the effect the question supposes.

Have not the commissioners expressed their apprehension that such inconvenience and such inequality would be the consequence of such an attempt?—Certainly they have.

Would such circumstance be likely greatly to reduce the importation of such inferior articles, and in some instances, almost to check it entirely, in your opinion?—I should think, certainly it would.

Supposing the amount of trade and the number of ships from the East Indies to be the same as at present, would there be more or less danger of smuggling, if the trade was confined to the port of London, or if it were distributed between the port of London and the out ports?—We have reported that we think there would be more danger.

Supposing the amount of trade and ships to remain stationary?—Yes.

Supposing that in consequence of a free trade such amount and such number of ships were to be increased, is it your opinion that smuggling would be increased only in the same or in a greater proportion to such increase?—Having said to the last question that I thought it would be increased without an increase of the trade, I apprehend that this question is answered, at the same time, that it would be increased more than in the same proportion; that there would be an increased proportion of general danger of smuggling.

Do you mean that the increased smuggling would only be in proportion to the increased trade; or if the trade should be increased under the circumstances of a free trade, neither limiting the character of the adventurers, or the character of their ships as to burthen, except that they should be as much as 350 tons, do you then think that the increased proportion of smuggling would be the same, or greater?—If we suppose that with the same quantity of shipping, opening the trade would give facilities to smuggling, of course that facility would be extended to the increased proportion of trade as well as to the original quantity of trade.

Supposing an increase of smuggling to take place, might not such increase, or the greater part of it probably, consist of such articles as are now prohibited by law, in order to protect the British manufacturer?—It might; but I am not competent to say, whether it would to any degree; prohibited articles are extremely numerous, and it would apply to some more than others; it would apply to all articles that are objects of high request. It is impossible to speak generally, the prohibited articles are so very various, and some of them great objects to bring into this country, and some probably not much so.

Can you say whether it is the opinion of the commissioners, and whether they have not expressed such an apprehension, that a greater part of the increased

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smuggling would consist of articles at present prohibited by law for the protection of the British manufacturer?—I think that applies rather to allowing the export than to allowing the import trade to be opened: the Board have expressed some opinion upon that subject.

Supposing the same amount of East India and Chinese articles as is now imported by the East India Company in large ships, to be imported by a great number of adventurers in ships as small as 350 tons burthen, would that make any material difference as to the safety of the revenue?—In our opinion it would. The opinion of the practical officers I think was, that out of port it was of the highest importance that the ships should be of considerable tonnage; but there are officers who say, that when they are once in port, smaller ships are easier guarded than the large ones. When at sea, it is of importance that the ships should be of large tonnage and great draught of water, so as not to hover near the coast.

Assuming the following passage to form a part of the Commissioners Report, namely, "Hitherto under the matters referred, our attention has been principally directed to the danger to the revenue, touching the East India trade, which would arise from illicit proceeding in the course of importation; another, an important view, in which we think it behoves us to regard the subject as connected with a different but material species of risk to the revenue, presents itself; we allude to the fraudulent relanding and introduction into the kingdom of East India articles entered and shipped for exportation;" do you think the danger alluded to in that passage would be greatly increased, by allowing such exports from the out ports and such import to them as has been stated?—Certainly the Board is of that opinion.

Is the Committee to understand it to be an opinion in which you concur?—It is.

Do you think that such free trade as there described, might lead to any material frauds with respect to drawbacks?—In the same way that it may to the relanding of prohibited goods.

In your opinion, would the danger of the one be as considerable as you apprehend it to be with respect to the other?—They are extremely alike in their nature; there may be more difficulty, I should think, in recovering the drawback fraudulently than in relanding the article; but the danger would be on the same principle; the one would have to reland the article, the other would have to impose upon the officers.

Do you apprehend that the danger to the revenue would be more or less, according to the number of ports that should be allowed this licence of exporting and importing to and from the East Indies and the Chinese Seas?—No doubt, in proportion to the number, and in proportion to the nature of the port.

Can you state, whether any such regulations have yet been devised or suggested, as, in your opinion or the opinion of the commissioners, would effectually guard against such dangers as you have described throughout your evidence?—I certainly feel myself incompetent at once to answer that question: If the question goes to this extent, whether we could undertake to prevent smuggling altogether, to adopt any measures so as entirely to prevent smuggling, we cannot in the present situation of the trade undertake wholly to prevent those consequences: supposing there was an extension, we have said it would be attended with as great difficulty to do this then, to collect the revenue as accurately as we do now; no doubt it would be attended with considerable difficulty.

Have any such regulations yet been devised or suggested, as to amount to efficiency in the minds of the commissioners?—We think not; we have said it would be attended, as we think, with risk to the revenue.

(Examined by the Committee.)

Do you not think that the duties on the import into the ports of Liverpool, Bristol, and Hull, are as correctly collected as they are in the port of London?—I certainly am not competent to speak to that; my own opinion would be perhaps to the full extent; but it is a question upon which I cannot speak with any decision. At different times we find the collection less accurate than we had supposed it to be. The ports are varying in that respect very much; at one time we may think the collection

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very accurately carried on in a port; at other times we may have reason to doubt it: If we were aware of any port in which we thought they were inaccurately collected, we should have an investigation of the officers, but we must suppose the duties are accurately collected at a port, if the officers are not under charge.

Were not the merchants of Bristol and Liverpool very much and most principally employed in the West India and North American trade, when that trade was open?—Yes.

In point of size, weight and value of the articles generally imported in those trades, into those ports, is the facility and temptation to smuggling those articles equal to that of smuggling from ships importing into those ports from the East Indies prohibited articles, or articles enterable on high duties only?—I certainly do not feel myself fully competent to answer these questions, not at all immediately coming before us; I should think they are not; but I am not sufficiently a practical officer to speak practically to it. I should think the West India articles in general are articles of more difficult smuggling than the East India articles; but the variety is so great, it is impossible for me to say. In general, the articles of the East India trade are much higher in their duties, and more liable to smuggling.

The articles imported from the West Indies are hogsheads of sugar, rum puncheons, and large packages; would the facility of smuggling them, or the temptation, be at all proportioned to smuggling piece-goods, which can go into a very small compass and are of a very great value, and many of them prohibited?—Decidedly not: I should have no doubt in the first instance in answering as my opinion, that there was not the same danger of smuggling in the trades alluded to, that there would be in the East India trade.

It follows in your opinion, that although the duties payable on those trades that are principally carried on at Bristol and Liverpool, may be very regularly and correctly paid, yet that if East India articles of great value, and going into a small compass, might be imported there, it does not follow that the duties would be so correctly collected as they are now, where only articles of large size and much inferior value are imported?—With respect to the collection of the duty, we should make some difference between that and the charge of smuggling; the collection of the duty we consider as depending very much upon the principal officers, the charge of duty we hope would be equally well conducted by the officers; but we think the risk of smuggling would be considerably increased, and upon those grounds I have stated.

May there not be a greater risk of smuggling in those articles if imported into those ports, although the duties are regularly paid upon the larger articles?—We have said that the danger of smuggling would be greatly increased upon those grounds, that these articles give a greater facility for smuggling, and that the risk would be considerably increased.

Would the danger of relanding articles that are wanted only for exportation, be increased by opening the export trade to India, to out ports, from whence the trade is obliged to pass down a great length of river, and a considerable tract of coast?—Certainly: we require certificates of the due exportation of those articles; as far as those certificates could be enforced and could be of avail, it would be a security in any case; but it would be impossible for us to say that we consider that an absolute security; we know it is not, and that the danger must be increased from any length of river, and still more, if it was likely the vessels might be detained by wind or tide in that river.

Can you form an opinion whether small ships of 350 or 400 tons, exporting from the out ports, under the circumstances stated, would not be more exposed to relanding either prohibited goods, or goods upon which a drawback had been claimed, than the Company's ships now carrying on the trade by the river Thames?—That is a question upon which the practical officers could give a more decided opinion; as far as the small vessels could come near the shore and be run ashore, they would have facilities; but there are perhaps circumstances which would increase the facility of smuggling from the larger vessels, or which might make the facilities greater in the larger vessels; generally speaking, however, I think that the danger would be much greater from the smaller vessels.

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Is it not the practice of the superior officer in every out port, as well as in London, to take bonds, under considerable penalties, from the merchants who export goods from England, on which a drawback is received that those goods shall be actually carried to the place of their destination?—Indisputably it is; at the same time we cannot be otherwise than aware, that in spite of those restrictions and regulations, there is considerable smuggling and relanding upon the drawbacks: One great improvement of the warehousing system is, that it has altered the system of drawbacks, which we had found from time to time to be a source of very great fraud upon the revenue, in spite of any precaution we could take to the contrary: Still we do take bonds on all occasions, and if they could be effectually put in force, all danger would be obviated.

Are not two sureties required, in addition to the exporting merchant, for the performance of the condition?—Certainly: the danger, I apprehend, does not arise from the failure of the sureties or the principal, but from false documents being produced, and the goods being relanded without our being aware of it.

Do not the officers of the customs remain on board those vessels, and watch them to certain points, when they are about to sail from the ports in which they are?—They do.

Is it not a practice of the officers of the customs to require, in addition to the security mentioned, certificates from persons in public situations abroad, at the ports to which those goods are carried, that those goods have been landed there?—Certainly, where there are such officers, and that is supplied, if there are not consuls or custom-house officers, in different ways: there should be certificates, and certificates are produced; we sometimes take a reason why they cannot bring a certificate.

Did not the commissioners of the customs send down certain queries to the principal officers of all the out ports, relative to the opening of the trade to India, and require answers from those officers?—They did.

Do you recollect the answer which was received from the principal officer in the port of Hull, upon that subject?—I have read the answers of all the officers, but I can hardly say at once that I personally recollect the answer of every particular officer.

Do you recollect what was said in the answer from the collector or comptroller in the port of Hull, upon the subject of the danger of smuggling, in case Hull should be allowed to participate in the East India trade?—I do not; I could not state it at once; if I had been at all aware, I would have had the answer here.

Do you recollect that there is any thing in that answer relative to the situation of the docks and warehouses at Hull?—I do not recollect any thing on the subject.

Do you happen to know that the docks at Hull are made in the ancient town ditches, without the walls, and without the ancient fortifications of the town, and not in the interior of the town?—I am not personally acquainted with Hull.

Do you recollect that any assurance has been given by the dock company at Hull, to the commissioners of the customs, or to the Lords of the Treasury, that a dock at Hull should be walled round, that warehouses should be built adjoining to the dock, and that every other convenience for carrying on the trade to the East Indies should be made in the port of Hull, which the commissioners or the Lords of the Treasury might require?—I know that that has been offered in more places than Hull.

Is it not your opinion, as a commissioner of the customs, that the collectors and superior officers at the out ports, and particularly at Liverpool and Bristol and Hull, are better able to give an opinion with regard to the danger of smuggling in those ports, than any other officers in London, or elsewhere, in His Majesty's service?—Certainly, with respect to the danger of smuggling within the port itself, not at all with respect to the general effect of bringing the trade round the coast.

Did not a commissioner, in the course of the last year, visit several of the out ports with a view to give an opinion how far accommodations might be made for extending the trade of India to the out ports?—Mr. Prewin went on a special

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embassy, but I am not acquainted with what his instructions were; I was not aware that that was the object of his journey. *Glocester Wilson, Esq.*

You have spoken of the risk of relanding goods in passing down the rivers from the out ports; do you not think there is at least equal danger of such fraudulent transactions taking place in the passage down the Thames, as in the Mersey, the Severn, or the Humber?—I should think, at present we have rather a superior guard in the Thames.

Are not you of opinion that there are more men in the habits of smuggling in the river Thames than there are in those other rivers, so as at least to countervail the superiority of the guard you have mentioned?—I certainly think that at present that is very considerably owing to the greater quantity of articles liable to smuggling which come up the Thames: While the whole of the East India trade comes up the Thames, the smuggling of East India articles will be confined to the Thames; but if at times, in the Bristol Channel, there has been less smuggling, that has perhaps been because there were no considerable articles brought up that channel liable to smuggling; when smuggling was chiefly confined to French articles, it was of course upon the southern coast principally.

Do not you know that vessels sailing from some of the out ports proceed more commonly to sea without stopping at out ports, than those vessels sailing from London?—I should think the India ships now lie in the Downs sometimes, otherwise that they pass on from the port of London as rapidly; I do not know where vessels should loiter very much in their passage from the river.

Do not you know that vessels are discharged with much greater rapidity at the out ports than in the docks in London?—I do not mean to doubt the fact, but I do not know sufficiently of my own personal knowledge to speak to it.

Are not you of opinion that the various ports and places in the English Channel, from the Land's End to the port of London, afford much greater facility for smuggling to vessels passing up that Channel from India, than the navigation of Saint George's Channel to Liverpool and Glasgow, or Saint George's and the Bristol Channel to the port of Bristol?—I certainly am not very competent to give an opinion upon that subject; there may be more facility of smuggling; if we had had an opportunity of trying the experiment, we should have been prepared more fully to speak to it, but I am not prepared at present to say that there is much more facility.

Do not the particular means and arrangements adopted for smuggling in the river Thames, and for concealment after the goods have left the vessel, afford facilities for smuggling in the river Thames, which are not possessed in the other ports that have been mentioned, Bristol, Hull, and Liverpool?—Those are conveniencies not communicated to me, even in this port; but I should certainly conceive the same ingenuity would equally suggest them in any other place; at present, I have no doubt that there is more ingenuity where there is a greater field for smuggling; but supposing the trade transferred equally to the other ports, the same ingenuity would be applied.

Does not the ease and readiness with which those goods are disposed of in London, afford a considerable inducement to smugglers that could not exist in less wealthy and populous districts?—I should certainly think so; but whenever a district should become very commercial, there would be a proportionable facility of getting rid of the articles; most however in the principal towns.

Is not a ship and cargo liable to confiscation in consequence of having on board any goods in addition to what are contained in the manifest?—I am not perfectly able to speak to that; I think, certainly not; but one thing we have proposed is, enforcing the Manifest Act with more rigour: I am not perfectly aware to what extent we have proposed making the vessels subject to confiscation, provided articles were found manifested even before the report; I believe that the penalties attach rather upon the reporting than upon a deficiency or an error in the manifest before the report: It is wished by the Board, I believe, to extend that so, that if, prior to the report, the ship is found with articles that are not manifested, they should be liable to seizure, and the same penalties attach: there is no forfeiture of the vessel for goods not manifested before the report, and there would be a question arise as to East India vessels, respecting passengers baggage and presents; I believe there is a

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laxness at present as to these, and it is wished that the manifest could be much more rigidly enforced than it is with respect to them; but that might be attended with some difficulties, and be supposed vexatious to passengers.

Has it appeared to come within your knowledge that there has been an action at law in the Court of Exchequer in Scotland, in consequence of a vessel arriving at Greenock with ten hogsheads of sugar, taken in at Saint Kitts during the illness of the captain, not mentioned in the manifest reported instantly by his owner previous to the arrival of the ship, and every necessary means taken to acquaint the officers of customs with the accidental shipment of those ten hogsheads of sugar; and are you aware that in that trial it was shewn that a vessel was put under seizure for having picked up a log of mahogany at sea, and which therefore could not be mentioned in her manifest?—The whole of the circumstance is not perfectly new to me, but I cannot speak to the particulars of the case; I have heard a part of the matter before, but it does not come within our province.

Do you think that the smuggling of rum from West India vessels in the out ports is at all considerable?—I cannot tell the extent; I should perhaps be in some degree inaccurate in stating the extent, I have no doubt it exists.

Your means of knowledge of the extent of smuggling, will probably depend upon the amount of seizures made at the different ports?—Yes, it would entirely.

Are you aware of any considerable seizures of rum from West India vessels, taking rum as an article easily disposed of, and paying very considerable duty?—We have flattered ourselves that there has been less smuggling and less seizures of spirits lately. Among the spirits, rum is always one of the articles seized, and that rum comes from West India ships; but I do not know at all the immediate extent of the rum seized in the out ports, compared to the other quantities of spirits seized; there has been considerably less seizures of spirits, and we flatter ourselves there has been much less smuggling of them lately than in former years.

From the amount of seizures, and other means of information which you possess, do you think that the smuggling of West India and other articles, in the out ports, is more considerable in proportion to the commerce carried on, than in the port of London, or as much?—I should say (speaking here certainly without full information) that before the establishment of the West India docks, some of the out ports had very much a preference; the merchants preferred importing to the out ports, to importing West India produce to London: I should suppose since the West India docks, London may stand as high as the out ports, but I cannot say as I ought to do upon sufficient information, which is the safest: at the present moment, there is a vast difference between different out ports.

In the event of the trade being opened to the East Indies and to China, and carried on in ships of 350 tons, and under regulations such as are contemplated in the report of the commissioners of the customs, as additional to the present Manifest Act, do you conceive that any owner of a ship of that burthen and value would, with a view to his own interest only, carry on any smuggling trade or suffer any smuggling trade to be carried on with his knowledge, on board such ship?—I should suppose not, but I cannot undertake to say that that would never be done; we know that risk is run; there are a variety of risks run that nobody would calculate upon beforehand, but they are run; we know that there is smuggling, and should expect that there would be smuggling in those vessels.

If that ship and cargo were, by the provisions and regulations contemplated, made liable to seizure and confiscation, do not you think it would be an effectual prevention to that smuggling?—In my opinion, certainly not; there is always this difficulty, if the penalty is extremely severe, that leads to a relaxation of its enforcement; if the penalty is not extremely severe, it has no effect: With respect to the penalties upon the Manifest Act, that would apply, if they were increased, to any extent; a case made out would lead to its being constantly relaxed either by us or the higher powers. There is a limit to what you can effect by penalty, because of its leading to relaxation.

With a view to advantages and profitable smuggling, would not a person disposed to carry on that operation prefer to employ a neutral ship, which is not liable to the regulations of this country till within a certain distance from the shore, is of less

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value, and may, without an alteration of the present law with respect to commerce with India and China, visit those countries, particularly the former, without any controul from this country, rather than employ a British vessel of great value, liable to all the provisions of the Manifest Act, and to such additional regulations as may be adopted in this country as well as in the East?—That is a question to which I cannot answer; it would be a matter of speculation for each individual, and would depend upon this question, If he was to freight a vessel entirely for smuggling, he might prefer that mode, though he would be aware perhaps that the foreign ships would pass through a stricter examination here, and therefore be less capable of evading the duties; but if he is shipping another cargo, and it is not entirely a smuggling voyage, the convenience of having his vessel on the spot would induce him to put some illicit articles on board, rather than freight another vessel with such articles.

You have said, that some danger might arise from the relanding of prohibited goods, and goods upon which a considerable drawback is allowed at the out ports; may not East India goods be transported by bond from London to the out ports?—I believe none by coasting voyage; but upon all these questions, if they are of importance, I should wish there should be an accurate report made: Formerly the articles for export to the coast of Africa could be conveyed by inland carriage, and there were some kinds of piece-goods that were not prohibited, but certainly none, but those for exportation to the coast of Africa, and those under particular circumstances, by land carriage, under seals of office and particular restrictions.

Are you aware that many goods paying a very heavy duty may be transported from one bonded port in the kingdom to another bonded port, for the purpose of exportation; and that in point of fact large quantities of German linens and other goods, upon which there is a prohibitory duty, may be transported from the port of London to the port of Liverpool, for exportation?—Yes.

Then the danger which you suppose possible to arise from relanding goods liable to a very large duty, on admission to the consumption of this country, does in point of fact at present exist without any material loss or inconvenience arising to the public revenue?—I am not at all competent to say to what extent it exists in the way alluded to; I know we do suffer removals under very particular circumstances, but I am not at all aware to what extent, and perhaps upon the mention of any particular article we should know that it was not attended with the same danger as in those small articles.

Are not German linens liable to a very heavy duty, and also allowed to be transported?—I think so.

Are you aware of any considerable seizures of German linens, or goods upon which a drawback has been allowed, having been made in the out ports, in consequence of relanding?—I think there are always seizures at the out ports of relanded articles; I am not at all aware of the extent of any particular seizures.

When you say that the danger of smuggling would be greater, if the trade were distributed between London and the out ports than if it continued to be confined to the port of London, is it upon the supposition that the out ports may be more fitted for the trade than they are at present?—Our first idea, that the danger would be increased, is certainly independent of any idea how far they might be made competent; for it is owing to the much greater extent of coast that we should be obliged to guard with the same vigilance: if the trade might go all round the country there would be a guard necessary upon every part of the coast, as that would give opportunities of choice to the smuggler what point he should select; our first general idea is, that we should have a much larger extent of coast to guard; and referring to our present regulations of meeting Indiamen, we should have no particular spot to meet them at: if the whole trade was expected to come up the Channel, so that we could easily meet them, that would remove so far some of our difficulty, we could meet the fleets while they came in fleets, at least.

You have said, that you consider London as the fittest port for the collection of the revenue?—Yes.

Do not you believe that regulations might be devised, which would materially improve, with reference to the India and China trade, the three ports which have

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been named in the report of the Board?—I certainly think that walled docks would in our opinion so far diminish part of the difficulty; it would not meet the whole of our objection, it would meet one considerable part of it.

Have the seizures which have been made of East India and Chinese commodities, in the port of London, been generally from the Company's ships, or private ships?—In the returns we have made of seizures, we have stated the ship from which each seizure has been made; I have not abstracted whether the principal part are from Company's or private ships.

Are you aware that a very considerable inducement to smuggle tea at present exists, and has long existed, in consequence of the low price of that article in America and other countries from which we are daily receiving vessels?—Upon the Commutation Act there was an amazing reduction of the duty on tea; since that, there has been so great an addition to it, that there must be a great inducement to smuggle tea; but I do not think tea has been lately an article so much smuggled as might be expected, from the amount of the duty.

In point of fact, the smuggling of tea, which may be considered as the easiest article to smuggle, has not been carried on, in your opinion, to any great extent from America and other foreign parts?—I have not accurately compared the quantity of tea which is inserted in the reports; but my impression is, that tea has not been smuggled of late in the proportion which might be expected; from the high duties, I should think tea not the easiest article to smuggle, and that it would not but for the very high rate of duty; but I know it it is considered as an article very liable to smuggling; it is brought in small packages sometimes, but it is not an article that goes in a very small compass for a very large value.

Are you aware of the smuggling of any other East India or Chinese article, to any extent from foreign vessels?—Not in the port of London: I have not accurately compared the articles smuggled; if I was asked to any particular article, I could speak more fully to it: Bandana handkerchiefs, and perhaps silk, and all kinds of presents, are much more in the habit of being smuggled; but as for the comparative quantity of each, I cannot speak to it: Nankin and fans, and pearls, and a vast variety of other articles, I should think much more liable to smuggling.

You have stated some difficulty in regard to the ascertaining the ad valorem duties; taking out tea and piece-goods from the ad valorem duties, are you aware of the amount of those ad valorem duties, and whether, in point of value, it is of any great importance?—I am not at all aware what the value, subtracting those articles, is: tea is a very considerable article, but there is a considerable value of other goods.

Do you suppose that it exceeds fifty or sixty thousand pounds, subtracting those articles?—I should wish, upon subjects of that kind, to refer to accurate reports from the Board.

Ars there any errors in the report of the Commissioners as printed, which you can point out and rectify?—There are one or two in the article of tea; there is a very material one in page 100; the whole article of tea would seem to have produced warehousing duties only, and no home consumption duties; which should all have been home consumption duties, and not under the article of warehousing.

Has any other mode of levying the duties on those articles on which an ad valorem duty is now taken, been submitted to your consideration?—The having a rative duty upon those articles which now pay an ad valorem duty, has been considered by the Board, and it was suggested that the sale prices might be averaged; but it has been observed by the Board, that that would be attended with considerable difficulty; that is all I know as to any difference in the mode of charging.

Are you aware of the alterations, which within these few years have been introduced into some of the out ports, by storehouses for bonding, with the legal wharfs and other means for insuring the due receipt of the revenue?—I am aware that there have been very considerable accommodations made.

Suppose an Indiaman to be coming home and bound to any port to the westward which may be allowed to be a receiving port, would there not be less facility to the smuggler, and of course more protection to the revenue, if the ship bound from the East

East Indies was to come directly into the port of Plymouth and there deliver her cargo, having legal wharfs on which they should be landed, and secure storehouses in which the cargo might be put?—The Board have at times thought that a port at the mouth of the Channel would have some advantages; if the East India Company's emporium had been at the mouth of the Channel, it would have saved us part of the guard of the river, but it would be attended with the inconvenience of being so far from London. *Glocester Wilson, Esq.*

Do you apprehend that much smuggling takes place between the Lizard and the Thames?—Yes, certainly there did formerly, but we apprehend we have obviated part of that, by meeting the East India ships much farther down than we did; we meet them in the Downs, and sometimes as far as Portsmouth.

Do you apprehend that a ship anchoring before she comes to her port of delivery subjects the revenue to great risk?—Certainly; and we forbid ships, unless from necessary accident, putting into Portsmouth; there must be proof of a necessity, or we do not permit it.

Would not that risk be entirely done away if a ship came with convoy direct from the East Indies to the port of Plymouth?—Certainly, I think it would.

Can you say to this Committee, that you think the customs would not be better received by the country, if the ship sailed under convoy from the East Indies direct to Plymouth, having before stated that the ports of Liverpool, Plymouth, and some others, are now in a state to receive goods for bonding?—I do not understand myself to have said that I think those ports in a decidedly fit state; I am not competent to say whether they are or not; but if the whole trade of the East Indies was confined to the port of Plymouth rather than London, there would be a great advantage in the prevention of all smuggling during the passage from the Western Coast to London, but that would be the whole; it would then require regulations in the port of Plymouth.

If the duties upon the whole would be received better if the ships were ordered to Plymouth, does it not follow that a part might be received with equal safety?—It would follow that a part might be received perhaps with equal safety, so far as the advantage I have referred to was gained by its being received there; but it opens two places, and it creates a necessity of guarding both places; it opens the difficulty to us of the trade being carried to two places, instead of being confined to one place which we could watch with more accuracy.

Do you consider with respect to a ship sailing during the war under convoy, and coming direct to the port of Plymouth as a bonding port, there being there legal quays, that there would be any risk, compared to the risk of going up channel, touching at Portsmouth and in the Downs, and at various places where excuses might be made; taking into consideration the number of cutters occasionally employed to board Indiamen, do not you think that a ship coming to the port of Plymouth would secure the revenue better than coming to London?—It would secure a ship going to Plymouth from that part of the danger certainly, but it would be merely from that individual danger.

You have stated, that in your opinion the port of London is more convenient and secure than any of the out ports, for the collection of the revenue; have the goodness to inform the Committee what your reasons are for that opinion, both with reference to the port itself, and the custom-house establishment there?—The only reason that I have given, not expressing a decided opinion, is, that it is more particularly under the supervision of ourselves, and we have the largest establishment of officers there, and that the docks of all species are carried to the highest point of perfection, and that the Channel is particularly guarded with revenue cutters and likewise at present with king's ships; so that though it comes through a considerable line of Channel, there is a considerable guard upon the passage through that Channel.

Supposing the trade to be opened to Liverpool, Bristol, and Hull, what additional guard would be required to put them upon the same footing as the port of London now is, with respect to security?—It would be impossible, for me to answer that at once; it would be a point of very considerable consideration for the Board, as to what guard, and how far we should carry into effect the same regulations; and it would be a question whether we could meet the vessels coming into port, with a variety of other questions that would arise.

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What difference do you think it would make, if, instead of coming in fleets, of the probable arrival of which notice is given at the custom-house, single vessels were in the habit of coming from India, and going to the different out ports, such as Liverpool, Bristol, and Hull?—We think considerable.

Are you prepared to state whether the commissioners of the customs can suggest any regulations, not of the most expensive nature, to counteract the evils which would thence arise?—We are not prepared to state how they could be counteracted effectually, we have stated that we should find difficulties in counteracting them.

The second report is not signed by Mr. Frewin?—It is not.

Had he left the Board previous to the signing of the second report?—No, he had not; he can hardly be said to have left it yet, for his successor has not been appointed.

Was he consulted by those who have signed their names to it?—I hardly know how to answer that question: he was summoned to attend; I have no doubt that it met with his concurrence; but he was not in the habit at that time, being engaged on special duties, of attending the Board. It was only by accident that he was present when the first report was signed; he had been absent on special duty almost the whole time. Our other chairman had desired him to attend two or three weeks in the course of the summer, while he was called away on other duties, and Mr. Frewin was in consequence in attendance upon the first report being signed; he was informed of the second report, and summoned to have attended, if he had chosen to attend; but there being a full Board without him, he did not attend during the second report; I have however no reason to think but that it met his concurrence.

He was not actually consulted upon that second report?—It was referred to the Board of which he was a member, of which he could not be ignorant; he knew of its being made, and he may be said to have been consulted, as we were all consulted: it has happened to myself not to be present at most of the discussions upon this subject; I returned to town at the time when that report was nearly finished, and I signed it; but I was not present at the discussions which took place; I read all the reports of the officers.

Is not this report made in consequence of having taken into consideration various reports from the different officers of the customs at the out ports?—Decidedly so.

Who made the selection of those reports which is the ground of the present report signed the 12th of December?—There was no selection of those reports, all those reports were read to the Board, and the Board in consequence reported upon them; there certainly will be members of the Board who will take a leading part.

The Secretary attended at whatever discussions were carried on at the Board?—I should certainly think so; there are times when the secretary is out of town; I believe that the secretary must have attended, but he is absent sometimes when the western clerk acts for him; I have no doubt that he did attend most of the meetings of the Board, or all the meetings of the Board; but he is not a member of the Board, so as to have an opinion.

With respect to the seizure of Indian goods stated in the report, are you prepared to say whether any proportion of what appear in this report to be seizures, consist, in fact, of goods which are known not to have been attempted to be run for the purposes of sale, but have been the property of persons coming from India, and to have only exceeded the allowance of goods which the customs thought proper for them to import for their own use, or for presents?—If for their own use, I should suppose it applies to wearing apparel; I look upon a vast variety of seizures to be what are represented to us as presents; if we make a seizure which we really believe to have been for commerce, the representation to the Board would be, that it was sent home to a mother or to a sister, certainly nothing would ever be detected that would not be stated to be for a harmless present or for private use.

Is there any means of knowing what proportion of goods so seized have been purchased at the public sales, by the persons of whom they were so seized?—I should think there would be very considerable difficulty; since the person who should wish to purchase any article for himself, would probably employ some agent, and certainly would not be anxious that it should be known he was a candidate for the purchasing his own article, for he would have to purchase at an increased price.

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Are not the articles intended for presents pretty well known at the custom-house?— Yes, they are known at the custom-house; but those intended for presents would do very well for sale, though those really intended for presents frequently become seized; because it is extremely probable, that where a present is sent home from India, the friend entrusted with it, will endeavour to run it; we are perfectly satisfied, in a variety of instances, that the article run has been run without the intention of the parties; but that is often the case, and there would hardly be a present of the kind which would not be attempted to be run, generally speaking. *Glocester Wilson, Esq.*

[The Witness withdrew.

[Adjourned to Thursday next 11 o'clock.

12.

Jovis, 15° die Aprilis, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Colonel *Munro* - - - - - - p. 167.
Glocester Wilson, Esq. - - - p. 175.

(No. 1.)

Of Evidence before Select Committee.

Ordered, by The House of Commons, *to be printed,*
27 *April* 1813.

13.

MINUTES of EVIDENCE

TAKEN BEFORE THE SELECT COMMITTEE,

Appointed for the purpose of taking the Examination of such Witnesses, as shall be ordered by The House to attend the Committee of the Whole House, on the Affairs of The *East India* Company; and to report the Minutes of such Examination, from time to time.

(No. 2.)

Jovis, 22° die Aprilis, 1813.

The Right Hon. JOHN SULLIVAN, in The Chair.

GLOCESTER WILSON, Esquire,

Was again called in, and Examined by the Committee as follows:

Glocester Wilson, Esq.

HAVE you been able to ascertain any errata in the report from the commissioners of the customs?—I have, and I am happy to say that they are hardly to be considered as errors; the first is in the article of tea, in page 100, which is included under the column of warehousing duties, whereas tea pays no warehousing duty whatever, but the warehousing duties are that proportion of the duties which the East India Company pay themselves; and they likewise pay the whole of the duty upon tea, though not a warehousing duty; and therefore it was inserted in that column, as the officer intended it should include the whole of the payments made by the Company themselves.

Are there any considerable errors in figures?—No, not that I am aware of.

Deducting the amount of tea, and of piece-goods, from the unrated articles, what was the total amount of the unrated duties in the year ending the 5th of January 1812?—£. 13,444.

Having informed the Committee that additional security to the revenue has been derived from the revenue cruisers meeting the East India ships in the mouth of the Channel, and putting officers on board those ships, is it the intention of the Board to use the same precautions in time of peace, as far as may be practicable?—I presume so; I am only an individual of the Board, and cannot speak to what is the intention of the Board, but it must occur to every person that the difficulty will perhaps render it almost impracticable.

Will not the same precautions be necessary, as far as may be practicable, to guard the revenue against abuses, when the out ports are opened to the export and import from India and China to Bristol, Liverpool, and Hull?—It is but a late regulation with respect to London; it certainly would be desirable, and would be necessary, as far as it could conveniently be done.

Are you of opinion that the existing establishment of officers and cruisers at those ports where those establishments have been formed, according to the nature of the

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trade hitherto carried on from them, would be sufficient to guard the revenue at those ports, when they shall be opened to the export and import from India and China to any number of vessels of not less than 350 tons, that may choose to embark in that trade?—That is a question to which I am not entirely competent to speak; the ports were selected as those which have the principal establishment of officers; I know there is a difference of opinion among the practical officers consulted, some of whom think a very trifling additional establishment will be necessary, and some a very considerable additional establishment will be necessary; I should rather suppose, with respect to these ports being at present very principal ports, there may be nearly a sufficient establishment of officers there.

Will not more cruisers be necessary, to endeavour to afford as far as practicable the same security that that trade now has, when brought to the port of London?—I should think there may, but I am not competent to speak to that, for it would depend upon whether we should profess to meet the India fleets, and whether they should come in fleets; I am not sufficiently acquainted with the nature of the ports alluded to, to know whether we should attempt to meet India ships in advance from each of them; it would be a question, when the thing was decided, how far we could profess to meet the India fleets coming to those ports, and whether it would be necessary to meet them.

With respect to those ports which have been principally employed hitherto in the import from the West Indies and America of heavy packages; as you informed the Committee you did not apprehend there was more smuggling in those than in the port of London, do you imagine that when, in addition to those bulky articles, the small and valuable articles coming in India ships are brought to those ports, there will be no more danger of smuggling than there is of those bulky articles, and of course that there will not be occasion for a considerable number of additional precautions?—The Board have reported, that there would be a danger of an increase of smuggling from the extension to the out ports, and of course to meet that, if it was to be fully met, there must be an increase of establishment; but whether it would be necessary or not, I cannot say: It would be desirable if there was an increased danger of smuggling, that there should be an increased guard to counteract it, but to what degree that might go I cannot say.

It is not in your power to say what additional number of officers and cruisers would be necessary to give that security to the revenue which the trade has now, when confined to the port of London, and what might be the additional patronage of the crown in consequence?—I am certainly not qualified to give an answer to that, but I believe the general idea of our officers is, that there would be no very considerable increase of establishment necessary for those ports, if any, perhaps.

Will the danger of fraud upon the revenue, either by relanding prohibited articles, or articles on which a drawback has been received, be increased in proportion to the number of out ports which shall be legalized for the export and import from India and China, in ships of not less than 350 tons?—We think so, certainly.

If the trade to India and China shall be opened to the out ports of Great Britain that may be duly prepared for that trade, it appears that the Imperial Parliament cannot refuse to the out ports of our sister Kingdom, such as Dublin, Cork, Limerick, Galway, Waterford, and Belfast, the same licence, whenever they may be equally qualified; will this indulgence materially increase the danger to the revenue?—I think the answer to that is included in the report of the Board, that as far as the trade is opened there will of course be more opportunities for smuggling.

In proportion as more ports become qualified and may be licensed by government to carry on the import and export trade to China, will not the expense to the public for due guard of the revenue, and will not the patronage of the Crown, be increased in that proportion?—I think that is included in what I said before. I have in my pocket abstracts of most of the reports from the out ports: I think the general tenor of those reports goes to no great increase of the establishments. In case of an opening of the trade, supposing that that extension was made by government upon the same principle which I understand to be in contemplation at present, that of taking ports only with large establishments of officers, of course this would not lead to any great extension; if it was a principle hereafter, that no port should be taken till it had a sufficient establishment of officers to guard the revenue, then there would be no extension of establishment in consequence.

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Are there many ports in the kingdom which might be opened, when duly qualified, that have establishments of officers, such as Bristol, Liverpool, and Hull, that would not require an increase of establishment for the purpose of guarding the revenue, n case of the India trade being opened to them?—It would depend entirely upon what establishment of officers was judged necessary in that case. We have certainly at present recommended only three ports, which is supposing there are not any other ports that are sufficiently qualified.

In proportion as they may be deficient in such establishment, as at Bristol, Liverpool, and Hull, would not they require a proportionable increase of establishment?—Certainly; if at the present moment a number of the smaller ports were opened, there would require an additional complement of officers, but they are no candidates for the opening.

What do you mean by being "no candidates for the opening?"—With respect to many of the ports, the returns from our officers in those ports is, that they do not wish for the opening of the trade, and that they would not engage in it; that is the return from many of the ports; that they do not believe that there would be any India trade carried on from the port, if it were opened: Some of them have said, we have no capacities for it, we have no depth of water; and there would be no trade.

Will not the admission of ships so small as 350 tons, considerably increase the capability of ports for admitting the India trade, which, if they were confined to heavy ships, could not engage in it?—Certainly.

May not an estimate be made of the expense attending the collection of the revenue on the India and China trade, in the mode in which that trade is now carried on?—No, I should think not; at least no estimate that the Committee could depend upon; because, supposing an estimate was made, and we found that there was a considerable danger to the revenue, we should feel it our duty to recommend an increase to that establishment, so that any estimate we could form now, must be very general, and would be liable to augmentation or diminution any day.

Is not the expense of collecting the revenue at present made up and returned by the East India Company?—The duties are paid in by the East India Company.

That keeps all the revenue together, and facilitates its collection?—Certainly.

On the whole, do you think that any mode for carrying on the India and China trade can be devised, subject to so little danger of fraud upon the revenue, at so small expense, and so free from the objection of increasing the patronage of the Crown, as bringing the whole of that trade to London, where the superior Board resides, with its officers under its eye, and may immediately counteract any evasions that might be devised; whereas the same evasions at the distant ports, might require some time to counteract them?—I can only say, as I have before said, that we do conceive the East India Company, as far as the articles come to their warehouses, do not smuggle in any respect whatever; and therefore we do collect the whole of the duties, and we collect them very conveniently, and with great security to the revenue, as far as the articles come to their warehouses.

Of course the duties are collected at less expense and with less patronage to the Crown?—As to the patronage of the Crown, I can say nothing: It is reported to us, that there would be little increase of establishment necessary; at present there is perfect security for the payment of the duties; they are extremely well collected, as far as respects the East India Company.

From your general knowledge of trade, is it not the general opinion of underwriters and persons engaged in trade, that the proportion of passage between the Lizard and Gravesend, is that proportion where the greatest risk exists, both from the navigation and the enemy's privateers?—I have no pretensions to general knowledge in trade; I should certainly suppose the principal danger is, when you come near to the port where the principal trade of the kingdom centres; both smugglers and cruisers would attach themselves to the entrance to the Thames, where there is the greatest concourse.

Is not that proportion of the passage contained between the Lizard and Gravesend, considered as more abounding in danger than any other part of the voyage?—I should think the opening of the Thames would be a very dangerous part,

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except that there is a fleet in the Downs, otherwise it is no doubt a very dangerous part of the channel.

Do not you also consider it as relating to the enemy?—Certainly it is a dangerous part in that respect.

Is not that part of the Channel contained within the above limits, the most active for smugglers, in defrauding the revenue?—It is a very considerable part of the Channel for smuggling, but that is owing very much to the smuggling from the French coast; I do not know that it is particularly open to smuggling from East India ships.

From the Soundings to Gravesend, is not the revenue defrauded most, principally from the India ships?—The smuggling from the vessels will be near the shore, and if we were to meet them further, the smugglers would go further, and we should have perhaps to meet the fleet at Scilly; but no doubt, throughout the Channel, from the time they come to Soundings, is the time in which the ships are plundered.

Do not you apprehend that the facilities of the King's cruisers, constantly moving off the port of Plymouth, would tend materially to protect the revenue?—The King's cruisers might be made to do so, but we are not sure how far they always do protect the revenue; that port being a naval port, is felt by us as an objection to the opening of the trade to it.

If secure warehouses were established in the port of Plymouth, or in any port which may be hereafter thought proper, is there any more danger of the goods being smuggled from that warehouse at Plymouth, or Bristol, Liverpool or any where else, than there is of their being smuggled in the Company's warehouses in London?—That is a question I hardly know how to answer; we should not feel the same security. There are a variety of merchants in whom I should have the same confidence as in the Company, but we have a confidence, generally speaking, in the Company, that we might not have in all merchants; we should not feel exactly the same security with respect to individuals, though I am satisfied that many of them would not attempt smuggling.

After the goods are once warehoused in these storehouses, does not it depend upon the custom-house officers, and not upon the Company or the owner of the goods, whether the duties are legally paid, or not?—Certainly; if the warehouse was in every respect approved of, in a port where there was a sufficient establishment of confidential officers, there would be no more danger of articles in a warehouse there than in the Company's warehouse.

What distinction do you make between the Company, as merchants, and any other respectable merchants?—Certainly no distinction, except that the Company are merchants of the very first respectability.

When a vessel arrives, and reports at the custom-house, are not the whole goods bonded for payment of the duties; and do not they remain under the King's lock till they are entered either for home consumption or for exportation, and by that means no credit whatever given to the merchants?—No credit is given to the merchants; if the articles are warehoused, the Crown do not suffer the goods to go till the duties are secured.

As to those goods that are not warehoused, must not the duties be paid before the goods go into consumption?—The duties must be paid, or the officer must become responsible for them.

Then in all cases the duty is either paid or secured to the government, or bond given, and the goods lodged for payment of the duties?—As far as I fully understand the question, I presume it merely goes to this fact, that certainly unless articles are smuggled in some way or other, the duties are absolutely secured before the articles are parted with; but we know that smuggling does take place.

Are not all the goods, before they enter the bonded warehouse, weighed or gauged, for the payment of the duty; and is not the duty payable upon that weight and upon that gauge, and not upon what the contents or weight of the goods upon coming out of the warehouse may be?—I certainly conceive so.

If a hogshead of rum is entered as 200 gallons, and happens to run out entirely, is that duty lost to the revenue?—No, it is not.

Then any goods after they are placed in the King's warehouses under bond, being smuggled from those warehouses the duties cannot be lost to the revenue?—No, they would not; upon a statement of the circumstances to the Treasury, there might be an application for relief, which might be granted. *Gloucester Wilson, Esq.*

You have stated that the circumstance of tea being prohibited to be brought by the private trader, would not make a material difference in your opinion as to the probability of the increase of smuggling?—I believe, I have said it would not in respect of smuggling other articles than tea, of course it would make the whole difference as to that very material article, but not to the question as it was referred to us with regard to the other articles.

With respect to tea, you do not think there would be any very material increase in the danger of smuggling, the importation of tea remaining upon the system upon which the law now stands?—In respect of tea itself, I should think that tea might be smuggled; more, that it might give an opening to the smuggling of tea.

In what way do you think that smuggling would take place?—I am hardly competent to say that, only from the vessels that come with other Indian goods contriving to secrete tea.

Have you in that answer considered the circumstances of the having tea on board between the East Indies and this country, rendering the ships and cargo liable to confiscation?—Certainly, the extreme penalty that might be made to attach, might be a considerable prevention, and would probably be so, I hardly know to what extent it would depend on the restrictions under which the trade was placed; but I considered the question put to me to be, how far the excluding tea would relieve the opening of the trade from tending to a general increase of smuggling; I think, that it might still afford an opening even to the smuggling of more of the article of tea.

Do you allude to a time of war as well as of peace?—Yes, I think so; we suppose the smuggling in time of peace would be even greater than in time of war; but I speak very uncertainly how far tea might be endangered by merely opening the trade in other articles.

You have stated that the smuggling of tea at present, exists in a much less degree than might be expected from the state of the duties, to what do you attribute that circumstance?—The reports in general run, that there have not been any great quantities of tea smuggled; I do not know to what cause to attribute that, except that there is not the same facility for smuggling tea that there is for smuggling other articles.

How is it that there is not the same facility?—I speak generally from the reports of our officers, that there have not been large quantities of tea smuggled lately, I have not considered the point particularly.

You think that the proposed opening of the trade would overcome the resistance now opposed, from some circumstances, whatever they may be, to the smuggling of tea?—I did not say that; I was asked, whether if the trade was opened with the restriction of not opening the China trade, there would be an increase of smuggling, and I said, I thought there would, with the exception of tea; that I supposed there would be the same increase of smuggling in other articles, except tea; I say also, I think that it would increase the smuggling of tea in the out ports.

Do you mean to give a strong opinion, that the smuggling of tea would be greatly increased by the proposed measure of admitting other articles to the out ports?—Certainly I do not mean to give a strong opinion; but if ships were allowed to come from other parts of India, I should think it might tend to an increased smuggling of tea also; but I have not however formed a strong opinion upon that point.

You have stated, that by the report of the officers very little smuggling has taken place in the article of tea lately; if you were assured that from the price of tea in America a very considerable inducement was held out to the masters and other persons on board the American and other neutral vessels coming to this country, and that even with that inducement no considerable smuggling had taken place, while those vessels were not liable to seizure or confiscation, or to any penalty till their actual arrival in the ports of this country, would you have reason to apprehend that any considerable amount of smuggling is likely to take place in a British vessel coming from India, and liable to penalty and confiscation of ship and cargo?—I think that there would be reason to apprehend smuggling, and the general opinion

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is, that there would be of course; there might be severe penalties imposed, which might tend to prevent it, but we fear they would not be of perfect avail, because penalties are not of perfect avail at present, to prevent smuggling.

Then the Committee is to understand it to be your opinion, that although there was a considerable inducement to smuggle from the price of tea in America, the very great facility for smuggling, the less risk in neutral vessels, and though smuggling has not taken place to any considerable amount, yet you are apprehensive smuggling may take place from India, notwithstanding all the penalties that can possibly be attached to that transaction on board a British ship?—I think so certainly, the object of an American vessel which comes here, is not at present to smuggle tea. Supposing a vessel came from India, and tea was the principal article of smuggling, the vessel might have that as its chief object, and of course then the risk would be greatly increased.

Then the Committee is to understand that you think it likely that a person who is desirous of engaging in smuggling tea would prefer a British vessel, liable to all the penalties that have been stated, and to seizure on every part of her voyage, from India to this country, rather than employ a neutral vessel which is not liable to any one of those penalties till her arrival in this country?—I do not suppose that he would prefer it under the same circumstances; but I think it is extremely likely that an Englishman, having a vessel of his own coming, would not think of freighting an American vessel to bring that tea: He may add articles for the sake of smuggling them, though he would not freight articles on board a foreign ship for a smuggling venture only.

Under what restrictions is a neutral vessel, as the law now stands, as to smuggling?—A vessel would be liable to seizure if she came into port, and to forfeiture; or if she was hovering within the limits stated in the Hovering Act.

What are those limits?—A hundred leagues from the coast for our own vessels; it is different for different vessels.

May not a neutral ship, in time of war, or any foreign ship, in time of peace, sail up the Channel with teas, destined to any port on the continent of Europe?—I think so, certainly.

And approach within a few leagues of our coast?—Yes.

Supposing the temptation to smuggling to be great, would not smuggling from such vessels be much more likely to be carried on than in English vessels, under the circumstances described in former questions?—I should think not altogether more likely; because the person who embarks in this smuggling transaction on board a foreign vessel, knowing that that foreign vessel could not come into any of our ports, would have great difficulty in securing its arrival.

Why should not that foreign vessel come into our ports?—He must have smuggled it first; if he was to come into port with the tea, the danger would be incurred equally with the British vessel.

Would not the British vessel be exposed to every difficulty that the foreign vessel would be exposed to, and to the danger of seizure at sea, in addition to which the foreign vessel would not be liable?—Yes.

Are you acquainted with the nature of the smuggling that took place in tea before the Commutation Act passed?—It was very great.

Do you think that the danger of smuggling by fraudulent re-exports would be increased by the proposed opening of the trade?—We have reported that we think it would.

Do you consider that with respect to that species of smuggling there would be a material difference in the case of admitting articles, except tea, to the out ports, and tea to London only, confining that to the Company?—No, not with respect to the relanding articles; the relanding of course would be from vessels exporting.

Do you think that, admitting other articles than tea, but not tea, to the out ports, would increase the danger of that species of smuggling as applied to tea?—If it is the relanding of tea to which the question goes, I do not see, if tea is not allowed to be carried to the out ports, how it is to increase the danger of relanding tea, because there will not be tea imported to the out ports to be relanded: the danger of re-

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landing must depend upon the quantity that is exported from the different ports; as far as there is an export trade from the out ports there will be an increased opportunity of relanding. *Gloucester Wilson, Esq.*

Is not the article of tobacco subject to peculiarly high penalties in certain cases?—Certainly.

Have you reason to believe that that penalty is very frequently incurred?—It certainly is incurred, with respect to the frequency; that is matter of opinion.

Would not the risk incurred by those ships laden with tea, the having which on board, under any circumstances, would be illegal, and subject to this high penalty, be much greater than it is in any case with respect to tobacco?—I should think the very same.

A ship and cargo is liable to confiscation on account of having tobacco on board only within certain limits of the coast, the ship and cargo being liable to confiscation in consequence of having tea in any part of the voyage, do you not conceive that in that case the risk would be greater?—Under those circumstances, the risk would be certainly greater in having tea than in having tobacco.

Is not the danger to the revenue considered greater in proportion as the port is distant from the seat of the authority of the commissioners?—If we suppose a port has very good officers, we may suppose it equally safe as one under our own view.

Speaking generally, is it considered as equally safe?—I really hardly know how to answer that question: with respect to my own individual opinion, I should be sorry to say, that out of my own sight I thought nothing safe; what is under our own supervision we ought to suppose we take considerable care should be collected accurately; and so far, generally speaking, in proportion to the distance it is removed, the less can we depend upon its being correctly done; but it is not exactly in proportion to the distance from the Board that so far there is danger; there may be places where we have not so good officers.

Do not the Board apprehend more danger to the revenue at distant ports, not under their own inspection, than those under their own inspection?—Certainly we should say of the out ports generally, that they are not so safe as those under our own inspection.

Do you know that the warehousing duty upon muslins and nankins is at present ten per cent. upon the sale value, and that the proposed additional duties of customs will increase the duty to £. 11. 17. 6. per cent.?—I believe so.

Do you think, such being the duty, that it would be important to the safety of the revenue, that the articles of muslins and nankins should be brought to the port of London; whether intended for home consumption or exportation, and sold at the sales of the East India Company?—We have reported, that we do think it of importance to the revenue, that it should be so; we have certainly reported in favour of the present system.

By whom have the returns been made, relative to the port of Bristol, to the commissioners of the customs in London?—They have been made by the collector and comptroller in every port, consulting with the practical officers in the port.

Were the reports made to the commissioners of the customs upon specific questions sent down to the port of Bristol?—They were upon the questions referred by the Treasury to the Board of Customs; there were nine questions originally, and afterwards six questions.

No other questions were proposed by the commissioners of customs than those transmitted by the Treasury?—No additional questions were proposed.

And the same as to Liverpool and Hull?—The same to all the out ports. The questions were sent down: I believe there were no additional questions asked, but it was their duty to report general observations, in addition to their answers to those questions.

No question has been put to any officers at the out ports with respect to the expediency of sending out vessels to meet ships coming from India, supposing them to be destined for those ports, Bristol, Liverpool, and Hull?—No.

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The Board of commissioners are in possession of no information on that subject, as to taking the precautions for those ports which they think it necessary to take as to London?—I should certainly think not; I have read the reports of all the officers; I should hardly think, in the present state of the subject, that it would be a question referred to them, but that that would be a question the Board would decide themselves.

No question has been put as to the extent of smuggling from the Land's End to Liverpool and Bristol?—I do not know that any question has been distinctly put upon that subject; but there has been a statement that it would be exposed to danger in those parts.

Are the returns from the out ports very voluminous?—No they are not.

Would there be any difficulty in returning them to the Committee?—No, I should conceive not. The Committee however should be aware, that the returns are from various officers in the different ports, in some of whom we should not place considerable reliance, owing to the port being small, and the officers not having had considerable practical knowledge.

No officer has been sent down from London to any of the out ports to communicate with the officers at the out ports?—No; as I understand our selection of those ports it has chiefly depended upon their being the principal ports of the kingdom: If we had selected those ports on account of any particular local advantages, I should have thought it highly important that we should have produced somebody to have spoken to those particular local advantages; but we have, as far as it has gone, taken the three principal ports. We thought it was proper it should be a restricted trade, if opened, and we have, I conceive, taken these ports, because they have docks and establishments of officers, and are well situated so as to extend the commerce in some degree through the kingdom. Having selected those ports, not from any particular convenience in the ports themselves, we have not had occasion to enter so minutely into the nature of their conveniencies.

Then you do not apprehend that the commissioners of customs, in making their report upon these three ports, took into account either the local advantages or disadvantages of those ports?—I was not present when the commissioners took that into consideration. I have no doubt if there had been any considerable inaptitude which had struck them as to any port, that would have been a ground of exclusion of that port, but I conceive that was not the point immediately in consideration; it was a selection of those ports where there was a large establishment of officers, and to which it could be extended with most convenience.

Has any further enquiry been made as to those ports since the date of the first report which is printed?—Not to my knowledge.

With respect to the facility of Indiamen, on their voyage home, smuggling goods out of the ships, is there any particular officer at the Custom-house, to whom you can refer the Committee for accurate information, you having said you were not competent, not being a practical officer, to answer these questions?—The inspectors of the river would be competent to answer questions with respect to the smuggling, when in the river and in the port; but we conceive the principal smuggling does not take place after it comes into the charge of those officers, but in the mouth of the Channel, from vessels and boats, before they get into the port; the inspector of the river can speak to the smuggling which takes place after the vessels get into the port; the goods are put out of the Indian vessels, on board pilot boats and row boats.

The officers of the customs, sent down to meet the Indiamen, can give information as to what passes while they are under the superintendence of those persons?—I should think so.

Have any instances occurred, to your knowledge, of collusion between the Company's officers in London and the officers of the customs?—With respect to the Company's officers and our officers in London, there have; I should wish to make a distinction between the Company's officers on shore, as to whom I do not recollect any instance, and those on board: in most of the instances of seizure in the port of London, we have had reason to suspect collusion between our officers and the Company's officers on board.

Is it the practice in such a case, to make a representation to the East India Company?—I think not.

Do

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Do you know whether the Company take any steps to prevent any collusion, or whether any officer is subject to dismissal, in consequence of its being discovered?—I am not aware of any communication to the Company.

Nor that the Company dismiss their officers in case of detection?—I have not known the Company dismiss captains of their vessels for smuggling, against the revenue; I recollect an instance in which we prosecuted, but it was a much greater offence against the Company than it was against the revenue; it was a case of a captain of an Indiaman having arms on board, exporting arms, which was a higher offence against the Company than against the revenue; it was detected as a revenue offence and prosecuted by us; in that case the penalties were very severe: I am not competent to say, whether the Company would dismiss an officer for the mere act of smuggling; we punish with considerable severity ourselves, but I believe that we should feel a delicacy in reporting farther to the Company; I do not recollect any instance of our reporting to the East India Company any mere act of smuggling in an officer of theirs.

Do you think that the officers on board a merchant's ship are as likely to be under restraint from collusive practices with officers of the revenue as the officers on board the East India Company's ships?—I hardly know why they should not; the only difference that I am aware of is, that on board other ships, it might be, that the owner or proprietor might be suspected of being a party on board the East India Company's ships; we do not suspect the Company of any collusion.

Are you acquainted with the nature of the marine establishment in Europe, under the management of the East India Company?—To a certain extent.

Are the commanders and officers of those ships regularly bred in that service?—Yes, I conceive so.

Do you know how many voyages to and from India, they are required to make before they can have the command of a ship?—Certainly not, that I could give in detail; and I believe that that is altered.

You mentioned that the principal smuggling took place in the Channel?—We think so.

Do you, upon the expected arrival of an East India fleet, direct any of the revenue cruizers to cruize in certain places to meet them; and in what parts of the Channel?—I believe that any one of our cruizers which meets an India fleet at any distance in the Channel, follows them up till she puts them into the power of another of the cruizers; and we send down from London tide waiters to board the vessels; we have sent them down to the Downs, and in some instances to meet the fleet at Portsmouth; and as it has been threatened that they would unload the ships much lower down, we might hereafter feel a necessity of sending them further on.

Your practice has not been to send them further than the Downs or Portsmouth?—No.

When the cruizers meet with any of these vessels in the Channel, do they only accompany them, or put any officers on board?—The cruizers only accompany them; but when the officers sent down meet them, they go on board.

Would not the expected increase of the general trade with India from laying it open, be likely to produce a considerable increase of revenue?—Supposing the fact ascertained, that there would be a considerable increase of trade, no doubt it would be attended with an increase of revenue.

Would not such increase of revenue be likely to counterbalance the additional expense of collection, and any defalcation which might arise from smuggling?—Supposing the increase of trade to be considerable, I should have no hesitation in saying, that any considerable increase of trade I should hope would more than counterbalance the increased expense of collecting the revenue upon it, because I should suppose a considerable increase of trade might take place without any considerably increased expense in the collection; but I am not competent to speak as to whether an increased trade would take place.

Would not the facilities of smuggling be greater in time of peace than at present, even if the trade with India were not laid open, or if open, confined to the port of London?

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London?—We certainly suppose there would be more smuggling in time of peace than there is at present in time of war.

Would not an increase of establishment, and consequent expense be necessary on the return of peace, even if the trade with India were not opened?—An increase of expense is almost constantly taking place; we are altering the system of arrangement every day; I do not apprehend that we should immediately, consequent upon a peace find it necessary to increase the establishment; I conceive there would be no immediate increase of establishment upon a peace, though, whether it is peace or war, we are frequently obliged to add to our establishment.

Would not a greater number of custom-house vessels be necessary?—We have just made an alteration in the system of the water guard, and at that time we reduced some of our cutters, but it was not on account of the war that we reduced them.

Would not the apprehension of an increase of smuggling render an increase of establishment necessary?—If we apprehended an increase of smuggling, we should increase our establishment; but I do not apprehend that we should necessarily increase our establishment in case of a peace.

You have stated that there is greater difficulty in guarding large ships than small ones in the river; are not the Company's ships employed in the China trade of the largest class, or from twelve to fourteen hundred tons?—I have stated that in port some of the practical officers were of that opinion; that some of the officers have said, though the larger tonnage was highly essential to prevent smuggling in arriving at the port, yet in port they thought the small vessels easier guarded; but that was merely the opinion of some of the officers.

Have not you heard of large quantities of teas being found floating about in the river, particularly when the China fleets have had fair winds up Channel, and run into the Downs in the course of a few hours after making the land?—I have heard that tea is thrown overboard; I have seen tea brought into Hastings that was thrown overboard; I do not know that we have had reports of it being in any great quantities.

Do you know, that in point of fact, teas of the same qualities are so much cheaper in America than in England, as in that respect to furnish a strong inducement to smuggle tea from the former country to the latter?—I have certainly heard so; I am not competent to say what the price of teas in America is.

[The Witness withdrew.

ROBERT NICHOLAS, Esquire,

Was called in, and Examined as follows.

Robert Nicholas, Esq.

Mr. Adam.]—You are chairman of the Board of commissioners of Excise?—I am.

How long have you held that situation?—I have been chairman about ten years.

How long altogether have you been a commissioner of Excise?—Two-and-twenty years.

Have you had occasion, in your situation of commissioner and chairman of the Board of Excise, to consider the probable effect upon illicit trade that might arise from opening the trade with India?—I have.

Do you consider, that if the trade from India were opened with the out ports of the kingdom generally, the opportunity for illicit trade, or for smuggling, would be considerably increased?—I should think it would.

Have you had occasion to consider, upon the supposition that the China trade is not to be opened, whether the opening the India trade would give a facility to the smuggling of tea by ships trading to India?—Unquestionably the Board of Excise has considered that subject; and I conceive, speaking for myself and for the Board, for such was our opinion, the trade going to India for India goods might bring teas which would be introduced into this country in a fraudulent manner.

Have

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Have you considered this with reference to opening the trade to all the out ports of the kingdom generally, or have you considered it likewise with reference to the opening particular ports to this trade?—We have considered it in both respects.

Is it your opinion, that opening the trade to and from India to particular ports, would give an opportunity to an increase of smuggling or illicit trade?—I should think it would.

To what ports have the Board of Excise considered that the India trade might be opened?—The Board have reported, that they conceived the ports of Hull, Bristol, Liverpool, Plymouth, and Dover (but as to that port we afterwards changed our opinion upon a subsequent report) might be opened, under qualifications certainly, which I believe we have expressed in our report.

Can you state to the Committee, the reasons which induced the Board, or induced you as a member of that Board, to consider those as fit ports to which the trade should be opened, or why they are more fit than any other ports in the kingdom?—We considered those ports which we have mentioned, except Dover, as fitter ports than any other; but we did not conceive that those ports were, in the first moment of opening the trade, fit.

What did you consider necessary to be done at those ports, for the purpose of rendering them safe ports, as far as they could be made safe, on an opening of the trade?—We thought it would be necessary to appoint officers, or ourselves (which has sometimes been done, but not often) to examine those ports, and to see how they were situate as to warehouses, docks, approach, and all other points which would occur to the mind of a person interested for the revenue of the country, in reference to their receiving those goods.

Did you communicate with the officers of those different ports in your department, in order to obtain specific information from them on these points?—Yes, we did.

Is it in your power now to state with whom you communicated at Liverpool for that information?—We communicated there with the two collectors of excise (there are two collections at Liverpool, it has been lately divided) and the excise inspector-general of the port.

At Bristol, with whom did you communicate?—I think there with the collector, we have no inspector-general at Bristol.

At Plymouth, with whom did you communicate?—With the collector only.

At Hull?—Only with the collector.

Did those offices at the different out ports, send to you written returns to your queries?—They did in every instance.

Are those returns filed in your office?—Yes; they are all in possession of the office; I have myself had access to every one of them, and have abstracted them; and it may be almost expedient for me to refer to them in answer to the questions they contain minute information.

With regard to the port of Hull, what are the particular circumstances respecting the situation of that port, that induced you to suppose that the illicit trade might be increased by opening the trade to that port?—I have never myself been at the port of Hull as a commissioner of excise, but I derive my information from the reports which have been received from the port, and also from surveys of the port, which I remember I have seen at the time when the warehousing Act was first applied to the port of Hull; and to printed plans of the port of Hull; and I certainly could not name each part of the approach to the port of Hull, which might be a dangerous approach for the revenue, but the general conception I have of that port is, that it is so narrow in some parts, and the water in some parts not sufficiently deep to take our cutters, which might protect the revenue; and that, when you arrive at the port of Hull itself, though it has two wet docks, those docks are not walled and protected in such a way as we have wished a wet dock to be.

With regard to the port of Liverpool, what do you apprehend to be the particular circumstances connected with that port, and the approach to it, which would give rise to danger?—I have understood from the reports to the Board, that the approach to

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the port of Liverpool is considerable in length; that the port itself is preferable to any other port for the reception of East India goods and as long ago as the month of August, which was the date of the first report to the Board, the officers conceived that there would be a dock with a wall round it in the course of about six weeks: and as I did not expect to be called upon to day, but on the 29th, I had ordered a fresh report that I might be able to speak to it, whether that dock was finished, supposing that dock (the king's dock) to be finished, covering seven or eight acres, we conceive that would be a very safe dock, and from the means we have of placing our cutters so as to protect the ships coming into the port, we think the port of Liverpool might be a secure port for the revenue; and as such I believe we named it first.

Did you consider what size of ships ought to be permitted to carry on the trade from the out ports to India?—We considered four or five hundred tons to be a necessary size; that a smaller sized vessel than that would be more commodious, and favour persons who were engaged in any illicit purpose of smuggling.

Did you consider that it would be more advantageous to have them 500 tons burthen, or only 400 tons?—On the principle on which we founded our opinion, 500 tons would be better than 400 tons, as being a larger vessel, and less liable to smuggle.

In consequence of the navigation of those vessels down St. George's Channel to the port of Liverpool, did you take into consideration how far, under the circumstances of that navigation, there would be an increased liability to smuggling?—I do not recollect that we did.

Supposing the approach to the port of Liverpool to be round by the north of Ireland, did you consider whether, by that navigation, there would be an increased facility of smuggling to the coast of Ireland or Scotland?—The longer line of coast a ship has to pass in approaching this country, we should conceive to increase the means and the temptation to smuggling.

Did you consider of any means by which the liability to smuggling in those voyages in the approach to the port of Liverpool might be prevented?—By our officers keeping, as I apprehend, they now do, a very strict watch, so as to perceive when ships come within view, which in fine weather, I understand, may be seen for ten or fifteen leagues.

Did you consider of any means by which the smuggling might be prevented by any regulations to be made respecting the loading of goods under manifest?—We did, certainly.

Have the goodness to state to the Committee, what the result of your consideration was?—We thought that the Manifest Act might be made more useful for the purposes of the revenue by an enlargement of the penalties, and by forfeiture of goods, and by other clauses that might have been introduced into it; such as obliging the proprietor of the goods to give bond; the commanders, and other officers also to be under security; we felt, that though we recommended a high penalty, yet that it would be in the power of the Board of Excise, under several Acts of Parliament, one especially giving the power of compromise, to soften that penalty in cases that would admit of it, or to enforce the full penalty in cases that were extravagantly fraudulent.

Have you found by experience that the attempts to regulate frauds against the revenue by manifest, are attended with extreme difficulty?—The usual way in which we have notice of offences against the Manifest Act, is, by the communication of the report of our officers on the landing of the goods; and unquestionably we have had cases which have been of an extremely gross kind; and we have had cases which have been by no means gross, which we could suppose owing to the frauds of the Chinese, or to circumstances which may have arisen during the illness of the captain, when his ship was loading; it has been my duty, as chairman of the Board, to distinguish those cases, and not to call the attention of the Board to those, as cases to be prosecuted perhaps at all, in many cases to be compromised, or if prosecuted, ultimately when the commander, or whoever may be under prosecution, may have sued for mercy, to extend as much leniency to him as possible; that has often happened, and would, I trust, happen under any increased penalty.

Does

Does not the making up a manifest, accurately or inaccurately, depend very much upon the hurry with which a vessel may be obliged to sail, and the peremptory orders she may have to sail by a particular time?—I should imagine it must. *Robert Nicholas, Esq.*

May not a very fair trade be in that way rendered liable to the risk, and to all the vexation attending upon noncompliance with the Manifest Act?—I am not experienced in the time required, or the circumstances of loading a ship; but I can suppose that where a trader has a great risk at stake, either the commander of his ship, or whose ever duty it is, will take care to see all the articles on board intended to be contained in the manifest; that is matter of opinion.

What are the instances then, in which you state that you have been under the necessity of releasing from the penalties of the Manifest Act, in consequence of its appearing that the manifest was not complied with, owing not to design but to accident?—Instances such as the sickness of the commander, then not knowing what the contents of the chests were; every sort of case which has admitted of a construction of fair conduct, I have certainly thought it my duty not to prosecute with the utmost severity of the Manifest Act; that is, to compromise under a penalty of the Manifest Act, and in some instances to be satisfied with the forfeiture of the goods.

Still you have found it necessary to have the goods condemned, under the terms of the Act?—Sometimes we have, if the goods were, as has been found to be the case, saw dust put into the chests instead of tea, that is not a case in which we should consider the commander as culpable, and yet he has not brought his proper article.

He has not brought home his article according to the manifest?—No.

Has that happened?—It has happened often.

Those are instances that must necessarily have happened in the case of ships in the service of the East India Company, and only in those cases?—Certainly only in those cases.

Do not you consider that it is much more easy to deal with the large ships that bring home East India articles directly to the port of London, limited in number, to be docked and warehoused in the East India Company's docks and warehouses, than if the trade were to be brought home in single ships of smaller burthen to different ports?—I should think it would.

Do you consider that a considerable advantage arises to the safety of the revenue, from the trade being brought to a port more immediately under the superintendence of the Board?—The Board having officers at the different ports recommended, depends upon those officers for a strict attention to their duty; but officers who are close to the Board will be much sooner amenable for any misconduct, and are in general from experience, I know, much more attentive to their duty.

In consequence of the Board's being situated in the port of London, does it appear to you that a considerable advantage arises, in respect to safety to the revenue, from the East India and China trade being directed to the port of London only?—For the same reasons I gave in my last answer, I should think it did.

You have mentioned the port of Hull as one of the ports reported by the Board, do you consider the navigation between the mouth of the Thames and the port of Hull affords increased opportunities of smuggling and illicit trade?—I think that it does; there is more coast to pass by, more spots upon which to land goods, and from whence persons fraudulently disposed may come to receive goods from the ships.

Have you had any consideration of the port of Newcastle, as a port which might be included?—Yes, we have; Newcastle stands the last of those on which we directed reports.

What is your reason for not including the port of Newcastle among the enumerated ports?—We considered it as deficient in those requisites which we thought would be wanting for receiving the Indian goods.

Will you enumerate those requisites which you considered as necessary?—If the Committee will allow me to refer to the paper I have in my pocket. The mouth of the

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port is the river Tyne, obstructed by beds of sand, is above ten miles from the lawful quays, and about four hundred yards wide for two miles; it then forms a lake, three quarters of a mile square on the South, which at low water is nearly dry; above the lake it serpentines betwixt rocks, where it is narrow, but passing them, it expands to the width of 180 to 200 yards, and continues the same to Newcastle: There are no islands; the banks are high, and increased in heighth by ballast unladen from the passing vessels. In its course there are two or three shallows at ebb, which have not more than four or five feet water; so that vessels of more than 200 tons do not proceed far, but 400 tons can enter its mouth; hence it will be necessary to put revenue officers on board vessels passing the bar, which may be done with safety there or in any other part of the river: the largest vessels must discharge their cargoes into keels, which are open craft without decks, and this must be done at Shields, nine miles from the quays, and the vessels of 300 tons will generally reach Howden Pans, two miles higher, where they must also discharge into like keels, and those of 200 tons, not drawing above twelve feet water, may reach the legal quays; the deduction of the collectors therefore is, that the East India and China vessels must discharge at the mouth of the river, and that from thence, there would be evidently great risk and danger of smuggling clandestinely on shore.

Was the petition from Newcastle upon Tyne for opening the East India trade to that port, transmitted to your Board?—No, certainly not; I do not recollect that any has been officially transmitted from any one of the ports.

Have you had occasion to make a similar investigation into the state of the navigation of the Mersey up to Liverpool?—I will pray the same indulgence to refer to my abstract: That ships from westward enter the port of Liverpool from the open sea, at the distance of twelve miles from the legal quays, and three miles from the Cheshire shore, when they enter the rock Channel between North and Hogle sand banks. This Channel at low-water spring-tides is two miles over good anchorage for large ships at seven fathoms water, unless a good wind enables them to pass the Rock Perch into the Mersey: There are two sand banks in this Channel; and at half flood, ships generally pass between these banks and the Cheshire shore, at the distance of about a mile: before they reach the Mersey at the Rock Perch, they enter a narrow strait of 300 yards, and a mile and a half long, almost fordable at low water; but as the tide rises there in ordinary spring-tides to 30 feet, vessels of 1000 or 1200 tons enter with safety: In fact, ships from the Irish sea, or from the open sea, turn into the port of Liverpool at the mouth of the Mersey, which is one mile and a half wide: All the sand banks without are completely covered, long before high water at spring tides, and no islands intervene: The distance there from the legal quays will be only four miles. In moderate weather, revenue officers can be put on board below the North West buoy, distant fourteen or fifteen miles from the legal quays, which is invariably the case now, a fleet of ships being off, and weather permitting; ships in general come to anchor near the mouth of the Mersey opposite the magazines, three miles below the legal quays, or at the Stoyes two miles above them, and the depth of water is from seven to nine fathoms at low water spring tides, so that ships of 800 or 1000 tons ride there safely; ships of lighter burthern lie about the town, within a quarter of a mile or less of the legal quays. In all the above places goods may be lawfully unshipped for importation, or reshipped for exportation in decked craft from fifty to seventy tons burthen. Does not think from the situation of the port, that opportunities can often occur of putting goods on shore before the ships enter the docks: It is in the docks, where, on account of their being surrounded with shops and cellars, light packages may be smuggled on shore in the night in a few minutes, in spite of the utmost vigilance of the officers; this will be remedied by the new plans, when the southernmost dock of the two new ones is completed with being walled round as the London docks. The west side of three of the present docks is capable of being inclosed; one of which, viz. the King's dock, will be inclosed in six weeks; the date of this is August 29th 1812. Recommends the Excise Board to propose this dock for the East India goods, as vessels of large burthen may pass into it: Vessels may in clear weather be seen from Bidstone Hill in the lighthouse three miles from Liverpool, at ten or fifteen leagues distance, the vessels known, and to whom consigned. When the weather permits, the lower station surveyor proceeds to meet the ships, carrying with him as many tidesmen in the boats as he can, to place in vessels with excisables, and to rummage as many other foreign ships as he can. The above practice

practice is the best before vessels enter the docks, but we are not apprehensive of foreign goods being smuggled afloat to any amount; and when the docks in hand are complete, no port in the kingdom will be more secure as to the revenue. *Robert Nicklas, Esq.*

Have you made any investigation as to Bristol, and are you able to state whether there is a likelihood of smuggling, in approaching the port of Bristol?—It was many years ago since I was at Bristol myself, and much has passed since as to the alteration of the port; but I know, from the course of the Severn and Avon, that the approach to Bristol is extremely long; that when the tide is up, vessels may throw into small craft to be landed, goods coming up through that Channel; that there is no wet dock at Bristol whatever of consequence; there is a floating dock I believe, and that it would be necessary to protect the ships' passage through that long run of navigation, the whole way, with water guard and land guard.

Have you had any opportunity of considering what increase of establishment it might require, in order to protect the revenue, upon the supposition of the East India trade being extended to the specified ports?—It is hardly possible to say to what amount the number of officers must be increased; we occasionally appoint officers, with the approbation of the Lords of the Treasury, on new establishments, where the case requires it; but I can imagine, if the trade is very much enlarged, there will be not quite a proportionable increase of officers to the enlargement of the trade, because we employ officers occasionally: When an East India fleet comes in, the established number of officers is not sufficient, and yet the Board is unwilling to propose a lasting establishment, but take persons to officiate for a time; it is impossible therefore to say what increase might be necessary, but it would most probably be under the proportionate increase of trade.

Do you think the number of ports may be increased, without its being attended with the effect of increasing the trade?—I am quite incompetent to answer that question, as a commissioner of excise.

Supposing the increase of trade was not to bear a proportion to the increase of the ports, would it not, nevertheless increase the establishment to secure the revenue?—I think it would have that effect; for though in some ports, which may be inferior in their degree as to trade, such officiators might be employed as I have mentioned before; yet, that in large ports, it would be necessary to have a constant establishment.

Would it not be necessary to have a constant permanent establishment at the port of Liverpool for example, provided that port was prepared for Indian importation, without reference to the extent of that importation?—I should much question whether it would; because the goods coming from the East Indies, if you exclude tea, are so very few in the excise, that it narrows our interest in it very much indeed; coffee, there is very little imported from the East Indies, in proportion to the coffee trade; wine is imported from the East Indies only as carried there to be improved in its quality; rum, I believe, is the growth of the country, but in very small quantities, and arrack; the duties on coffee, I think, are sixpence a pound, of course that cannot be a very great object; the duty on arrack, I think, is thirteen shillings and nine pence, where it is under proof, which it always is; I do not know an instance where it comes above proof; and the wine, which is carried there for improvement, is not much, and of course not much an object of smuggling; I do not think any smuggler would risk a pipe of Madeira, that he would venture so great a risk.

Supposing the trade from the East Indies to be opened to the port of Liverpool, or any of the other ports which are enumerated, and suppose that the effect of that were to be affording a means of fraudulent importation of tea, have you considered whether the approach as to these different ports would or would not afford apt means for the smuggling that tea on shore, before the arrival of the vessel at the port?—I think there would be great smuggling when the Indian ships approached this country.

Supposing the trade to be opened, not only to the ports specified by your Board, but to be opened generally to the out ports of the kingdom, have you considered at all what the additional establishment would be to protect the revenue against smuggling?—The Board has not considered that; it would be time enough to do it whenever those ports were allowed, and it must be done on the reports of officers competent to form a judgment.

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Have you had any opportunity of considering, or has your consideration been directed to the probable increase of establishment for exportation or importation generally, supposing all the ports to be open?—We never discussed the subject in the Board individually; in considering the subject, I have thought, if all the ports were open, it must proportionably increase the establishment; our establishment consists of a water-guard, in which I might include cutters, of which there are now only eight; these cutters would be by no means enough, nothing like enough, for the protection of the trade against smuggling.

You cannot tell, from the present state of your information, what additional number of cutters might be required?—No, I cannot; I think it would be desirable that every India fleet should be attended by cutters the moment they come into the cutters' limits; we have very few cutters; the customs have a great many; I think a cutter should attend an Indiaman from his entering the Channel, if it were possible, into the port of delivery.

If you suppose the trade to come home in detached ships, and to the different ports of the kingdom, must not the cutters, to attend them, be increased in proportion?—Yes, I think they must.

Should you think it safe to trust a single ship of 500 tons burthen, navigating in the British seas, either to Hull, Liverpool or Bristol, without an attendant cutter to secure against smuggling?—I should not think it would; it would be desirable that a cutter should attend one India ship, or an India fleet upon its arrival to any one of the ports.

Has your consideration been drawn to the East India produce being brought home in united fleets, as it is now to the port of London, or has it been directed to the bringing home that produce by individual adventurers in such way as they may think fit?—We have not as a Board considered any of the questions as embracing that view of the subject.

You did not consider any of the questions put to you by the Treasury as embracing that object?—No, we did not.

Did you consider any of the questions put to you as necessarily limiting your consideration to certain ports, or did you consider them as referable to a general opening of all the ports of the kingdom?—I conceived that it was our duty to recommend such ports as were more fit than others to be licensed or to be allowed.

That you considered your duty as resulting from your examination into the subject?—Yes.

I am to understand it was the Board which suggested the limitation, and not the questions put to the Board?—The particular question which that may have answered was suggested by the government as one of the questions from the India Board I apprehend, and our answer was given, recommending those ports which we thought would be most fit for receiving the goods.

Has your consideration of the subject been limited to England, or has it extended to Scotland or to Ireland?—Certainly, I have considered the subject with a view to the coast of Scotland, and I think in that respect it would be very destructive indeed to the revenue, if from any circumstances they were permitted to go north about; as a Board, we think that it would be very prejudicial; we have often discussed it.

If there was an importation allowed where the owner of the vessel or of the cargo had it in his power to direct the ship to any mode of navigation, should you think that the risk of smuggling was considerably increased by that circumstance?—I should think it would if the ship wandered from its course, which it might certainly from necessity on many occasions be obliged to do; it might be very unfortunate for the revenue, if in its course from India, it were to land and deposit its goods, in all probability the manifest act might be broken through, and the goods might be smuggled into this country by other ships; also when they come to this country, the greater line of coast the merchant passes, the greater will be the facility of smuggling out of the ship, and defrauding the revenue.

Do you consider, that if a merchant were to direct his vessel to traverse the western coast of Scotland, there would be a great increased facility of smuggling East India goods and teas into the islands on that coast?—I think there would, for the reason I gave in my last answer.

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Would that be increased if the direction were to go north about?—Certainly. *Robert Nicholas, Esq.*

Supposing then the port of Hull to be one of the ports to which importation is extended, do you consider that from the circumstance of adopting a navigation round the western part of Scotland, and north about, or through the Pentland Firth, and thence by the mouths of the Murray Firth, the Firth of Tay, and the Firth of Forth, the risk would be considerably increased?—I think it would; I am not acquainted with that coast at all; but I go upon the principle the more coast the ship traverses, the more opportunities it has of unloading its goods, or being met and having the goods taken out of it.

If they came round by Ireland, would not the facility be greatly increased?—I think it would.

Have you thought, or has your attention been directed to any system of regulation by which the importing merchant could be prevented from adopting that course of navigation which has been described?—I should suppose, that if the legislature were to pass a Manifest Act, obliging the course to be direct from India to this country, without touching at any port till it arrived at its port of delivery, and declaring that going north about, or going to any coast out of the line of that navigation, would be an infringement of the Manifest Act: that would be useful.

You think it would be necessary that in importing goods from India to the port of Hull, the regulations of the Manifest Act should prohibit the circuitous voyage?—Yes, I think so, certainly.

Have you had an opportunity of informing yourself with respect to any facts relative to the port of Greenock, and the importation into that port?—No, I have not.

Do you understand that the ordinary and common navigation to the port of Liverpool, in coming from St. Helena or Madeira, is round by the north of Ireland or through St. George's Channel?—I do not know which line of approach is used.

Any of the reports you have made, or any opinion you have formed is without reference to the navigation being by St. George's Channel, or by the other course?—Certainly we consider it as the port is usually approached. I apprehend they have one line which they prefer to another.

Can you give any general idea, or have you formed any general computation of the probable increased expense of establishment, considering it first as referrible to the importation to the enumerated ports, and secondly, as referrible to general importion to all the ports of the kingdom?—It has rather been the opinion of the Board of Excise, that the increase of establishment would not be large, and they have reported so, but we have not at all anticipated that question; that was not referred to us, and our business is so immense, that till it is, it would be premature perhaps.

(Examined by the Committee.)

Are not you of opinion, that there are circumstances in relation to the ports and places in the English Channel, and the habits of the people resident on its coasts, that renders the navigation from the Land's End to the port of London more open to smuggling and illicit trade, than that of St. George's and the Bristol Channels?—I think that the passage from the entrance to the Bristol Channel to the port of London has been found the most hazardous as to tea and East India articles, because the different sea ports near it are many of them watering-places, and where those articles which are of a light nature, may be more easily shifted from the ship and smuggled on shore.

Have not the people on those coasts been more trained to the habits of defrauding the revenue than those people who reside upon the coasts of the Irish and Bristol Channels?—I have no knowledge of the subject more than that a greater number of smuggling cases have arisen on the coasts of Kent and Sussex, and entering the port of London.

Do not you know that in the navigation of the British Channel, in consequence of rocks and shoals, no large vessel can approach either the English or Welch coast

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without the imminent hazard of being shipwrecked?—I think they could not; but in answering the question, I would say that that large vessel might be met by small craft, which might unload these goods and favour smuggling.

Are not you aware that it is the present practice to place officers, both of the excise and customs, on board all ships immediately on their arrival in King Road before they come to the narrow part of the navigation to Bristol which you have described?—I believe it is.

Is not the rapidity of the tide in the narrow course of the Avon, from King Road to Bristol, so great as to render it unsafe for vessels to pass at night, and to oblige vessels to pass with such celerity as to preclude all convenience of intercourse with the shore by boats?—I have no knowledge of that circumstance; I do not know the river navigation there enough to answer it.

Have you observed that the mud banks of that river are so gradually sloping as to oblige large vessels, in all places to keep in the middle of the Channel, at too great a distance to throw any package on shore?—I have.

In point of fact, do you know of any seizure made of goods attempted to be smuggled or fraudulently landed between King Road and the docks at Bristol?—I do not remember any particular cases; but I have no doubt that such things have occurred.

The place alluded to is between King Road and the entrance of the docks?—I cannot say that I have any knowledge on that point; I could have referred to the seizure books, if I had expected to be asked the question.

Have you not seen the port of Bristol since the formation of the new docks?—Never.

If a person is desirous of smuggling tea, and other Chinese and East India commodities in an extensive manner, and so as to give direction to his vessel to take a particular voyage before its leaving India or China, which might be necessary in the event of the vessel being ordered to go north about, is it not likely that that person would employ a foreign ship which is not liable to any restraint in visiting China, rather than a British ship liable to restrictions, and liable to penalties in the voyage home, to which the foreign ship is not subjected?—I have not any opinion of that in my office, which would be the most probable; but I should think a British merchant, meaning honestly, would employ a British ship; if he means to smuggle, I think he would take a foreign ship.

Are you of opinion that many East Indian and Chinese commodities have been smuggled from foreign ships arriving in this country?—I think not particularly from foreign ships.

Is there any particular facility in smuggling on board a British ship, which does not belong to a foreign ship?—Not that I know of, except that the crew of a foreign ship would be very ignorant of our coast; perhaps there might be that difference, but I know of no other; I should suppose one ship would smuggle on the English coast as well as another, whether foreign or British.

Are you aware that a great many vessels have arrived in this country from America, the masters and crew of which have been in the habit of coming to Liverpool, many years together, and therefore must be well acquainted with the coast, and have the means of conducting any smuggling operation in this country?—I am aware that American vessels have arrived at Liverpool; I have understood so.

Then if there have been many American vessels arrived in this country, and if, as you have stated in a former answer, there has been no great amount of smuggling from those foreign vessels, although equal facilities exist in smuggling from foreign vessels as from British ships, have the goodness to acquaint the Committee on what grounds you think that any considerable smuggling is likely to arise in consequence of opening the India trade as proposed to the out ports generally?—I think that, particularly in the event of peace, the vessels whether English or Foreign would in all probability land their goods on some foreign station, and that then from that station they might be smuggled into England, unless it was a more profitable speculation to sell or destroy even the ship itself.

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Your apprehension of smuggling relates more to a state of peace than of war?—No, I cannot exclude the prospect of peace in the answer; but I think in either case there would be smuggling, but there would be much more smuggling in time of peace. I think the permanent duties alone will be a temptation to smuggling, and that the war duties and the permanent duties produce a greater impulse upon the human mind to smuggle in time of war.

You are no doubt aware, that in the event of a British vessel clearing out from India to a British port, heavy penalties would attach to her going to a port different to that for which she cleared, while in the event of a foreign vessel going from India to any foreign port, no penalty would attach; is it not probable therefore, that a person disposed to land Indian and Chinese commodities in the foreign ports, in the manner stated in the answer, would prefer to employ a foreign rather than a British ship, and that, in point of fact, the opening of the trade to India, as proposed, could have no reference to such a state of things?—I should think a merchant might prefer a foreign ship on that account, as being free from the restrictions of any law, such as the Manifest Act, or any other which might attach upon a British ship.

The principal danger which you appear to apprehend, arises from the consideration that depôts of tea, and other commodities liable to heavy duties, might be formed in Gottenburgh, or ports on the coast of France, for the purpose of being smuggled into this country; as those depôts can be formed in spite of any regulation that may be adopted in this country, do you imagine that the opening of the India and China trade can, by any possibility, have the least effect upon the formation of such depôts, since the British vessel would be liable to seizure, and not admitted into the ports of China, and the foreign vessel would be admitted into the ports of China, and not be liable to any question in her voyage from China or India to the ports of this country?—I should imagine that a difference would arise as to the time, whether it were in a time of peace or a time of war; in time of war, one cannot suppose the possibility upon which the question is put, but in time of peace, I should suppose those depôts would be formed to be applied to as well by foreign as by British ships.

If a person were desirous at this moment to engage in the smuggling of tea, would he not prefer to employ a Swedish ship to convey that tea to Gottenburgh, for the purpose of being conveyed again in smaller vessels to this country, rather than to employ a British vessel, and to take the chance of all the smuggling on her voyage north about, which has been described in the former answer?—I conceive this would be a question more for the consideration of the commissioners of the customs than of myself.

What article in the import from India and China, do you conceive to be most likely to be smuggled?—Tea, unquestionably, so far as it comes within my knowledge.

On the supposition that tea were prohibited entirely being brought in private vessels from India, do you conceive that it would be likely that any considerable quantity of tea would be smuggled in the private vessels from India?—I should think there would, on the general principle that a very high dutied article will cause a temptation.

If you were assured that a very considerable temptation to smuggle tea from Gottenburgh and from America did exist; and since you have said that no large quantity of tea has been smuggled by foreign ships from those countries, notwithstanding the high temptation, do you not think it likely that restrictions might be imposed sufficient to prevent any considerable smuggling of tea in British ships from India?—The time I have spoken to, is to the extent of nearly the whole war; the country has been at war so many years, my answers have gone to a state of war: I conceive that the immense value of tea as an article for smuggling, would produce of itself a great deal of smuggling, and that that would increase in time of peace; that the Americans, and people of other countries, would be the carriers of it for the profit attending it; and that the English carrier would risk the highest penalties of the Manifest Act, or any other act that might impose a penalty, to make that profit.

On the supposition that the penalty attaching upon a vessel of 350 tons measurement, was the confiscation of the ship and cargo upon any teas being found on board, would you think it worth any merchants while to enter upon a smuggling adventure

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from India, for any prospect of advantage he could obtain from such a measure?—The question which is put appears to me to depend upon a calculation between the value of the ship and its freight, whether included in the manifest or not, and penalties which the infringement of the law might occasion to the commander or proprietor, and the parties concerned; if the result of that calculation were profitable, I should think that the risk would be incurred. It has happened so frequently, from my experience, in matters of seizure.

Are you aware that in the Report of the Board of Excise, in answer to the fourth question, it is stated "in the event of peace it does not appear that the danger of smuggling would be materially enhanced as far as it regards the direct trade with China or India in British vessels, but great opportunities would be given for those of America to introduce teas and other articles privately; and by the ships of both countries such goods might be lodged in places of deposit on the Continent, or in the islands, for smuggling in small craft into this country;" and that the apprehension entertained by that Board, appears therefore to be principally directed to the smuggling by foreign vessels?—I am perfectly aware of that being in the Boards Report, though my name is not to it, I perfectly assented to that Report, and was present in fact at the ordering, and afterwards at the reading of that Report; the Second Report I was not present at, I was then out of attendance, but I entirely concur in the opinions of each of those Reports.

Are you not of opinion, that the extent of smuggling will depend considerably upon the means of concealment of the goods after they are conveyed from the vessel?—I can imagine the smuggling out at sea to be much larger than the smuggling near the land; and I should suppose that the goods which can be the easiest concealed, will be the soonest taken.

Do not you therefore imagine, that in a thinly populated country, where every transaction is easily observed, and where the absence even of a boatman or his boat might be instantly noticed, these circumstances would prevent smuggling from taking place to any considerable extent in such a district?—I think not; on the coast of Cornwall, and perhaps on the coast of Wales, there are subterraneous receptacles which have been formed by the smugglers; caves which they frequent but do not live in, and where they deposit smuggled goods; and they are persons living at sea the greater part of their time, not on shore, so as to be missed from their villages as inhabitants.

Do not the easy means of disposal of smuggled goods afforded in London and the neighbourhood, form a considerable inducement and facility to smugglers, which could not be expected to exist in any other part of the kingdom?—Certainly; in a great town like this, there will be a larger vent for articles; but if you can imagine a ship's smuggled freight to be landed on any of the western coasts, I will answer for it, it will be dispersed throughout the country by persons who distribute it wherever they suppose it to be wanted; it is dispersed as much in the country as in London: I do not conceive, except as to its being a greater town than any other, it is more favoured, as to smuggling, than any other; goods are landed on retired spots of the coast, and dispersed over the country by that skill which the distresses of mankind induce them to exercise.

You have stated, that the most dangerous article in smuggling, is tea, and that a very considerable apprehension is entertained by you, of large quantities being smuggled in consequence of vessels going north about; do you conceive it possible in such a district of country, as you apprehend the tea must therefore be landed in, and where it is imagined it is impossible it could be consumed, a very great difficulty would arise in its disposal, and very great risk of its being seized, so as in fact very much to check any such illicit trade?—I meant my last answer to go to spirits; I do not know as to tea, what the effect would be.

Would it be more difficult to convey tea than brandy?—I should think it would; that spirits would go in casks obviously used in the country, and might not be supposed to be smuggled goods; but a person carrying parcels of tea, it would naturally raise a question in a public house, or any other place, what it was the man was carrying.

In cases of seizure, when no fraud is presumable, but some offence from ignorance or negligence has been committed against the law, have the goodness to state in what

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what manner the Board acts?—The Board are always desirous of distinguishing between an intentional act of fraud and a breach of the law; and a breach of the law may be, not conforming to regulations, not putting proper marks to agree with the ship's books, many of those things may be an infringement of regulations, which are distinguishable from positively fraudulent attempts or acts to cheat the revenue.

When it proceeds from ignorance or negligence perfectly well established, is the vessel and goods delivered back, or are they liable even in such cases to forfeiture, or is the owner liable to some fine?—It is very seldom that large vessels are detained, the exciseable articles are not of that value to induce us to prosecute the vessel in the Exchequer; it has happened, but we do not forfeit a vessel for some very slight article being smuggled into the country, or being either liable to confiscation, from not having its proper mark, or not being reported, we go to the article and not to the ship, if we can do it; we distinguish between what is a criminal act and a breach of the law.

If a mistake is committed in ignorance or some neglect, does not it carry with it some punishment, even where it is admitted no fraud is intended?—Where there are breaches of regulations, in some cases there ought to be punishment. There is unquestionably in many cases a penalty taken, but the penalty is often mitigated according to circumstances.

You have stated, that a good deal of the risk to the revenue depends upon the extent of the line of coast which a ship has to pass coming to its port of delivery; do not you think that a port situate as the port of Plymouth is, provided all the accommodation on shore of legal quays and ports were such as are suitable to the excise and customs, better situated as a port for the import and export of Indian commodities?—I think it is.

Are not the duties on tea now higher than they ever where?—Yes, they are.

Do you conceive that there is at present much smuggling of tea, the temptation being so great?—The Board have said in their report there is not much smuggling in tea of late, but there have been particular instances of considerable quantities being smuggled; there was a great deal smuggled in the East India ships, passing through the Downs, last year, and seized by the Lively, Captain Lilburn.

To what causes do you attribute this small degree of smuggling, notwithstanding the temptation is so high?—I really cannot answer to what causes it is to be attributed, it does not fall within my situation as a commissioner of excise to account for it; whether there may be countries to which it may be carried, from whence it may not be easily brought here; but of late there has not been much smuggling of tea, I should rather conceive it is owing to the war, preventing access to and from these countries.

To what period do you go back, when you speak of lately?—Three or four years.

You conceive the smuggling has considerably decreased within three or four years?—I think it has, in tea.

Do you think that if ships from India of 350 tons burthen, were admitted to some of the Outports, but not with tea, there would during the war be a considerable increase of smuggling of tea?—Yes; I think inasmuch as there would be a greater vent for it, by there being more ports open, and more ships employed.

You do not think the circumstances of the war to which you have alluded, would sufficiently restrain it in that case?—The circumstances of the war would operate the same, only it would operate upon an extended field for smuggling.

When you speak of the war, you mean to speak of a state of things in which no friendly or neutral ports are open for vessels, not simply the circumstance of our war with France?—Certainly.

Then supposing us to continue at war with France, and some of the states in the north of Europe to be friendly, and therefore permitted to trade with India, and their ports perfectly open, do not you conceive that the ships of those states would have at least an equal facility of smuggling tea with the British ships?—Yes, I should think they would.

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Then do not you consider that the circumstance of British ships being absolutely prohibited from having tea on board, under the penalty of the confiscation of the ship and cargo; the ships moreover employed in the trade, being limited to 350 tons at the least; would render it much more disadvantageous to smuggle from those vessels than from those of foreigners?—I think it must be more disadvantageous.

When the smuggling of tea prevailed, did it not chiefly take place from ships at sea, and not in port?—I have no knowledge of where the greater smuggling has happened, whether out at sea, or within any legal quay or dock; I have never compared it, or in my own mind considered where the greater was, but I should think at sea.

Would it not be extremely easy to smuggle tea from a small foreign vessel, permitted by law to have tea on board, and to approach within a short distance of the coast?—A small foreign vessel would, from its facilities, be more likely to smuggle than a large foreign vessel.

Or than any British vessel?—Or than any British vessel.

Then supposing the temptations to smuggle tea to be very high, and those three modes of smuggling to exist; namely, smuggling from the Company's ships; the smuggling referred to in the late questions from foreign private ships; and smuggling by relanding goods upon which the drawback is obtained; would not those three modes of smuggling be perfectly sufficient to answer the demands for smuggled tea, without any further opening of the British trade?—I dare say they would.

Then is the Committee to understand it as your opinion, that in time of peace, when all those facilities would be the greatest, the difference between the smuggling that would take place in the case supposed in the last question, and in case of adding to those facilities, the proposed extension of the trade in other Indian and Chinese goods than tea, to some of the out ports, would be very considerable?—In time of peace, I think it is perfectly probable and likely that the ninety per cent. upon tea may not continue: there are so many things to vary the subject in time of peace, that it is out of my power to form an opinion upon them; if the tea became an article not paying so high a duty as it does now, it must operate very considerably; and I have no doubt that and many other duties, which form the means of the country at present, will be necessarily lowered, more or less, according to sound policy. I think any increase of trade would give an opening to more smuggling, and occasion more smuggling; and that supposing the duties to continue high, it would be a very great temptation; if the duties were lower, it would vary my opinion; I should conceive that the opening of the ports ought to produce, and may produce, an increase of trade and shipping; and that if that circumstance should produce an increase of trade and shipping, that will produce an increase of smuggling.

Taking the fact to be, that the importation of tea in private ships shall be absolutely prohibited under the severest penalty of the law, will not tea be an article which it will be most dangerous to smuggle?—I think it will; the payment of the tea duty amounts to between three and four millions, and forms so great a part of the duties of excise from Indian goods, that when the excise duty on tea is excluded, I do not think the other excise duties are £.100,000. or three parts of £.100,000. from the articles remaining chargeable after the tea is taken out; therefore what I say of the danger, arises from a view to risk and forfeitures on breach of regulations, from the information I may possess from any officer.

Taking for instance the article of tobacco, is there not a greater risk of smuggling than there would be of tea?—I do not think there is a great deal of tobacco smuggled, I should suppose tea was a much more important subject.

Supposing it to be made unlawful for any British vessel, coming from the East Indies, to have tea on board, and that the confiscation of the ship and cargo should ensue, would not that be a penalty higher than any which now attaches to any other article, on which there is a duty of excise, and which could be enforced through so great a range of voyage?—The excise have a great number of articles which, when any fraudulent transaction attends them, both the vessel or the cart or waggon, or whatever carries them, is liable to confiscation. It would not be a new thing in the Excise; and the Board would have to mitigate discretionally a very high penalty on account of tea, as they would on account of tobacco, and vice versa; and the necessity

of

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of enforcing the penalty to its full amount, would rather arise from its appearing to the Board of Excise to be the opinion of the Legislature that we should enforce it (if we could understand from the wording of the Act that such was the intention of the Legislature) and we should only confiscate the ship, and prosecute upon the bond for one chest of tea, under the idea that it was necessary for the good of this country, in a commercial light, that we should punish as much for one chest of tea as we should for 500; but if it appeared that it was brought with a criminal intention to smuggle, I think we should not relax. I have considered the Manifest Act in many instances as oppressive upon the captains from China for many years; but I should think, on the opening of a trade like this, it might be necessary to carry it into effect.

Would not this be an act of more plain evasion of the law than many occurring under the Manifest Act, and where the Act has not been enforced?—I know hardly any shade of difference between the one and the other.

The law is contravened if the manifest mentions a few chests more or less than there are on board; but does it make no distinction whether it is one or 100 chests?—If it were an old law or an old regulation, it might make some difference; but if it is a new law to prevent increased occasions of smuggling, it would become the Revenue Boards not to be so lenient as they have been.

Supposing a law to take place, to be rigidly enforced, do you think it would have a great effect in preventing this branch of smuggling?—I do not think alone it would prevent smuggling; but I think it would be the greatest prevention of smuggling of any thing, except one which I have suggested in another place. I think the taking away the privilege tonnage and the Manifest Act, both, would be almost the only means that would preserve the revenue from smuggling; every thing else would be subordinate.

Would not all the measures contemplated in your answer at least add to the increased difficulty of smuggling in British ships, as compared with foreigners?—They would, certainly because the foreign ships would not be bound by our laws in many cases.

In your opinion are not smugglers more induced by the temptation of high profit than by the fear of risk, especially as often the smuggler may not be the owner of the ship?—I think they are.

Having stated that the opening of the trade to the out ports may naturally be expected to produce an increase of trade, would not that increase of trade produce such a corresponding increase of revenue as would be likely to counterbalance the additional charge of collection, and any defalcation that might arise from increased smuggling?—At the first blush it seems to carry an idea that it would, both in my mind, and probably other men's minds; but I think there will be a great increase of smuggling, and that therefore that increase of smuggling will counteract all the increase of revenue that may arise, and even go to affect the expense of the establishment.

Has the increase of smuggling borne any proportion to the increase of revenue of late upon any article whatever?—I think not; but the greatest effect of that act was that of the Commutation Act; that produced an astonishing effect certainly upon smuggling.

That was the cause of an increase of revenue, without an increase of smuggling? Certainly.

You have stated that smuggling might take place out of vessels, by persons not the owners of the vessels, under the penalties which have been already stated; is it not likely that the owner of the vessel would employ captains and officers whom he conceived to be vigilant and jealous in preventing smuggling?—I have no doubt that he would employ the most honest and trust-worthy men that he could, if he was liable in his fortune for the loss, by the conduct of his officers being the reverse of that character.

In point of fact, are you aware of any other description of vessels out of which so much smuggling has taken place as out of the ships of the East India Company?—In my own department, I think of the captain's stores, and things of that sort, there is more smuggling from East India ships than from most other vessels.

Robert Nicholas, Esq.

You have stated also, that any irregularity arising from ignorance or negligence, is always followed by punishment, even when no fraud can be supposed to attach to the owners of the ship; has any punishment in any instance been attached to the East India Company as owners of the ship, or as proprietors of other goods on board the same vessel, in consequence of any goods smuggled in their ships?—No, I think not; I am unable to enumerate cases of that sort; the common prosecution is against the commander of the vessel for the smuggling transaction; that is generally the case, that comes before us under the Manifest Act.

Do not you remember a late instance, in which the Marquis of Ely Indiaman, with her cargo, was attached in a port in Ireland on account of some private smuggling on board that vessel?—I am not aware of any transaction of the kind, as happening in Ireland; we have no connection with the Irish Board of Revenue, I could only know it in consequence of seeing it in the newspaper. I beg to observe, that I did not mean to say, that every breach of the law was punished, for it is in the discretion of the Board, to prosecute or not; and that we do generally in all cases under the Malt Laws, in which there are numerous breaches of regulation, and upon which if we did not put some penalty, they would be practised by low people; but we do not scarcely ever seek the whole penalty, and we understand the Legislature has given us a limit, not always to be acted up to; for was that done, it would make the Excise Laws, which are heavy in penalties, intolerable; but that we may exercise a fair and honourable discretion.

Do you mean to say, that in any case where a deviation from positive law has taken place, there is no punishment follows?—The Legislature some years ago, in order to give the Board of Excise a power of restoring the article itself, passed a very short law enabling us to name a compensation fine, upon which the article itself might be given up, or the forfeiture lessened, which is often acted upon.

In all cases there is a forfeiture, or a confiscation of the goods?—No, in very many cases indeed the forfeiture is remitted, and the goods restored.

Without any penalty?—Without any thing more than the payment of expenses: I am in the habit of writing every day, "restore on payment of duty and expenses."

[The Witness withdrew.

Adjourned till To-morrow 11 o'Clock.

13.

Jovis, 22° die Aprilis, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Glocester Wilson, Esq. p. 191 to p. 200
Robert Nicholas, Esq. p. 200 to p. 214

(No. 2.)

Of Evidence before Select Committee.

Ordered, by The House of Commons, *to be printed,*
27 *April* 1813.

14.

MINUTES of EVIDENCE

TAKEN BEFORE THE SELECT COMMITTEE,

Appointed for the purpose of taking the Examination of such Witnesses, as shall be ordered by The House to attend the Committee of the Whole House, on the Affairs of The *East India* Company; and to report the MINUTES of such Examination, from time to time.

(No. 3.)

Veneris, 23° die Aprilis, 1813.

The Right Hon. JOHN SULLIVAN, in The Chair.

JOHN VIVIAN, Esquire,

Was called in, and Examined as follows:

John Vivian, Esq.

Mr. Jackson.] YOU are solicitor, I believe, to the Excise?—I am.

How long have you been connected with the Excise?—Seven-and-twenty years.

Considering the extent of the trade and the present considerable rate of duties, has the smuggling of teas or of East India goods, upon the whole, taken place, to any considerable extent, within the last year, under the present system of conducting the East India and China trade?—I apprehend not to any very considerable extent; it has not come to our knowledge at least.

Do you consider it as great, in proportion to the quantities brought into legal consumption?—I should apprehend not; certainly the quantity of tea smuggled of late years, has by no means been so much as it formerly was.

To what period do you allude, when you say formerly?—A great many years ago, before the Commutation Act: we have had instances of smuggling of late years, but I do not remember above five or six different ships, out of which any considerable quantity has been smuggled.

Do you mean to say that it has been less within the last five or six years, than during the preceding periods, since the Commutation Act; or that since the Commutation Act it has been somewhat about what it has been within the last five or six years?—I do not apprehend, generally, that smuggling has been greater within the last five or six years, than it had been for several years previously; it is not an article that has been upon the increase.

In the event of the import trade from India and the Eastern seas being open to the out ports generally, would the danger of smuggling be increased, and in what degree?—I apprehend it must of necessity increase, but the degree of increase it is impos-

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sible to form a conjecture on; my reason for thinking it must increase, is this, that there would not only be a much greater number of ships from whence the smuggling would take place, but there must also be a much greater number of ports of destination; those ports possibly might not be all equally well guarded, nor would it be in the power of revenue officers, perhaps, to ascertain the time when those ships might be expected, as nearly as they are enabled to do in the present course of the East India trade.

Do you apprehend, from the circumstances you have stated, or from other circumstances, that the apprehended increase of smuggling would be serious and considerable?—I should think so.

Would there be any material distinction, as to the degree of that danger in time of war or peace, and if you think so, state them separately?—I should think that there would be more in time of peace than in time of war, because in time of peace there is a greater extent of coast which can become the place of deposit of those articles; for though at present Guernsey and Jersey (which were formerly places of deposit) are by modern Acts of Parliament under great restrictions, which very much indeed check the importation from thence, yet those Acts of Parliament would become, I apprehend, in a considerable degree weakened in their force in time of peace, because then the neighbouring coast of France would afford as convenient a place of deposit nearly as the Islands of Guernsey and Jersey themselves; and in addition to that, the persons by whom the smuggling is conducted (the seamen) are now very much employed in the navy; but they will, I presume, return to their antient courses when at liberty.

Can you name any port which, in your judgment, would be as safe for the revenue as that of London, for the importation of East India and Chinese commodities?—I apprehend none.

If such import trade be permitted to the out ports, would the security of the revenue require that such ports should be limited, and if so, to which ports would you recommend such import trade to be limited?—The more the ports were limited, the more advantageous to the revenue, I apprehend; but I am not prepared to state which ports would be entitled to the preference over others; much of that would depend upon securities to be provided for those ports, such as docks surrounded by walls, and other circumstances, which perhaps at present do not exist.

Can you state the grounds upon which the ports of Bristol, Liverpool, Plymouth, Portsmouth, and Hull, have been recommended in preference by the Commissioners in their Report?—I cannot answer that question; I am unacquainted with their motives, otherwise than by a vague conjecture.

Do you know what other ports at present, besides those mentioned, of Liverpool, Bristol, Plymouth, Portsmouth, and Hull, are allowed to warehouse goods upon the bonding system at present?—They are very numerous, but I am not prepared to state them; there is a list of them, I apprehend, delivered in to the Committee.

Is not the entrance into Liverpool from the west of great length, and for the most part open?—My observations did not extend to the entrance of the port, but were confined to the port itself, the docks.

Are not the docks of that port open on all sides, and surrounded with shops, warehouses, public-houses, and other buildings?—At the time I saw them they were; (it was about, I believe, eight or ten years ago,) and most conveniently indeed circumstanced for smuggling; it is impossible to conceive any thing better adapted for smuggling goods on shore from the ships in the docks, than those shops and public-houses and cellars of all descriptions were.

Do you regard Liverpool as thus exposed, notwithstanding the care of the tidesmen on shore, and the vigilance of the nightly watch?—If the officers were all to do their duty it would be one thing; but in the way in which officers do discharge their duty, I should think that the revenue must of necessity be very insecure there in the state I saw the port about ten years ago.

From any knowledge which you possess, have you reason to think that the port of Liverpool is materially altered, so as to have very much decreased that danger?—

From

From what I heard last year it is not; there was a Bill before Parliament last year, in which it was attempted to have docks with walls, or something of that sort, which I understood had miscarried. [*John Vivian, Esq.*

Is not the passage up the Bristol Channel such as to afford opportunities for landing goods clandestinely, and especially for the last twenty miles of it?—Certainly it is; I am very well acquainted with that port.

Does not, in consequence of the late alterations, the shipping lie afloat there in the midst of the city, without any other security than the locking of the hatchways?—And the superintendence of the officers; the revenue derives no security from the locking of the hatchways, until they approach the new works, the entrance basin; but there is a considerable extent of river below that, I should think not less than possibly three or four miles, before you come to the open sea.

Do you regard the port of Bristol upon the whole as a port exposed much to the danger of smuggling?—In its present state undoubtedly it is.

Can you say whether either the ports of Plymouth, Portsmouth or Dover, are at present secure ports for the revenue, always looking to the proposition of the trade being opened to the East Indies, that is to say, from every port in the United Kingdom, to every port within the limits of the Company's charter?—I should think Plymouth a very insecure port, because, in addition to other circumstances of the ships of war lying there, which will take off any quantity of smuggled goods they can possibly procure; indeed it formerly was the practice to supply the fleet, by sending out a vessel, I mean many years ago, before the commencement of my official life; but I suppose the practice may have existed since; it was their practice to send vessels over to Guernsey or Jersey to supply the fleet; and there was a signal made of their approach: I knew a gentleman who had the command of one of those vessels on one trip, this was before I was solicitor of excise; I know for a great many years that sort of practice to have prevailed, the ships of war regularly supplying themselves with every species of smuggled goods that they want.

Supposing then a freedom of trade about to be granted to the out ports, in East India and Chinese commodities, would you regard Plymouth as a port extremely dangerour to the safety of the revenue?—Very much so indeed, I should think.

Looking to the same proposition of an open trade, would you regard Portsmouth as a safe port to the revenue?—The observations upon the one port I think equally applicable to the other, with this difference, that Plymouth has at present in its neighbourhood two villages, called Kingston and Cawsand, which in all times I believe have been inhabited by none but smugglers, at least nineteen out of twenty; I believe that every house is occupied by smugglers; there is no place in the kingdom that carries on the smuggling to the extent that they have been in the habit of doing.

Would you regard, looking to the circumstances which you have described with respect to the port of Plymouth, that of Portsmouth also, as a port extremely dangerous to the revenue, under the circumstances of an open trade from India and the Chinese Seas?—I know no material difference between the two ports, except the proximity of Kingston and Cawsand.

Looking to the same circumstances of an open trade, would you regard Dover as a port safe for the revenue?—I should think Dover could not be a safe port, in the neighbourhood of the smuggling towns upon that coast, such as Folkestone and Deal.

Would you not, upon the whole, under the circumstances of an open trade, consider Dover as an extremely dangerous port?—I should think so.

Is not the run to Hull from the Channel nearly equivalent to the navigation up the river Thames?—I am not prepared to answer that question; I have seen it, but I cannot speak with any degree of precision; it certainly is a long river, and not very broad; it is as broad nearly as the Thames. I never saw the entrance of the Humber; I have seen it, up in the neighbourhood of Hull.

From any means you have had of forming an opinion, can you say that there is not great danger of smuggling in the Humber?—No greater danger than there is in other places similarly circumstanced; rivers are of course all dangerous for smuggling.

John Vivian, Esq.

Do you mean to say, that as a river it would be highly dangerous as other rivers are, and of course dependent upon the quantum of its guard?—Of course it must.

If ships were permitted from the East Indies to pass down the north of Scotland, in what way, in your opinion, would that circumstance affect the revenue?—Very much indeed, I should apprehend; I should think it would expose it to very great danger.

If they were to come round Ireland, would not that be a very dangerous passage to the revenue?—The more extent of coast they traverse, of course the more danger there is of smuggling.

Can any thing prevent great and serious danger, but numerous additional and expensive establishments, looking to such a line of coast as that?—It would certainly require a very considerable addition to the water guard, very great indeed; and I do not apprehend that any very great reliance could be placed even upon that increase.

State why you think that description of increase would not be entirely to be relied upon?—Because it is scarcely possible to have such an increase of vessels; it is indeed within the scale of possibility to have a thousand vessels; but it is not any moderate establishment would guard the coast; we should not know when to expect the ships, and of course the revenue vessels could not be constantly upon the coast waiting their arrival.

Committee.] Your answer has reference to the whole coast of Scotland, and the whole coast of Ireland?—Yes.

Mr. Jackson.] Supposing a free trade to all His Majesty's subjects, from every port in the United Kingdom to every port within the limits of the Company's Charter, with the free range of the Eastern seas, can you say what additional establishment of officers, or other establishment, would be necessary to guard the revenue?—I apprehend, experience alone could decide that.

In your opinion, in the nature of things must not such establishments be very numerous and very expensive, in order to give common safety to the revenue?—Undoubtedly.

Supposing the imports from the East Indies and the Eastern seas to be confined to Liverpool, Bristol, Plymouth, Portsmouth, Dover and Hull, looking to the sort of articles of a light and expensive nature which they then would be allowed to import, is it your opinion that in order to give common safety to the revenue, considerable additional establishments would be necessary for the security even of those ports, thus limited in number?—I think they would.

Is not the amount of excise duties payable on East India and Chinese articles to the public by the East India Company, collected, according to the present system, at a comparatively small expense, and with little trouble or risk to government in such collection?—I think it is, at much less expense certainly, than it would be in any other mode.

Is not in fact the expense and the risk perfectly trifling, compared with the magnitude of the object?—I think it is.

Can you say about the annual amount of the excise duties paid by the East India Company to government?—I really do not recollect that; the duty on tea is stated to be about four millions a year, but all that will appear by the returns.

Do you attribute the great degree of safety which you have described, as to so large a sum, to the public and open mode of sale adopted by the East India Company?—I do; and their being of sufficient capital to put up the article at what they call an "upset price;" individual merchants must sometimes, I apprehend, be so pressed, that it may be advantageous to them even to sell their commodity at a loss, for whatever it will fetch; the East India Company's practice is never to sell the article that they put up, unless the bidding shall exceed that upset price, consequently the Crown always gets the ad valorem duty upon the proper value of the article; if, for instance, a private merchant should find it convenient to sell his tea at 50 per cent loss, it is obvious that one half of the revenue would be lost, because the East India

India Company would never sell it but at a gain: I wish to suggest, that this answer applies only to the present mode in which the duty is laid at ad valorem; but if the duty should be imposed as a rative duty, then, from the circumstance of such alteration of the duty, my answer will not apply. *John Vivian, Esq.*

Looking to the publicity of their sales, the number of purchasers, foreign and British, together with the emulation of purchase, is it your opinion that the bona fide sale price is ascertained at those sales?—I apprehend there can be no doubt of it.

Do officers of the customs and excise attend at those sales, or in what manner does government ascertain their real and bona fide amount?—I can speak of the excise; the same act of parliament regulates both revenues; the officers attend the sales, and take an account of the prices; on which the East India Company, at a certain time, settles the account and pays the excise 90 per cent. upon the sale prices; this applies only to tea.

The piece goods are within the customs only?—Yes; I know nothing of them.

You speak of such articles as are within the office of excise?—One of those articles, tea; upon wine, coffee, and spirits, there are rative duties.

Explain to the Committee what you mean by the upset price?—I understand it to be the practice of the East India Company to put up all their goods at a certain price, not allowing the bidders who are present to name the sum by way of commencing the bidding; and that nobody is permitted to bid otherwise than above the Company's certain specified sum.

That applies to all articles?—I believe to all articles; but it is to tea particularly, to which I speak.

How the upset price is affixed you are not acquainted?—I am not.

That is a price fixed according to the discretion of the East India Company?—I suppose so; influenced by their officers, I take for granted.

You are not acquainted with the rules and principles upon which that upset price is first named?—It is a very obvious one; the practical officers, I presume, must state it to the directors, and they fix it.

Supposing, instead of goods being rated ad valorem, and thus exposed to open and public sale, the mode were changed from an ad valorem to a rative duty, and that public sales should not be the practice, do you not apprehend that the revenue might be put to very material hazard by such alteration?—The difficulty would be, perhaps, to fix a proper rative price upon those teas; I do not conceive there would be any greater risk in the one way than in the other, because it is obvious, if the article is carried away (smuggled) the duty upon it is lost, whatever it may be.

Supposing goods lawfully imported, sold at the out ports, that, instead of an open and public sale, and an ad valorem duty, it should be changed for a rative duty, and no obligation of public sale, do you think then that the amount of duty would be collected with equal certainty, or that the revenue would be equally safe?—Certainly, all the goods deposited in the King's warehouse, must pay the duty before they are delivered out; in the warehouse they are perfectly safe, and in that point of view, it would not signify one farthing to the government, whether such goods liable to a rated duty were sold at a tenth part of their value or not; the crown would receive its duty per pound weight, &c. whatever it was.

Do you state that, whether it is ad valorem or rative?—If it is ad valorem it would become of great consequence; but if they pay a certain duty per pound, they may sell at what price they will, without injuring the revenue.

You confine yourself at present to the article of tea?—That is the principle article, the only article indeed of excise, upon which the ad valorem duty prevails.

My question relates to piece goods; for instance, how would you ascertain the real and bona fide sale price, supposing the ad valorem duty to be changed for a rative duty, and a private sale at the discretion of the party, substituted for public sale?—

John Vivian, Esq.

I apprehend the revenue could have no interest in that question; if the piece goods should pay a duty per yard, the number of yards would pay the same, whether they sold at one shilling a yard or one pound a yard; the *mode* of sale would not at all influence the question.

In your opinion, could the ad valorem duty be conveniently and safely exchanged for rative duties upon the East India and Chinese articles, tea excepted?—It certainly might conveniently enough to the revenue be changed; but whether advantageously or not, I am not competent to say.

Give your opinion, supposing the ad valorem duty to remain, and the public mode of sale exchanged for private sale at the out ports, whether such a change would not extremely endanger the safety of the revenue?—I am of opinion it would; the real value certainly could not be ascertained then with the same precision that it is now; there would not, I apprehend, be the same competition of bidders from all parts of the Continent and elsewhere, who do attend the East India Company's sales, which great number of bidders, added to the upset price, insure, I apprehend, the goods not selling below the real value, and in consequence producing to government the full amount of its duty; should that mode of sale be varied by allowing individuals to sell at the out ports, so far as respects the ad valorem duty, I am satisfied the full amount would not be obtained, because the goods might, upon many occasions, be sold at an inferior value; and also would be sold to fewer competitors for the purchase: The present East India Company's sale we know to be a bonâ fide transaction; but if it were to be intrusted to individuals, there would be no such security; an individual putting up his private property to sale might put in a *fictitious* purchaser, just as people do at auctions; and he might buy in the goods at one tenth part of their value; and by such a juggle, nine tenths of the duties would be lost: I do not know that the ad valorem duty is upon piece goods; it is a customs duty: but this would apply to every article subject to an ad valorem duty.

Supposing the amount of trade, and the number of ships from the East Indies, to continue the same as at present, would there be more or less danger of smuggling, if the trade were confined to the port of London, or if it were distributed between the port of London and the out ports?—In proportion as you increase the number of ports, of course you increase the risk.

Looking to the comparative degree of security of the out ports and of London, do you apprehend that the danger might not materially increase more than the proportion of out ports that should be added to the port of London; for instance, if six ports were added to the port of London, looking to their respective degrees of security at present, in what proportion do you think the risk would increase?—It is impossible to ascertain the proportion.

Is it your opinion, that in proportion to the greater number of ports to which the trade should be admitted, in East India and Chinese articles, the danger to the revenue would be increased?—I think the danger to the revenue would be increased, whether in the exact ratio of the increase in the ports, is a different consideration; but I am of opinion that the danger would be increased, and materially so: that danger, however, might be diminished by the application of additional security to those ports; in the port of London the revenue has every security, because of the walled docks; if the out ports were put into the same state of security, the increased danger would only be attributable to the different objects soliciting the officers attention: Equal preparation could not perhaps be made for the reception of goods at all the out ports as there are at the port of London.

Supposing a free trade to India and the whole of the islands in the Eastern seas, and that the smuggling of tea was the object of the adventurer, in what way, in your opinion, would he proceed to get it into England, Scotland or Ireland?—As he gets in all other smuggled goods; certainly there is nothing peculiar in tea; he would of course, I apprehend, import it from thence to some place of deposit in a neighbouring country, either Guernsey, Jersey, or more likely the neighbouring coast of France or Holland, whilst the present restriction remains on Guernsey and Jersey by the establishment of custom-houses, which took place a few years ago; he might also procure it through American ships, or other foreign ships coming upon the coast,

coast, very likely for purposes of general merchandize, bringing this as a bye adventure, which would be delivered out into boats, and smuggled directly on shore. *John Vivian, Esq.*

Supposing under the circumstances of a free trade, that smuggling should increase, would not a great proportion of it probably consist in the re-landing of such articles as are now prohibited by law in order to protect the British manufacturers, but are allowed to be re-exported, supposing a licence to export from every out port?—Considering that there would be a greater number of ports from whence that exportation might take place than there is at present, it being at present but from one port, of course upon the principle that the import smuggling might be increased, the re-landing smuggling might be increased by increasing the number of ports, because there would be a greater number of objects to require the officers attention.

Is it your opinion, that that description of fraud would be increased under such circumstances?—Undoubtedly, the same principle applies equally to both.

Supposing the same amount of East India and Chinese articles as is now imported by the East India Company in large ships, were to be imported by a great number of adventurers in ships as small as 350 tons burthen, what in your opinion would be the difference with regard to the safety of the revenue from such alteration of circumstances?—Any increase in the number of ships must of course be followed by a correspondent increase of danger of smuggling, because one ship or few ships are more easily superintended than the many; this is all independent of any provision that might be made hereafter for the increase of the number of officers.

Do you then think that under such circumstances, without a very great addition to the number of officers, even common safety to the revenue could be procured?—Certainly not, without a pretty considerable increase in the number of officers, and the number of revenue cruizers too.

Would any other description of security become necessary, under those circumstances, than the increase of officers and the number of cutters on any other establishment, under the circumstances of allowing the same degree of trade to be carried on by a variety of adventurers in ships of 350 tons burthen, which is now carried on by the Company in their large ships?—I apprehend that a system could not be organized at all without fresh establishments in India; and you must, I conceive, insure the revenue here, receiving a complete catalogue of every ship's cargo; to prevent smuggling, that catalogue would require to be authenticated by an officer in India. This catalogue is a *Manifest*; but the Manifest is not so perfect an instrument as might be wished, because officers certainly are in the habit of authenticating Manifests of goods without having visited the ships; they are in the habit of taking the amount and particulars of the cargo from other sources than that of actual knowledge of the fact; taking it possibly from the catalogue that the captain exhibits, or something of that sort; if perfect Manifests were sent home by the ship, and a duplicate of it transmitted by some other conveyance (which it would be absolutely necessary to have) it would then be known what goods ought to be received out of that ship; otherwise the ship might smuggle half her cargo in her passage home, and the officers being entirely ignorant of such smuggling, the Crown would lose duties to that amount, whatever they might be. A total new establishment in India would, I apprehend, therefore be absolutely necessary. The revenue has that same security at present in places where there are custom-houses. From the British West India islands for instance, ships do bring such Manifests; and, with respect to wine, the manifest must be sworn to before the Consul or some principal merchants, otherwise the wine cannot be admitted to entry here from any port; therefore perhaps the sworn manifest would be the better security of the two: but even the sworn manifest might possibly not afford such good security as might be wished, because the temptation to smuggling is such that perhaps captains would still run the risk of taking on board goods not specified in the manifest, in the hope of smuggling them in their passage home; and, should they fail in that endeavour, would give some plausible sort of reason here, to account for their being found on board, such for instance, as I have often known in practice, their having sailed from the port and expected other goods which were sent down in craft to them after they had actually left the port; and that not choosing to leave the goods behind, they took them on board after they had passed their manifest.

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Do you apprehend that such an open trade from India, without manifests, would be one of extreme peril to the revenue?—Excessive peril; that I apprehend must be the fundamental principle upon which the trade could be permitted at all.

Is it customary to have a duplicate of manifests sent from any other part of the world?—Yes from all places in India for British ships, a sworn manifest would, I conceive then, become more necessary than it is at present; the East India Company must bring home all their goods to the port of London, because that is their domicil; and whatever smuggling may have been practiced out of East India Company's ships, I apprehend it has been practiced by captains and officers of the ships; and not, in general, by the Company themselves: but that, perhaps, would be materially varied in the hands of individuals, because the individual merchants might themselves become the smugglers; and that with more convenience than a great company, which is not so fit an instrument for smuggling, their business being carried on through certain formalities, such as written orders, resolutions, &c. which must be delivered out to their subordinate officers, so that a great number of persons must become acquainted with all their proceedings; whereas an individual can manage it by intrusting it to a very few only, perhaps only to his captain; another reason is, that a great company has not so cogent a motive to smuggle as an individual, because the affairs of a great company are conducted by a few; the profits, however, resulting from illicit trade, would not be confined to those few, but would be distributed among all the partners in that concern.

According to your experience, have you found the Manifests even from places where there are custom-house establishments, valid and effectual securities for the protection of the revenue?—It certainly has been a very useful security, but not quite effectual; I certainly have found many instances where the cargo has disagreed with the manifest; innumerable instances almost.

In those numerous instances in which you have found this difference, have you not regarded the manifest on such occasions as so far ineffectual?—Certainly; the manifest has certainly been a very valuable check, but not an effectual one.

Looking to the vast distance from the ports in India and from the eastern Islands to this country, do you apprehend that manifests, if granted there, might prove even less sufficient than those you have been speaking of?—I do not know that the length of the voyage would make any very great difference, because the voyages to which I have been alluding, have been sufficiently long for them to practise what they might think fit.

If granted merely by individuals where there are no custom-house establishments, would they, in your opinion, be as efficient as now, when granted by custom-house establishments?—Certainly not.

Are not those ports having wet docks, but without such docks being surrounded with high walls, in your opinion more dangerous to the revenue than ports without wet docks?—There is one advantage certainly to the smugglers, that they have always water to float the goods on shore from the ships; whereas on many occasions, in the port of Bristol for instance, till the establishment of the wet dock, the ships if they should happen to lie from the quay, which was hardly ever the case, indeed I do not know that they could lie there from the quay with safety; but there are other ports where a ship would lie aground, and there it would not be so easy to bring the smuggled goods on shore as it would be to bring them in a boat.

Upon the whole, you would regard such ports having wet docks without walls, as more dangerous even than ports without wet docks?—Yes, I should be disposed to do so any further than this, that in wet dock ports the shipping are brought into a narrow compass, whereas in another port they are at liberty to lie where they please; they are more widely diffused in the one case than in the other.

Supposing such wet docks to be, as in Liverpool, Bristol and Hull, in the midst of population and surrounded with houses?—Undoubtedly the danger is very much increased by the proximity of houses, because there is a very short distance to carry the goods before they can be deposited in places out of the officers sight; if there is any distance for them to be carried there is a risk of detection in the transit.

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Are not the wet docks in London surrounded by very high walls?—Certainly.

Would you regard any docks safe for the revenue, that could not be surrounded with high walls of at least twenty feet high?—I am not prepared to state the height but certainly high walls add very considerably to the security, they give every possible security to the revenue, there cannot be any greater security from walls than those of the King's Bench prison, where the walls are much higher, I believe, than 20 feet; but yet there has been smuggling of spirits for the consumption of the prison: they contrived to fling them over these high walls, and there were great complaints of that formerly.

Can you name any wet docks in any port, other than those of London, that are surrounded with high walls?—I know of none; Bristol I know is not; Liverpool was not when I saw it.

Are not the new wet docks in Bristol in the very heart of the city, and incapable of having such high walls?—As they are at present, certainly; but I apprehend there would be no great difficulty in making in the port of Bristol a dock that might be surrounded with a wall.

In the present docks, is it your opinion that a high wall could be added?—I do not see how it could be added, because it is so extensive; it is a very great extent indeed, I should think nearly two miles in length; there might be a branch dock out of them; there was a dock there, called Champion's Dock (which is now taken into the present dock) that might have been surrounded by a wall.

Is that now surrounded by buildings?—There are buildings on great part of it.

On the margin of it?—Yes, on one side particularly.

(Examined by the Committee.)

There is no impediment in surrounding the new docks at Liverpool with walls, is there?—I apprehend there could be no difficulty; I have no local knowledge of the thing, but wherever there is ground a dock may be made; and wherever a dock can be made, a wall can be built.

You have stated that you consider the Bristol Channel as affording great facility to smuggling; are you not of opinion that the navigation of the English Channel from the Land's End to the port of London, from the nature of its numerous ports and the habits of their inhabitants, affords greater facility to smuggling and illicit trade, than the navigation of St. George's and the Bristol Channel?—I believe they are more in the habit of it.

Do not you know that vessels bound to Bristol, come, in almost all instances, at once to the harbour of King Road, without previously stopping at any other port, whereas vessels bound to London generally stop at Spithead in the Downs, or in other places, before they reach the port of their destination?—I believe all vessels bound on fair voyages of course will come up to King Road, but if they have a fraudulent intention, they will stop at any places in the way, and put out their cargoes; I remember a case where for several years a vessel belonging to the port of Bristol, was in the habit of smuggling out a very considerable portion of her cargo, and on an officer being sent down to inspect her, stated to me that her stowage had passages all the way throughout, like what he called gangways: As this was done year after year, it is perfectly clear the thing is possible; it is only one ship I allude to in this way, but it is possible for any ship to do so.

Are not you aware, that from the shoals on the Welch coast, and the rocks and shoals upon the English, it is impossible for a ship of 350 tons burthen coming up the Bristol Channel to approach either shore, till within a few miles of King Road, without imminent danger?—I do not know; I should think a ship of 350 tons burthen might navigate that Channel and smuggle as much as she chose; because it is not necessary for the ship itself to come into port or to come very near the coast, she puts out her goods into boats.

Would not the principle on which you have stated an advantage to the revenue from confining the East India trade to the port of London, if carried to its full extent,

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lead to a monopoly of all the trade of the kingdom, or at least in all articles on which high duties are paid, to that port alone?—Undoubtedly, the more you confine trade to any particular port, the more it approximates to a monopoly for that port.

Does not the principle equally apply to the trade in spirits and tobacco, as to that in goods from the East Indies?—Equally, with this difference, that there is no ad valorem duty upon those, they are rative duties.

If the cargo upon its arrival does not correspond with the manifest, is it usual to take any step against the captain of the ship, or any other person on board?—It is usual; but that is chiefly confined to the customs; for though the excise have a right to prosecute, the customs have a superintending power, and upon some occasions have exerted it: On one particular occasion, I remember three or four Captains, at the port of Liverpool, who were under prosecution by the excise, contrived just before the trial to make their application to the customs, who actually had pardoned the offence, and we did not know it till one of the trials came on; but with respect to a disagreement between a cargo and the ship's report, the customs have no such power, and the excise prosecutions are therefore chiefly confined to that.

The captain is not considered as in person responsible for any disagreement that there may be between the manifest and the cargo itself?—He is certainly responsible for it; but the excise prosecutions are chiefly confined to the disagreements between the cargo and the report, because the excise themselves are the only judges of the propriety of compromising that prosecution, or remitting the offence altogether; it often happens, where there is a disagreement between the manifest and the cargo, there is a similar disagreement between the cargo and the report, but the captain is liable to 200 *l.* penalty for each or for any variation between his manifest and report; in short, they ought all to agree.

Do you consider, that in other articles, putting aside East India articles, there is more smuggling from vessels bound to the out ports, than from vessels bound to the port of London, in proportion to the extent of trade?—I do not know that there is.

Do you conceive that the extent of smuggling in East India commodities, is greater than in any other articles?—No, I do not know that it is.

Do you recollect any description of vessels coming to the port of London, or to the out ports, from which the amount of smuggling is so great as from ships coming from India and China?—It is difficult to say just now, because we are at war with so many countries; but I should conceive, that the ships between this and Holland, smuggled to perhaps a greater extent than the East India Company's ships, before the war.

Do you conceive that the smuggling in the West India ships is at all to be compared in extent to the amount of smuggling from East India ships?—In proportion to their cargoes, I should suppose that the smuggling was nearly equal; because an East India ship is so very large, and brings such a vast quantity of goods; in truth we do not know, in either case, what they smuggle in the whole, we only know from the seizures; I believe there is hardly a West India ship that does not bring home some casks for smuggling; we sometimes find on board a surplus, where they have not had an opportunity of smuggling them; sometimes we find deficiencies, where they have had an opportunity of smuggling more than they took on board for that purpose; this perhaps is matter of opinion, we cannot know it to be a fact.

You have stated, that the great apprehension that you entertain of loss to the revenue from smuggling, arises from your belief that depôts will be formed, in the event of peace, in the neighbouring countries, for the purpose of smuggling tea, and other articles of East Indian and Chinese produce into this country, do you apprehend that those teas will be conveyed to those depôts in British ships, or in neutral ships, it being understood that a foreign ship is a vessel of less value, and not subjected to the same penalties to which a British ship would be liable?—My observation is not confined to articles of East India produce, but extends to all goods intended to be smuggled; because that formerly was the case, I presume, upon the return of peace, it will be again the case. As to the question by what ships they might be brought, it is impossible to say; they may be brought by either: the persons intending to carry

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on that traffic will employ, I suppose, sometimes the one and sometimes the other; but it will be more convenient to persons inhabiting this country, to bring them in their own country ship than others, because this country is the place of destination for their regular merchandize, and I presume, therefore, they would bring the irregular merchandize in the same bottom; they would probably contrive to do, as it is understood they do now, that is, have boats to meet them in the Channel, who would carry their goods away to those places of deposit upon perhaps the neighbouring coast, or perhaps run them directly on shore.

In the event of the trade to India being opened from the out ports, the trade in tea being excluded, do you conceive that very great risk will not attach to vessels proceeding from India with tea on board, with an intention to land it in the manner you have described, taking the chance of meeting the vessel that is to convey the article of tea intended to be smuggled to a foreign depôt, it being supposed that the having tea on board will subject the vessel and cargo to confiscation?—There will undoubtedly be considerable risk, as there is in all smuggling transactions, but I apprehend the risk will not be so great as to deter many persons from running it.

If a person were disposed to smuggle, would it not be more advantageous to him, and therefore is he not more likely to enter into that transaction with a view to his own safety and advantage, in a neutral vessel than in a British ship?—I should think not, because it is hardly to be supposed that a vessel would be entirely freighted from that great distance with contraband goods, part of her cargo only will consist of the contraband article.

Would not the circumstance of the other part of the cargo being liable to confiscation be a matter which would therefore deter any person from engaging in such an adventure?—If I may judge from great experience, it would not.

You have stated that considerable danger might arise from the re-landing of prohibited articles, and of articles upon which the duty has either not been paid or drawn back, in consequence of a general permission to export those commodities from different ports in this kingdom, which are not prohibited, and other articles of that description now allowed to be conveyed to out ports under bond for the purpose of exportation?—I believe they are; that however is under the customs, the excise has no concern with prohibited articles.

Do not the excise seize them when they find them?—They have no right to seize prohibited goods; they may do it in conjunction with the customs; if they find an article they know to be prohibited, they will stop it, and get a custom-house officer to make what they call a re-seizure of it.

You have stated, that a vessel going north about would probably smuggle tea; with a view to smuggling tea would not a person, desirous of profitably engaging in that traffic, rather employ, as he may now legally do, a neutral vessel exceeding 100 tons in burthen, export the tea from the port of London, make the voyage in the manner the most advantageous for the object in view, rather than employ a British vessel of 350 tons burthen and upwards coming from India, a distance which would prevent the possibility of early and exact communication of arrival, it being understood that the neutral vessel may approach without danger of seizure within a few miles of the coast, and the vessel of 350 tons and upwards coming from India would be liable to seizure and confiscation on every part of her voyage?—Every merchant will of course consult his own convenience upon that subject; but he may not perhaps have equal confidence in a neutral ship that he has in a British ship.

You have stated, that it might be difficult in the event of public sales of tea being established in the out ports, to obtain a fair market price for them; do you know that at Liverpool, in particular, coffee is generally sold by public sale, and always obtains there the full market value?—I have no knowledge of the fact, but it is obvious that there may be a difference between the two articles, because the duty upon coffee is very inconsiderable, but the duty upon tea is very high; the temptation is much greater in proportion to the magnitude of the duty upon the article.

The sale is not for the purpose of ascertaining the duty, but for the purpose of procuring the fair price, and is a matter of choice with the merchant?—That is for the purpose of making a fair sale of the commodity; my hypothesis is the *reverse* of that,

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that no *fair* sale is intended, but that the opportunity will be chosen most convenient for making a *sham* sale of the thing, and selling it at an under value?

Are you well acquainted with the mode of conducting sales at Liverpool, or the possibility of such a combination of conflicting interests as would enable persons to carry on such a sale, as you have supposed, effectually to accomplish their purpose?—Certainly there can be no very great difficulty in contriving times and opportunities when the thing can be best effected, unless regulations were made, which it is difficult perhaps to contrive; that there should be a certain number of days notice of sale, and a very great number of regulations possibly might diminish the risk; but I am of opinion, that it would be no very difficult task for such a sham sale, as I have suggested, to be effected.

In the event of a month's public notice in various newspapers for a sale taking place at Liverpool, in the article of tea, do you suppose it possible that that tea could, by any understanding among buyers, be disposed of fifty per cent. below its value, or to any considerable amount below its value?—I certainly think it might be disposed of below its value; and especially below the value which the article fetches under the present regulations, because the East India Company's sales take place at specific seasons of the year; and all the buyers upon the continent are as well acquainted with these times and seasons as the East India Company themselves, and send over their orders accordingly; whereas in the other case, I suppose, it would be intended to leave the time and place of sale at the option of the proprietor of the merchandize, and if so, I see no reason to doubt that it might be so contrived as to sell at a very considerable price below the real value; but that the thing would not fetch so much money as it does under the present regulation I think there can be no doubt.

Do you know that there are few or no foreign buyers for tea?—I understand that the foreign buyers do come to this place to buy tea; it is, however, a mere general understanding, I have no particular knowledge of the fact; they send over their orders to this country, at all events, which induce the buyers to make engagements; considerable tea brokers buy only in proportion to the demand they expect for the article; in proportion to the demand therefore from the continent they buy, more or less; and the same from Ireland.

Upon the supposition that the Act of Parliament fixed the times of periodical sales at the out ports, and that those sales were regularly advertised in the most public manner, do you not conceive that a price would be obtained for tea, equal and on the average of years superior, by the expense of transport to that district from London, to what can be regularly obtained at the East India Company's sales?—It would certainly not produce so great a price as if it were to be put in as the East India Company do at the upset price, because no regulation can be made to prevent a merchant from selling his tea at even less money than it cost him, if it should suit his convenience, and that would frequently occur, unless he has an almost unlimited capital.

Are you aware that when a merchant in public sale abstains from naming an upset price, he does so entirely with a view to his own advantage, and ultimately for the obtaining a better price than if he were to offer the commodity at an upset price?—It is obvious, that under ordinary circumstances that must be a motive to influence his conduct; but he may be in circumstances to induce him to sell it at a considerable loss; which never happens at present, I apprehend, in the East India Company's sales.

On the supposition which has already been stated, of periodical advertised sales of tea, is it not likely that an article of such general consumption would on all occasions, but more particularly on an average of years, produce the full market value of the commodity?—Perhaps the market value of the commodity would then be less than it is at present, that is my apprehension.

Have you considered all the various modes of collecting duties, even when taken ad valorem?—It is impossible to say that I have done that, because I came here without any sort of preparation; I came to offer my genuine sentiments, thinking it better, without any preparation.

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Then you have not considered any mode of levying an ad valorem duty, unless by ascertaining the value of the commodity by public sale?—I have never turned my attention to it, but principles have certainly occurred to my experience that will possibly enable me to answer that question: We are not without examples of that in the revenue, and I remember two remarkable instances; formerly the duty upon Paper, instead of being a rative duty upon the pound as it is now, was an ad valorem duty; we never could agree upon what was the value of the thing, and by way of making the matter less difficult, it was said it should be according to the value at the next market town (the paper mills being generally out of towns) and when we came to that, we had the greatest possible contrariety of evidence, the officers and the witnesses produced by the defendant were frequently as wide as east from west. We had another remarkable instance in the case of callicoes about the year 1785, I think; Mr. Pitt was prevailed upon at last to repeal the duty entirely; it was a duty upon callicoes to be ad valorem, and the officers and the traders never could agree upon the value of the pieces. As we have failed in these two instances, I should despair of finding any criterion more efficacious upon the present occasion, than those have been upon the past.

Do you not think there is considerable difference between a manufactured and an imported article?—Certainly not, in that respect, because it is a matter of opinion; in the cases that underwent my examination upon those ad valorem duties, I had no more doubt of the value of the thing, than I had of my own existence; and I am satisfied it was impossible the traders' account of the matter could be correct, but yet they did produce such a body of evidence upon all occasions, as bore us down in the Crown's evidence, in nine cases out of ten.

In the article of tea, might it not be provided that the merchant importer should fix a value as that upon which he was disposed to pay duty, after its remaining a certain time in the custom-house, during which period the revenue officer might take for the public at the price fixed, the whole commodity; do not you think that a regulation of that description might oppose a formidable obstacle to any fraud such as you apprehend?—The revenue officers might certainly be left to take it for themselves; but to take it for the public, would be perhaps diverting the attention of the public Boards from much more important concerns, the collection of the revenue; you would then make them merchants: That regulation does prevail in customable articles to a very considerable extent; it has however, never been thought a practicable thing to take it upon the public, but it has been left to the discretion of the officers, and the officers are very cautious of involving themselves in such transactions; because, if it is at all a measuring cast, they durst not venture upon it, unless there should be so manifest an undervalue given to the goods that nobody can be mistaken, they never, I believe, enforce the regulation.

Do you conceive there would be any injury to the revenue from establishing a rative duty upon tea, or is the classification of tea at all practicable?—There is a classification at present of tea, but to no very considerable extent, such as black tea and green tea; we have five or six descriptions, pekoe and others in the statute books; in keeping trader's stock classification with a view to duty, would be a matter of considerable difficulty; it would expose the revenue to this difficulty, the thing might possibly be so mixed, that we should have a dispute to which class it belonged; upon many occasions it has been a doubt what kind of spirit the thing is, and really where it has been part of one and part of another, there has occurred such a contrariety of evidence, that the Excise could not ascertain the fact: And again, when the ad valorem duty existed on Paper, what class it belonged to, to regulate the duty, and when the officers made it in one class the traders would bring it into another; the classification is now reduced to this simple mode, to brown Paper and all other Papers, and we have been obliged to define, that nothing shall be considered brown Paper, but what is manufactured entirely from old ropes, without the pitch and tar being extracted.

You have stated your apprehension to be, that the market value of tea might be lowered by sales at the out ports, is it therefore your opinion, that the present mode of conducting the sales of tea keeps up the price to the consumer at a higher rate than it would be if sold in any other manner?—That possibly may be the consequence.

Would not the lowering the price of tea have a tendency to increase the consumption?—That may be naturally expected.

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Would not the revenue on ad valorem duty, gain upon such increased consumption, though it would lose upon such reduction of price?—It is impossible to say exactly what the effect would be; but if the consumption was increased, the increased consumption might make up for the loss of the value.

And the tea come cheaper to the Public?—Certainly it is possible.

Without any diminution in the revenue?—If the increase of consumption should be sufficient to counterbalance the deficiency of ad valorem duty, the revenue would be no loser.

In speaking of increased consumption of teas, which you have stated to be possible by the diminution of the price, do you speak of an increased consumption of the higher or lower priced teas?—I apprehend it might apply to either; upon which ever article the diminution of price took place, it would be followed by the consequent increase of consumption.

Do you believe that the higher priced teas would be brought into more general consumption?—It would not apply equally to both, because the consumers of the higher priced teas would not probably be influenced by a diminution of the price.

Do not you conceive, that if the finer qualities of tea were disposed of at a lower price, it would induce many persons to consume those finer qualities of tea rather than use the qualities of tea which they now use?—Undoubtedly, if you can have a finer article at the same price you had a coarser article at, you would prefer the finer.

And that the consequent increased consumption of those finer qualities of tea would, according to all probability, benefit the revenue, either by causing an increased importation, or an advance in the price?—I have no idea that any such reduction of price would take place by those regulations, as materially to increase the consumption of the higher priced teas.

At the time of the Commutation Act, are you of opinion that the consumption of the finer qualities of teas was very considerably increased?—Certainly; the Commutation Act put out of use altogether a very ordinary sort of tea, which was before in use; and I believe that ordinary kind of tea has continued out of use to the present day, notwithstanding the rise of price.

Do not you understand that there was a large consumption of tea in this country before the Commutation Act, which the Commutation Act only brought into notice, and did not create; that it was smuggled into the country before, but that the effect of the Commutation Act was to bring it to public sale?—I have no particular knowledge of that fact; but I know that the sort of tea which was a very considerable article of smuggling (the very ordinary kind of tea) has not been in use since; I believe the East India Company have not sold any; and I understand it is not in use, either by smuggling or in any other way.

Has the Commutation Act increased the consumption of tea in this country, or only prevented smuggling, and brought it to an open market?—It has very considerably increased the consumption and diminished the smuggling.

Is it therefore your opinion, that in the event of a considerable reduction in the price of the finer qualities of tea, which might occasion a defalcation in the revenue, that defalcation would probably be made up by the increased consumption; but if the reduction in price were inconsiderable, the defalcation of revenue would be in the same proportion?—Whatever I might say upon that subject, would be so much a matter of conjecture, that perhaps no value could be attached to it.

You have stated your apprehension, that the public sales at Liverpool and the other out ports might have the effect of generally lowering the prices of tea, and thereby create a probable deficiency in the revenue; supposing the consumption not to be increased, would not that reduction in the price of tea, which you have contemplated, remove in proportion the temptation to smuggling teas, which at present exists?—It certainly must diminish in a degree the temptation to smuggling; to what extent, I cannot say.

With a view to the establishment of rative duties upon tea, if that were desirable, do you think that by classing Hysons, Souchong and Bohea, and attaching a rative

duty

duty to each, the revenue might not be safely collected, and without diminution from its present amount?—I am not sufficiently a judge of the different species of teas, to answer that question. *John Vivian, Esq.*

Are you aware that the duties collected from private merchants are always paid before the removal of the goods, and that postponement in the payment of the duties has taken place in collections from the East India Company?—Yes.

Do you know whether interest has been allowed to the Public in those cases?—I do not know.

Do you know whether there is any sum now due to the Public from the East India Company?—I believe the East India Company are never entirely out of the revenue's debt, it is almost impossible they should be.

Do the East India Company collect the revenue for the Government without charging agency?—I believe they charge nothing; the revenue looks to receiving a nett sum from them, and they call upon them at such periods as they think fit.

Are you particularly acquainted with the river Humber?—No.

You are not therefore aware that there are very few landing places in the river Humber, even at high water?—I know nothing on the subject; but I never yet saw a river where a smuggler would not find opportunities of landing, in places where other persons would not land; perhaps the river Thames is as impracticable as any which can be found.

You are unacquainted with the shore, whether it is muddy or not?—I allude to muddy shores; the Thames furnishes a very strong instance of that sort.

Are not trials for smuggling on the coast more numerous in proportion, than trials for smuggling in the river Thames?—The trials for smuggling on the coast are much more numerous than in the Thames; I cannot speak of the proportion, I speak of the fact of there being more.

You mean that the trials for smuggling over the whole coast of England together, are more than for smuggling in the Thames?—Certainly.

Is not smuggling easier and more practicable from small vessels of 350 tons, than from large ships of from 800 to 900 tons, or China ships of from 1,400 to 1,600 tons?—Certainly the smuggling from smaller ships is more easy than from larger ones, because the smaller ships can come into water where the larger ones can never approach.

Is it not frequently discovered, in the course of trials for smuggling, that in consequence of notices by their agents, numbers of smugglers assemble at specified parts of the coast, and carry off the goods when brought on shore, in various directions, so as to elude the revenue officers?—I believe there is no instance of a smuggling vessel coming near the coast, that has not made her shore arrangements, so that the smugglers know where to assemble, and they take their range along the coast according to the wind; it is fixed that the vessel is to come to such a part, or such a part, according to the wind, and they know where to expect her; sometimes it happens that they come to a wrong place, and then they must go to the next place; these inland smugglers come with their horses and apparatus to carry off the goods, and the whole are very often cleared off in a very short time.

Would not such arrangements be more difficult to be made by a vessel coming from a distant voyage, than from a short passage?—They would not be so easy, certainly.

Do not the trials for smuggling on the coast, to which you have alluded, include offences for smuggling from vessels bound to the port of London, as well as to the out ports?—Undoubtedly: I must say, however, that I have no particular recollection of the vessels being bound to any particular port, in the cases within my mind; I do not take that into the account.

Upon what coast are those offences the most frequent?—They vary at different times; they were very common upon the coast opposite to Holland, till the war; upon the coast opposite to Guernsey and Jersey, and all the way down to the West the smuggling has very much varied since the War, insomuch that there is now very little smuggling; indeed since the forty seventh of the King, a very cogent Smuggling

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Act, which was then made, extending the limits of the Hovering Act from eight leagues to 100 leagues; so that all questions of distance, or no distance (which was commonly the point to be tried) was quite cut up: In the same Act, or about the same time, the islands of Guernsey and Jersey, which were the only remaining depositaries of smuggled goods at that time, were entirely put under new regulations by the establishment of custom-houses there.

In the event of a free trade, would not you be most apprehensive of that smuggling taking place at the chops of the Channel?—Certainly the chops of the Channel would be a principal place, I apprehend, where they would be taking out those goods; for this reason, that it probably would be out of the reach of all the revenue cruisers, who would hardly go to that distance; but it does not preclude the possibility of smuggling after they have passed the chops of the Channel. I apprehend the smuggling might be all along the coast.

Would not the danger in the chops of the Channel be equally incurred by a free trade to the port of London as by a free trade to the out ports?—That would depend upon the number of ships, if large ships are employed in it, there would be fewer of them than if they were smaller.

Supposing the burthen of them to be the same in both cases?—Certainly, because that is the point which they would in all likelihood arrive.

With respect to the practicability of collecting the duty on tea by a rative value, are you aware that the tea brokers distinguish each species of tea into three different qualities, as good, middling, and ordinary; and that each of those qualities is again subdivided into three gradations of good, middling, and ordinary of its kind?—I have no knowledge of the fact.

It has been given in evidence, that the increased water-guards, on the India and China ships coming into the Channel, have diminished the facility of smuggling, should the same means be applied to the port which may be opened to the import and export trade of China and Indian articles, would not the security to the revenue be increased?—In proportion as they increase their guard, the security of the revenue must be increased.

It is understood, that the trade to Bristol, Liverpool and Hull, is principally occupied with the importation of cargoes from the West Indies and North America, which being of a bulky and less valuable nature than the East India commodities, do you think that the same water-guard and officers that are now sufficient to give a reasonable security to the revenue collected at those ports, would be sufficient in case of those ports being opened to the East India trade and to those valuable articles?—No.

Are not the articles brought from India of greater value, less bulk, and of course is not there more facility in smuggling them, than the articles brought from the quarter of the West Indies and North America?—Many of them are.

Could any probable estimate be formed of the increased expenses attending the collecting the revenue on the proposed changes in the Indian trade, in proportion to the expense of collecting the revenue in the same trade in its present mode of collection?—An estimate might undoubtedly be made; but the accuracy of that estimate perhaps might be very questionable.

There could be no doubt that it would be very considerably increased?—I apprehend it would be very considerably increased.

As an open trade with India may naturally be expected to increase very considerably the imports from that country, would not such increase of trade be productive of a correspondent increase of revenue?—Assuming the fact of an increase of importation, an increase of revenue would be its concomitant.

Would not such increase of revenue be likely to counterbalance the additional expense of collection, and any defalcation that might arise from increased smuggling?—That would depend upon the possibility of any increase, and the extent of that increase; if it was very considerable, certainly it would be adequate; but, were I to hazard a conjecture upon the subject (which would be no better than the conjecture of any other individual) I should say that the revenue might perhaps suffer by it.

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Are you of opinion that the increase of smuggling has at all kept pace with the increase of the trade of this country?—As I stated before, the present times are so singular, that we have scarcely any smuggling at all; but previous to these late regulations, and the wars in which we are at present involved, the smuggling heretofore bore a much greater proportion to the merchandize of the country than it does at present.

Are not you of opinion, that whilst the general trade of this country has greatly increased, the practice of smuggling has become less prevalent?—From the peculiar circumstance of the times, certainly not only the places of deposit are diminished, and it may be said almost annihilated, but the hands by which the smuggling has been conducted are now otherwise employed; they are now most of them serving in the navy, but upon the return of peace, such of them as remain will, in all likelihood, return to their ancient avocations, and will gain a great number of associates who had never been engaged in the trade before.

Are you not aware, that the owner of every private ship coming from India is obliged, previously to clearing out for this country, to deliver in a Manifest, in duplicate, at the custom-house, which is attested by the custom master or revenue officer, and sent home by the government in India to the Court of Directors in London, the commander being also furnished with an attested copy thereof to produce to the custom-house officers in this country, on its being called for?—I apprehend we have no revenue custom-houses at all in India; all that the revenue looks to, is the manifest produced to the officers. I do not know that I ever saw one of a private ship coming here; I certainly never did.

Have you seen such Manifests of the cargoes of the Company's ships?—Yes, I have.

Would not all the objections on the score of imperfect manifests alluded to by you, be completely obviated by a regulation that every ship coming from India should be obliged to touch at the island of Saint Helena, and there to renew or complete her manifest under the oath of her commander, delivering copies in duplicate to a revenue commissioner to be appointed by government, whose duty it should be to send home one copy thereof in a sealed packet by the same ship, addressed to the Commissioners of the Customs in London, or the Comptroller of the Customs at the port to which the ship might be bound; after which all goods and merchandize on board not being included in the manifest should be liable to confiscation?—I should repose very little confidence in the oath of the captain to such a manifest.

What kind of manifest do you allude to in speaking of them in a former part of your evidence, in which you would put confidence?—I have been much misunderstood, if I have been understood to say that I reposed any very great confidence in manifests.

Are you to be understood to say you place very little confidence in the effect of the Manifest Act?—I cannot say very little, because I believe it is a very useful act indeed, but not adequate to all the ends that may be desired.

Have the goodness to state in what respects it is not adequate, and what alterations, in your opinion, would be advisable?—I have before stated that I considered that the Manifest Act, though useful in itself, was liable to be eluded in several ways, particularly by the captain's being followed by boats after he had quitted his port, and taking in goods he intended to smuggle; that I was very apprehensive the officers who signed the manifest were not aware that the cargo on board actually agreed with that manifest; that they took their account from sources not to be relied on. If I am asked what sort of a manifest would be advisable, it appears to me that a sworn manifest, before a consul or some officer, would be the most efficacious, with a duplicate of it transmitted to this country. I stated in my former evidence, that wine could not come from any port without a sworn manifest, and that I considered the most efficacious measure would be to extend the oath to all sorts of goods, as well as to wine, and in addition certainly that the officer should actually, as much as possible, see that the cargo did agree with the manifest; but I am afraid that that will never be found practicable; in every instance goods are packed in such a way that really, without opening the packages, it is impossible to say what they contain.

Have you not heard of the company's fixed periodical sales, as they are called, being put off for months?—I believe I may have heard that a sale has been postponed, but I have no particular knowledge of that fact.

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Are you of opinion that ships of any size not less than 350 tons, being permitted to go from any port in this country, to any port within the Company's charter, particularly to the Islands in the Indian Archipelago, there would be a reasonable probability of any means of acquiring security in regard to what cargoes those ships in the Indian Archipelago might bring to Europe?—It would be very difficult.

Would there be any means of procuring even that security of manifests, there being no establishments of revenue officers in those Islands in the Indian seas?—I apprehend there are no revenue establishments at present in those parts.

Do you place considerable confidence, in the efficacy of the Act of the 47th of the King, to which you have alluded?—That, with other circumstances, certainly that Act has been a very important one; because, as I stated before, it establishes a custom-house at Guernsey and Jersey, the only remaining depôts of smuggled goods; and it enables the officer to arrest all persons found on board the smuggling vessels and deliver them over to the navy.

Are those the only new provisions of that Act?—There is also an extension of the limits from eight leagues, to one hundred leagues; it also subjects to forfeiture all ships belonging in the whole or in part to his Majesty's subjects, or of which the persons found on board are more than one half of them his Majesty's subjects; if they have a greater number of small spirit casks on board than are necessary for the use of the voyage upon which they are then bound; if they have any instruments on board for drawing off spirits; if they have on board any materials for the construction of smuggling casks; if they have any cordage for sinking smuggling casks; all these regulations are highly important.

And have been efficacious?—They have been efficacious unquestionably; but the great point has been the subjecting Guernsey and Jersey to the regulations they are now subject to, being the only remaining deposits of smuggled goods; that is, in my opinion, the fundamental principle of the Act.

Do not you think, that where a law could be made, making it unlawful for a private British vessel to have any tea on board, more than sufficient for the ship's consumption during the whole course of the voyage from the East Indies, that act would be attended with the same sort of efficacy as the provisions of the act to which you have alluded, putting out of the question, of course, its relating to Guernsey and Jersey?—It certainly would have a considerable effect, one would apprehend; at the same time it is obvious enough, that if a ship had more than that, she would contrive to get rid of it by some means or other, in case of danger.

Would not the reservation, made by you in the last answer, apply to all the other articles which, by the act of the 47th of the King, it is made illegal to have on board?—They could not get rid of many things so readily; of tea they certainly might get rid, and possibly they might of some others; but then it would be lost or destroyed, they might throw it overboard.

Do you understand that in these questions, with respect to the efficacy of subjecting a ship and cargo to confiscation, a law is referred to, rendering it illegal for British ships to have between the East Indies and this country any tea on board, and that no British ships under 350 tons burthen should be permitted to make a voyage at all?—It would be efficacious, so far as the range of the revenue water-guard extended.

No further?—If the revenue officers did not go there, they could not find them; the ships of war however might.

Would there not be an additional risk at any port at which those ships might be obliged to touch during the voyage?—Undoubtedly, if she was liable to seizure, I presume, that some officer of that port or naval officer would be authorized to seize.

Would not this great risk to which a British ship would be exposed in importing tea, render it much more easy to form deposits on the continent, by means of foreign ships, than by means of British ships?—The difficulty, I apprehend, would be this, that a ship going for that sole object would not be so likely to be employed as a ship that was freighted with other goods going for the purpose of fair merchandize, and the contraband goods forming a part of her cargo; the Americans, I should apprehend, would be the principal persons to do this, and that they would bring considerable quantities of tea which they would deposit in the opposite ports of France.

Would

Would not the foreign vessels have the same power of taking a mixed cargo as British vessels?—Certainly; but a British merchant would not have the same connection with foreign ones that he has with English. *John Vivian, Esq.*

Would not the English smuggler have the same connection with those foreign depôts, however they were made?—He would certainly have connection with a depôt when once established, but the mode of supplying that depôt would be perhaps a difficulty; and an Englishman would probably supply it more conveniently with English vessels than he would with foreign vessels, because he would not be in the habit of such extended intercourse with foreign nations as with his own.

Would not a deposit be more chiefly formed, through the means of foreign than of British vessels?—I do not know why it should, any further than that the risk of forfeiture might be imposed upon a British vessel, which could not upon a foreigner.

Would not that make a considerable difference?—It might.

Do not you think it would make a very considerable difference?—It is possible it might.

Do you take into your consideration, that a foreign vessel would have an additional opportunity of smuggling tea on our coast, with much less danger than a British vessel, inasmuch as it would not be illegal for a foreign vessel to have the tea on board in the Channel, and it would be so illegal for a British vessel?—It would certainly be more convenient to a foreign vessel to have it, because she might not be liable to the same forfeiture that the English vessel would be.

When smuggling in tea existed to a great degree, did it not take place very considerably from the Company's ships?—I do not know; since the Commutation Act, the smuggling of tea has been very much diminished indeed; there is hardly such a thing; there is scarcely any tea smuggled, except in a very few instances, with which we have been acquainted; the article of tea is not to be found upon the coast, as it formerly was.

To what do you attribute that circumstance?—In the first instance, I think it is attributable to the reduction of price, the duty was so low that it was not an object; and an establishment once put an end to, does not raise its head again very speedily; since the duty has been at its present height, Guernsey and Jersey have been put down as the depôts of smuggling; but for that regulation, I dare say tea would be smuggled there again; we know tea has been smuggled in foreign ships, such as a Swedish East Indiamen; there was one instance at Falmouth, and another at Yarmouth.

Do you think that the smuggling would revive in time of peace?—I think it would.

Do you think that it would then be carried on in the same way in which it was carried on before the Commutation Act?—I see no reason why it should not, except this, that possibly the French coast may not be quite so good a place of deposit as our own islands of Guernsey and Jersey.

As applied to the smuggling from the Company's ships to our coast, have you reason to believe that that species of smuggling would not revive if the smuggling revived at all?—I think it would of course; but that I apprehend would not be of the Company's tea, but of the officers adventures in general. I have heard it said, and I have heard it contradicted, that a captain of an India ship may smuggle the Company's tea upon paying a certain advance upon the invoice price; if he be permitted to do that, it certainly is a very dangerous thing; but if it is confined to his own private adventure, the injury to the revenue is certainly much less extensive than it would be if he was permitted to lay his hand upon the Company's goods.

Supposing no alteration to be made in the present system, do you conceive that a considerable smuggling of tea would take place in a time of peace?—Not very materially; I see no reason why there should.

Do you consider that the circumstance of admitting private ships to the port of London, and to some of the out ports, tea being prohibited as before described, under the severest penalties of the law, that that opening of the trade would produce a smuggling of tea in a very considerable degree?—I do; because I do not appre-

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hend, speaking from past experience, that any penalties, however severe, are fully competent to the suppression of smuggling, where they have an opportunity of getting possession of the article at all; and the individuals, as I before stated, have a much greater motive for smuggling, and a greater facility of accomplishing it than great companies have; because the want of instrumentality is in the one case very great, and with respect to individuals, is always at hand; a merchant need do nothing perhaps but confide himself to the captain alone of his vessel, and therefore he may be under a temptation, which the East India Company is not.

When you answered, that you did not think there would be much smuggling, supposing the present system to remain, did you call to your recollection that it was a part of the present system, that any private vessel of any burthen, belonging to any friendly nation, might bring tea from China or the Eastern Seas up the British Channel?—Certainly they may bring it up the British Channel if they please; and we find they avail themselves of an opportunity to smuggle it; and a Swedish East Indiaman in one case, and an American at Yarmouth, did so to a great extent.

How do you reconcile your answer, that there would not be smuggling in time of peace, with the evidence which you have given as to the facility of smuggling from continental depôts?—In giving my answer, my observations were confined to the East India Company's carrying on the trade, or its being laid open to individuals.

Have the goodness to answer the former question, as to the probability of smuggling reviving in time of peace, the present system remaining, you recollecting the circumstances alluded to, as to private foreign vessels as a part of the present system?—The facilities of smuggling certainly will be increased in time of peace, from various causes; if a place of deposit were wanting, a peace would supply that place of deposit; if hands to perform the work were wanting, a peace would supply those hands, which at present are not so numerous, therefore peace is always more favourable to smuggling than war.

Do you think upon the whole, for those or any other reasons, that, under the present system, the duties remaining the same, smuggling of tea would be carried on to a considerable extent in time of peace?—I cannot say to what extent; I do not apprehend that under the present regulations smuggling would be very considerably increased by the return of peace; but that it would increase is natural to expect, for the reasons I have given.

Then you think that the temptation would, with respect to the species of smuggling which can exist under the present system, be overcome by the checks which have been provided; but that with respect to smuggling that might occur under freer trade, as to British vessels, the temptation would overcome the law?—Those are inferences from my evidence which I cannot follow; if any isolated question be put to me I will endeavour to answer it, but in that long concatenation I cannot follow it.

[The Witness withdrew.

[Adjourned to Monday, 11 o'clock.

14.

Veneris, 23° die Aprilis, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

John Vivian, Esq. - - p. 215 to 234.

(No. 3.)

Of Evidence before Select Committee.

Ordered, by The House of Commons, *to be printed*,
27 *April* 1813.

15.

MINUTES of EVIDENCE

TAKEN BEFORE THE SELECT COMMITTEE,

Appointed for the purpose of taking the Examination of such Witnesses, as shall be ordered by The House to attend the Committee of the Whole House, on the Affairs of The *East India* Company; and to report the Minutes of such Examination, from time to time.

(No. 4.)

Lunæ, 26° die Aprilis, 1813.

The Right Hon. JOHN SULLIVAN, in The Chair.

JOHN VIVIAN, Esquire,

Was again called in, and Examined by the Committee, as follows:

John Vivian, Esq.

DO you think that under the present system there would be a considerable smuggling of tea, in time of peace, from the Company's ships?—I see no very particular reason why it should very materially increase from the Company's ships, in time of peace, because they do not in general stand in need of places of deposit, in the way that they have hitherto carried on that smuggling. I speak now of the captains and officers of East India ships.

Do you think that deposits on the Continent, for the purpose of smuggling, would be formed in any other way?—It is possible there might, because formerly Guernsey and Jersey were made use of as places of deposit; and that being now prevented by the recent Acts of Parliament, I presume that they would find substitute places of deposit upon the neighbouring coast of France.

In what way do you think it would be most easy to form these deposits?—I should conceive there would be no material difficulty: A smuggler is never at a loss to make these sort of arrangements

Could it be done by exporting tea that had been lately imported by the Company?—Undoubtedly, it might.

Could it be done by foreign vessels going direct to these places of deposit?—Certainly.

You are aware that these questions refer to the system remaining as it is at present?—Yes, a continuance of the present system, varied only by the return of peace.

Do you think that the temptation being as you have stated, the enterprize of smugglers being as you have stated, there would be sufficient means of smuggling in

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time of peace, under the present system, to cause it to be carried on, to a serious extent?—Means of smuggling, undoubtedly, there would be in times of peace, more than at present.

So as to be seriously alarming to the revenue?—It is impossible to say that; the present high duties certainly would increase the temptation; about half of the duties at present are war duties, which, unless continued, would cease on the return of peace, and that certainly would remove a considerable portion of the temptation.

In either case the duties remaining the same, or being reduced as they are now by law to be reduced, do you think that the circumstance of admitting private British ships, under the restrictions before stated, to some of the out ports, would add very considerably to the means afforded to the smugglers under the present system?—I do; because individual merchants, as well as their captains and officers, would be tempted to engage in the smuggling to which the East India Company have no temptation, of their own property.

How are individual merchants, natives, or foreigners, prevented under the present system?—No tea can be brought any where upon the coast on board any but an East India ship.

Are you aware that any ship but a British ship, of any burthen, may bring tea to any European or American port?—Other than a British port, undoubtedly; but the difference is this; I conceive, that ships will not in general come upon the neighbouring coast laden entirely with tea; but they must be ships coming into the neighbourhood of England, having on board other merchandize, and this only a part of the cargo; therefore I have not equal apprehensions of smuggling from foreigners that I have from British ships, returning home with lawful merchandize, smuggling such parts of their cargo as they can contrive to get out.

Why is it to be supposed British ships will come with these assorted cargoes, and not foreign ships?—A foreign ship, not bound to this country, will not be so likely to have tea on board as a ship that is returning home, unless it is entirely laden with that contraband cargo, which will not in general, I apprehend, be the case.

Do you recollect, that with respect to a foreign ship, a cargo of tea will not be illegal until the moment it is attempted to be smuggled?—I am aware of that; but it is an entire cargo, brought for an illicit purpose; that I am not so apprehensive of entire cargoes being brought by foreign vessels for the purpose of smuggling; as I am that ships belonging to England and returning home, will bring an assorted cargo and smuggle out a part of it; indeed, we find that to be the case at present, with respect to the smuggling of tea, for it is effected in this way; the ship is upon her return home with an import cargo; but a superabundant quantity of merchandize is taken on board for the illicit purpose of smuggling; the East India Company's officers, I believe, generally do this, not the East India Company themselves.

Were you connected with the revenue before the Commutation Act?—From that time.

So as to give you an idea of the smuggling which took place before that?—I came in that very year, or the next.

Was not the principal smuggling then carried on by means of forming deposits?—I believe it was; but at the same time, this smuggling, by the East India Company's officers, existed before: I happened to have a particular knowledge of that from this circumstance; that, in very early life, I lived in the neighbourhood of Falmouth, where it was then the practice of the East India Company's ships to come in; they were afterwards prevented; but I know smuggling from them was very common, till the time of the Commutation Act.

Will not whatever adds most considerably to the means of making those deposits increase in the most considerable degree the danger of smuggling?—Every increase of facility of creating deposits will probably tend to the increase of smuggling.

You mentioned in the course of your evidence the possibility of constructing what you termed a branch dock at Bristol, surrounded by a wall; supposing such a wall to be constructed, would it afford sufficient security against smuggling?—So far as respects the port itself, it undoubtedly would; but that, of course, will not affect the approaches to the port.

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Would not the expense of constructing such a branch dock be so great, as to require a great proportion of Indian trade to be established at Bristol, in order to yield any profit from the undertaking?—Works of that kind are undoubtedly attended with very considerable expense; the works which have been lately erected at Bristol of that sort, have exceeded all computation of expense; I do not know whether as much as two or three times over, it is difficult therefore to say what the expense would be; but I apprehend the expense might be raised, if persons were satisfied that the returns would be adequate to it; whether they would be or not, it is impossible for me to conjecture; it would depend, undoubtedly, on the quantity of profit resulting from the East India trade allotted to that port, the total profit upon the articles being divided into six or seven parts, according to the number of the ports among which the trade is proposed to be distributed; if the sixth or seventh part allotted to Bristol was so considerable as to defray the expense of such construction, I should think the expense would be sustained.

Do you not consider that a long line of coast affords more facility to the arriving ship to smuggle her cargo, than a port situate close to the entrance of the Channel, having all the accommodation of legal quays and wharfs, such as would meet the approbation of the Boards of Excise and Customs?—The greater extent of coast any ship has to traverse, of course the greater the opportunity of smuggling.

If a safe and convenient port, situate at the entrance of the British Channel, which might have such legal quays and wharfs and storehouses, as are approved of by the Boards of Excise and Customs, could be found, would not you consider the revenue more secure, than by proceeding with the ship up Channel, liable to all such detentions as occur both in peace and war, by anchoring in the Downs, Margate Roads, and other situations, previous to her arrival at her port of delivery?—Cæteris paribus, I think it would; but I should not think a port, even at the extremity of the coast so safe (Falmouth we will suppose) for the revenue, should the trade be laid open, as I should conceive the port of London to be, should the trade remain with the East India Company or any other great company who have no temptation, nor the means of smuggling out the cargo, always laying out of consideration the smuggling which may be effected by the ships officers of their own private adventures.

Do you consider the difference between a respectable merchant's house and the East India Company, as making the difference?—In the revenue I know very little of the respectability of merchants; we treat all merchants alike; I, certainly, according to my experience of merchants, should not think it safe to expose them to this temptation.

What ground have you for thinking that a merchant of the first respectability cannot so well resist the temptation as the persons who have the direction of the East India Company?—For that very principle upon which the tenor of my evidence is grounded; the affairs of a great Company must always be conducted by a few persons; but the Proprietors at large would participate in any profits resulting from the illicit trade, whereas individuals would put the whole of that profit into their own individual pockets; I consider that as the leading principle which pervades the whole of my testimony; and, in addition to that, as I before stated, a great Company has not the means; they are less effectual instruments for smuggling than individuals are, because the illicit trade must be conducted through an inconvenient system of organization, founded on written resolutions, written orders, &c. which must go through a great length of formality, and into the hands of a great number of persons, by which the scheme might become known, and expose the projectors to considerable hazard of discovery in the execution. These are the fundamental principles of the whole of my evidence.

In the Company's ships, are not a great part of those articles of which the revenue is defrauded, not belonging to the Company, but belonging to persons coming home, or to individuals belonging to the ship, and not part of the manifest of the ship?—I understand the smuggling in general to consist of goods belonging to the officers of the ship: passengers, of course, will have things; they however will be comparatively small; the bulk of the smuggling, I understand, to be generally the captain's and officers private adventures.

That forms the great proportion of the articles of smuggling?—Yes; I cannot keep out of my mind their encroaching upon the cargo, if it is ever done; I do not know whether it is or not.

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As far as relates to that part of the cargo which does not belong to the Company, what distinction would you make between the East India Company and a merchant?—I attach nothing whatever to the respectability where there is no temptation, or much less temptation and much less means of effecting the purpose; respectability has nothing to do with it.

What would you state as the difference between that part of the cargo which does not belong to the Company, and that which would belong to a merchant in a private ship?—No other difference than this, that the person who does it is certainly liable to visitation from his employers; that is one reason that may operate perhaps, in some degree, as a check; whether it does or not, is impossible for me to say; I am afraid not so effectually as it ought; but with respect to any thing else, I see no material difference between the goods of that private individual, and the goods of an individual merchant.

Does not that constitute a great part of the smuggling now existing?—I believe it does; but my apprehension is, that in any other mode, not the private adventure but the cargo itself would become the subject of smuggling, which in the East India Company's ships I apprehend is not the case, for the reasons that I have before assigned: I beg to be understood, that I by no means apprehend that there ever has been a time when there has been no smuggling out of East India ships, or that the time ever can occur when there will be no smuggling out of East India ships; I consider it impossible to prevent it entirely; but if we preserve the cargo entire, the private adventures are not of so much consequence.

Do you think that the villages of Kingston and Cawsand contain more active and ingenious smugglers than the town and neighbourhood of Deal, Dover, Margate, and the banks of the Thames?—They are all so ingenious, that I do not know how to give a preference to the one over the other; they are all very competent to their business.

Do you know of the practice of sending to Guernsey and Jersey for wine and spirits, having existed since the Government have allowed the navy their wine and spirits duty free?—I do not know it, and I think it is highly probable that it may have ceased; but at the same time, I feel it a duty incumbent on me to add, that they do supply themselves notwithstanding, I believe from smugglers, perhaps over and above their allowance, the allowance is given in certain portions and I believe to certain officers; I speak particularly as to officers of the navy, as to wine, and I suppose other articles in the same way, that does not preclude them from taking in smuggled goods from the smuggling vessels and from the shore; the practice of sending vessels to Guernsey, may, for aught I know, have been discontinued; and I think it is very likely it has; I have not heard of it of late years; but I have heard of ships of war receiving smuggled goods from smugglers in the port of Plymouth, and I do remember one of our officers actually seizing one of the King's frigates, or a ship of war, and he thought it a very great hardship that he should not be able to carry her into condemnation; that was many years ago also.

Has it never happened that Excise vessels have been in the same situation?—I have no recollection of such a circumstance; but the same doctrine would hold there; she is a King's ship equally; a King's ship cannot be forfeited to the King.

Do not you know, that in peace the revenue depends upon the King's cruizers for its protection in preventing smuggling?—Certainly; it depends in part, because they are co-operating with the Revenue cruizers; a modern Act of Parliament allows them to seize.

Does the exemption that is allowed to the Navy from duties upon wine and spirits extend to tea, and articles which are the produce of the East Indies?—No.

Does not the circumstance of the notoriety of the periods when the India ships generally arrive, and in fleets, tend to produce a greater security against smuggling, than could be expected where ships would arrive singly, and at uncertain periods of the year?—A very great additional security, indeed, is derived from that circumstance.

If a person were disposed to smuggle an entire cargo, could not such person, desirous of engaging in this adventure, employ a neutral rather than a British ship, with more safety and advantage to himself?—That depends upon circumstances; because

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because he might possibly not have the same confidence in a neutral that he had in a British ship; the neutral might deceive him, and even run away with his cargo; but certainly if a man had confidence in a neutral, it would be more convenient to him to employ that neutral than a British ship, because some of the forfeitures that would attach upon a British ship would not attach upon a neutral, unless detected in the very act of smuggling, or of having smuggled; in which case she would be liable to seizure, notwithstanding her being a neutral.

Is the captain of a British ship, taken in the act of smuggling, liable to any punishment?—Certainly, he would be liable to be sent into the navy; and I know of some cases, in which the captains of smuggling vessels have been sent on board men of war.

Is the captain of a neutral ship liable to punishment?—Anybody found in the act of carrying smuggled goods, I think, would be liable, but the Acts of Parliament are so numerous, that it is impossible to bear all their provisions in mind: the Hovering Act of the 24th of the King extends to all ships whatever. Any ship found at anchor or hovering, having on board more than six pounds of tea, would be forfeited; by the Act of the 47th of the King, there is a remarkable distinction with regard to vessels: the Hovering Act of the 24th extended to all ships within four leagues, which was afterwards extended to eight leagues; but this Act extends it to a hundred leagues, provided the vessel is British owned or British navigated, there are also penalties on captains putting goods out at sea.

Does that apply to captains of foreign ships?—I should apprehend not; but a reference to the statute would immediately decide that.

Is not great security derived to the revenue from the necessity under which a vessel is placed, of proceeding as directly as possible from the port of clearance to the port of delivery?—There is nobody can decide whether she does or not; the persons on board are the only persons who can determine that; and the only provision that I know of in our law upon the subject is, that a vessel shall be but a certain time coming from Gravesend to the time of her discharge in the river Thames.

Supposing the case that a vessel is placed under such circumstances by her orders that she is obliged to come as directly as possible from the port of clearance to the port of delivery?—Certainly, the more direct her course, the greater security to the revenue. This very Hovering Act is founded upon that principle, because a vessel not proceeding directly, would be deemed hovering.

In cases where the captain of a ship is obliged to assign detailed and sufficient reasons to his employers for any deviation in his voyage, such employers being free from all suspicion of illicit trade or participation in illicit profits during such voyage, is not a great security against smuggling derived to the revenue, which could not be obtained under other circumstances?—I think there would; at the same time it is impossible for the revenue in most cases to ascertain the fact, nor have they the means of enquiring into it; supposing it so to be, the consequence follows, that there is less chance of smuggling.

Is there not a less chance of smuggling to a very considerable extent?—Certainly.

Are you of opinion that the Indian and China trade, coming at present in those large ships in which it does, with the precaution taken by the cruizers, and putting officers on board, is liable to any material degree of smuggling coming up to the Thames?—Not if the officers do their duty.

As you have been for so many years solicitor to the Excise, and must from your official experience be peculiarly acquainted with the various acts of smuggling that have been practised in the import trade from China and India, though probably not with those which may possibly be devised if the out ports are opened to that trade in ships of 350 tons; are you of opinion, after mature consideration, that bringing the whole import trade from India and China to the East India docks and warehouses in the port of London, is less liable to fraud upon the revenue, than if the out ports were so opened?—It is my opinion that it is less liable.

Are you of opinion, that in regard to the export trade to India and China, and the Continent, the revenue would be more exposed to the frauds which may be committed by relanding prohibited articles, or articles upon which a large drawback has been allowed, if the out ports were opened to that trade in ships of 350 tons, than if

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it was confined to the port of London?—The more numerous the ports are, the greater would be the chance of smuggling, unless the out ports were laid under regulations equally efficient with those of London; but I apprehend the port of London to be in a better state of security than most of the out ports, principally because it is under the immediate superintendence of the Board of Excise.

Is not the danger attending these kind of frauds of relanding articles, in proportion, in a great measure, to the smallness of the ships and the length of river through which they must pass from their port to go to sea?—The diminution of the tonnage of the ships certainly affords considerable facility to smuggling; and the greater the length of river through which a ship has to pass, the greater in general will be the opportunity of relanding the goods.

Are you of opinion that duties payable ad valorem on home consumption of articles from India and China, would be ascertained with equal accuracy, if sales of them were licensed at the out ports, as they are now at the fixed and open sales at the India House?—Certainly not; for the reasons that I have before stated.

Are you of opinion that any mode of collecting the revenue arising from the India and China trade can be devised, so simple in its execution, at so little expense, so little exposed to frauds, and so free from the objection of increasing cost, from the necessity of increasing water guard and officers, as the mode in which that important business is now performed at the India House in London?—I am very decidedly of opinion, that there cannot.

Are you aware that from the out ports now, and in vessels of very small size, the exportation of goods liable to a very heavy duty, for home consumption, or upon which a very large drawback has been received, is now allowed?—I am aware of it; and in my opinion it exposes the revenue to so much risk, that nothing but the great accommodation afforded to the merchandize of the country could justify the measure.

What goods could be exported from the out ports, in the event of the opening the India trade, as proposed, which cannot now be legally exported from the out ports in vessels of 100 tons and upwards?—I am not prepared to answer that question.

If the officers of the King's cruizers, of the Excise and Customs cruizers, did their duty with a port at the entrance of the Channel, would not the revenue be better protected under those circumstances, than by the ship's coming up the Channel, and finding her way to the port of London?—That would still depend upon the persons by whom that trade was carried on; it would vary very much from being in the hands of a great company, or in the hands of individuals.

Does it, in your opinion, depend upon the look-out of the Government and the Excise, or upon the persons carrying on the trade?—If there was no intention to smuggle on the part of the merchant, it would supersede all necessity whatever of guard, the guard being only a check upon illicit intentions.

Do you apprehend it to be possible, by any guards the Government can introduce, to prevent smuggling to any important extent?—It is very difficult, I believe, more especially in time of peace.

[The Witness withdrew.

SIR CHARLES WARRE MALET, Bart.

Was called in, and Examined as follows:

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Mr. Impey.] Have the goodness to state to the Committee, how long you were in the service of the East India Company?—Eight and twenty years.

Have the goodness to state in what year you went to India?—I went there in the year 1770.

In what department of the East India Company's service?—In the civil department; as a writer.

Upon what establishment?—The Bombay establishment.

In what parts of India were you between the years 1770 and 1775?—Between the years 1770 and 1775, I made an excursion from Bombay, for the purpose of obtaining information

information up the gulph of Persia; we touched at Muscat, Gombroon and Bushier, and from thence proceeded to Bussora, where the Company have an establishment; after that I visited Surat and Cambay. *Sir Charles W. Malet, Bart.*

Were not you, subsequently to that period, resident with the nabob of Cambay, and for what time?—I was, after that, appointed resident to the nabob of Cambay, a Mahomedan power in the gulph of Cambay, and resided there, I think, nearly ten years.

During your residence at Cambay in that capacity, were there any Europeans in that country?—There were no other Europeans attached to the residency; I had occasional visitors, and during my residency, there was an English army came there to the assistance of Rogobah.

Did you not afterwards reside at Surat, and in what capacity?—During my residence at Cambay I had been appointed Persian interpreter to the settlement of Surat, and in that capacity I occasionally resided there; I was likewise appointed to the council of Surat by the Court of Directors, but I did not take my seat in that capacity.

Were not you, subsequently to that period, appointed Persian interpreter and secretary at Bombay?—On being recalled from the residency of Cambay, I was appointed Persian interpreter to the government, and private secretary to the governor of Bombay.

Subsequently to that period, were not you sent on a mission to the Malabar coast?—I was sent on a mission to the Siddee government of Jizzera Jessore, likewise called Dunda Rajpore.

Were not you also employed on a mission to Poonah?—I think it was in the year 1785 that the government general, then under Mr. Hastings, applied to the government at Bombay for its acquiescence in my being sent minister plenipotentiary to the court of Poonah.

In consequence of that appointment did you not cross Hindostan from Bombay to Delhi, or the neighbourhood of Delhi, and from thence proceed to Calcutta?—Subsequent to the treaty of Salbi with the Mahratta states, Madajee Scindiah had been, by one of the stipulations of that treaty, made the mediator of all intercourse between the English government and the Mahratta states: to conciliate his approbation of my mission, I was ordered to proceed from the western side of India, to wait upon Madajee Scindiah: I accordingly proceeded from Bombay to Surat; from Surat I proceeded across the Peninsula, and joined Madajee Scindiah, then in camp at Mutha, between Delhi and Agra; and after having had audiences of him and the king, who was likewise in camp there at that time, Mr. James Anderson, who was resident with Scindiah, procured his approbation to my appointment, and I proceeded to Calcutta.

Did you afterwards proceed as resident to Poonah?—On my arrival at Calcutta Sir John Mc Pherson was in the chair, Mr. Hastings having proceeded to Europe; and having received his instructions and directions, I proceeded from Calcutta to Bombay by sea, and from thence to Poonah.

How long did you continue to be resident at Poonah?—I went there in the year 1786, and remained there till the year 1797, to the best of my recollection.

During that period did you not attend the Mahratta army in the war against Tippoo?—Soon after my arrival at Poonah, having had an audience with the Peishwa, I proceeded to join the minister, who was then at the head of an army acting against Tippoo.

Were not you acquainted with the Persian and Hindoostanee languages?—I certainly was acquainted with them at that time.

During so long a residence in so many different parts of India, had you not many opportunities of observing and studying the characters of the natives of India?—I certainly had opportunities.

Are you of opinion, from such observation, that they are a people peculiarly unchangeable in their manners, habits and opinions?—I think both Hindoos and Mahomedans are peculiarly attached to their own manners, habits and opinions.

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From your observation and knowledge of the character of the Hindoo people, and of the natives of this country, what, in your opinion, would be the consequence if Englishmen, unacquainted with the manners and languages of the natives, were permitted in any great numbers to go into or reside in the interior of the country of India?—I think, from the great difference of the manners and customs of the natives of this country and the natives of that, there would be a probability of great confusion resulting from an indiscriminate intercourse with the people of India.

Are you of opinion that such indiscriminate intercourse would be attended with mischievous consequences to the peace and happiness of the natives of India?—I do not see any possibility of the happiness and peace of the inhabitants of India being improved by such an indiscriminate intercourse; on the contrary, I think it is very likely that great disturbances might ensue from such intercourse, and consequently unhappiness result.

If such disturbances were to ensue in the interior of the country, are there any adequate means, at present, of punishing any Englishmen who should be the authors of such disturbances?—The parts of the country that I allude to are those under the native governments, and I presume there would be no adequate means of punishing but by resorting to the power of the native governments, or to personal resistance.

Have the goodness to state whether, among the natives of Hindostan, there are not very great differences in point of character; I mean among the Hindoos; and what those differences are?—I think that the manners of the people of India not only partake of the difference of character incidental to all individuals of all countries, but that they are greatly diversified by the classification of the natives of the country into different sects.

Have the goodness to state what those different casts or sects are, and what are the general characters of the persons comprehended within each of them?—In the classifications of the natives, particularly Hindoos, to whom I allude, there are casts, whose hereditary practice it is to devote themselves to the lowest occupations of servitude; there is the commercial class; there are military tribes; there is a priestly tribe: all these are characterized by very striking and peculiar traits of manners; as for instance, those whose habits of life are servile, are extremely submissive; the commercial is industrious, thrifty, and likewise, I may say, extremely obsequious in his intercourse with mankind; the military tribes are generally high-minded and irritable; the Brahmin has feelings of his sacerdotal character, and is particularly sensible with respect to any violation of that character.

Would not such traders, as have been alluded to before, going into the interior of the country, be likely to commit involuntary offences, that might be extremely dangerous to them, against the military or the sacerdotal classes of the Hindoos?—I think it is very likely, from the difference of the manners of our countrymen from those of the natives of India, that they may unwarily and undesignedly be involved in violations of those observances which the people of India of those different classes may expect.

Would not even touching them, or passing by them while eating, and letting the shadow of an European fall upon them, very seriously offend them?—The touching of a Brahmin by an European would involve the necessity of ablution; the passing near the place where they are cooking their victuals, and the shade of an European falling upon their culinary operations and their cookery, would certainly be looked upon as a pollution of the food.

What would be the consequence of that pollution?—Most likely throwing it away, and considerable anger on the part of the person who might be so inconvenienced.

In such cases, would not the military casts of Hindoos express the strongest resentment, to the great danger of the person offending?—I do not know that it would so immediately affect the Rajpoots, who are the military tribe; but as there are many Brahmins amongst the soldiery of the country, it certainly would be particularly resented by them.

If such Englishmen, as have been stated, were permitted to go into the interior of India, would not, in your opinion, quarrels with the natives be probable, if not inevitable?—Most undoubtedly.

Have you observed, during your residence in India, that even Englishmen who have resided long at the presidencies, have found inconveniences from the ignorance of the natives of the interior, when they have gone into the interior?—I have known gentlemen who have been in the habit of residing in our own settlements, where the submissiveness of the natives in general prepares them to expect the same amongst the foreign powers, have found a very different reception on going amongst the natives under their own government; I have likewise known two instances, one of which was fatal; the first, of a gentleman at Poonah, who had recently arrived in the country, and having got the command of a regular corps in the Peishwa's service, was, on some rash conduct, on his part, towards the minister, who then commanded the army, on leaving the Durbar tent, shot on his way home; the other instance was of a woman, a Mrs. Hall, married I believe to an Englishman of that name; but she was certainly a Frenchwoman, who had the nominal command of a corps in the Peishwa's service, and on occasion of some haughty treatment of some native, was imprisoned in a Hill Fort, where she would probably have been put to death, had I not interfered in her behalf.

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State what the differences are in the manners of the natives of Hindostan, at the Presidencies and in the interior of India?—The difference is certainly very great.

Wherein does it consist?—There is a difference in their general deportment; there is a more general submissiveness to Europeans; and I suppose they feel, that from the protection of our courts, they may go to a certain degree of submission, without particular bad consequences ultimately resulting; but that not being the case under the native governments, irritability once provoked may be attended with more dangerous consequences, than from the anger of a person who receives ill treatment under our own governments.

Do you think, from your observation, that Englishmen in general treat the natives so well upon their first arrival in India, as after by long residence they have become well acquainted with them?—I certainly think that Europeans, before they become acquainted with the native character, are more in the habit of treating them with disrespect than afterwards.

Are you of opinion, that it is peculiarly incumbent on the local governments in India, with a view to their stability, to be careful in the utmost degree to avoid exciting any discontents among the natives subject to their government?—I think that in a country where the mass of the population may probably be sixty millions; where the British force, including the native army, may amount to probably 150,000; where the European part of that force may not probably exceed 25,000; our power must mainly depend upon opinion; and in as far as the conciliation of that opinion must be requisite to our safety, I should think that putting it to a risk by adding to the dangers, an indiscriminate intercourse should certainly be avoided.

Are you of opinion that an influx of Englishmen into the interior of our dominions in India, where there are no courts of justice holding criminal jurisdiction over Englishmen, would tend to create discontents among the natives, and thereby shake their allegiance to our government?—I think it not at all improbable, that in the event of an indiscriminate influx of Englishmen, which may probably be under some impressions not friendly to the constituted English authorities now in India, both in their conduct and in their language, they may evince symptoms that would be rather derogatory to the dignity of the government there established. I think it but too likely, that the natives of that country, and the native powers of that country, seeing our own countrymen manifest a conduct of disrespect to the constituted authorities there existing, might be disposed to prosecute any evil dispositions that might be pre-existing among them; at the same time, I think it not unlikely that indisposition of the natives to our countrymen and to our government, may be engendered by the observance of such language and such conduct in the indiscriminate influx of Europeans.

If such indisposition in the minds of the natives towards the English, as you have stated in your last answer, were engendered, are you of opinion, that the native princes who are at present in alliance with the Company, would be ready and willing to take advantage of it against us?—I look upon the alliances that have been recently formed with the native powers, to have arisen out of the principle of coercion and ascendancy; and in as far as there may be in all governments a desire of regaining

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independence, I think it not improbable, that if power and opportunity served, they might be incited to take advantage of the indisposition previously engendered.

If a free trade were enacted between this country and India, with a restriction to the presidencies, and that no trader should enter the interior without the licence of the local governments, in your opinion would not the local governments have great difficulties in refusing such licences to any persons who applied for them?—I think that the importunity would be so great, as to cause considerable difficulty in the necessity of opposing them.

While you were in India, were there not several Europeans at the presidencies who were very anxious to get up the country?—I do not, of my own knowledge, recollect any instance of the kind; but I know it was the general supposition, that Europeans were in general wishing to get up the country, and I know they frequently did get in, and probably without any licence or any permission.

Do you not think, that in the event of a free trade, the governments would be continually pressed for such licences by traders, who could not sell their goods at the presidencies?—In the natural persuasion of most men, that they could do their business better in their own persons than by agents, I think it is very likely that there would be that importunity.

From your observation of the natives of Hindostan, do you think they have generally any want or any desire for the articles or manufactures of this country?—This question, I humbly conceive, divides itself into two parts; the first, with respect to the disposition of the native governments to encourage the introduction; and the second, with respect to the individual natives as to their disposition to receive them. With respect to the first part of the question, if it is the pleasure of the Committee, I will read to them an extract from a letter which I had the honour to address to the Governor General in the year 1788, particularly on the subject of the disposition of the government of the Peishwah to encourage an additional commercial intercourse: in the former part of the letter there is a general statement of the then existing state of our commerce with the Mahratta government, with tables annexed:—what I shall have the honour of submitting to the Committee, is the conclusion from the whole statement:—" In concluding this address, I shall endeavour, by a slight sketch of the " genius of this government, as far it relates to the subject, to meet the ultimate ob- " ject of your Lordship in Council, of enabling you to form a judgment how far the " state of our commercial intercourse with it, as above described, is capable of im- " provement, to the advantage of both."—[It may be necessary to inform the Committee I did this in consequence of his Lordship's particular desire to increase our commerce with the Maratta country, and to add to the imports of our commodities.

That was written to Lord Cornwallis?—Yes.

In what part of the country were you when you wrote that letter?—At Poonah. I was then minister plenipotentiary to the government of Poonah.]—" The Pesh- " wah's administration is in every act, more or less, influenced by that parsimony " which so invariably and so strongly marks the Bramin character, while, narrow in " its genius, and grasping in its policy, it frequently mistakes the mode of gratifying its " ruling passion; averse from and probably ignorant of the systematic and equitable " principles on which alone commerce can be rendered flourishing, by encouraging " the industry in the security and happiness of the subject, its chief attention seems " directed to conquest and depredation, giving employment at once to the desultory " military spirit of the Marattas, and supplying the state and chief individual Bra- " mins with wealth and power."

" Commerce, but more especially foreign, less understood, would be more slow " and precarious in its operation: The arrangements necessary for its effectual pro- " tection, are incompatible with that spirit of expedient and venality by which every " thing is influenced at Poona; they would in some measure trench upon the arro- " gant principles of aristocracy, by a general diffusion of wealth; and interfere with " the system of farms, which is universally adopted from the smallest branches of " the customs, to the disposal of provinces; whence the subject, instead of expe- " riencing the uniform and vigorous protection of a wise government, is cruelly " sacrificed to the rapacity and oppression of the highest bidder.

" The state of the numerous ports of the Maratta empire, on the coast of Malabar " and Guzzerat, but more especially the former, evinces a spirit hostile to com-

" merce;

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" merce; and I have not a doubt, were its fleet equal to the end, but that it would " be instantly converted to the same predatory purpose at sea, as its armies are by " land; as it now is against all those whom it can master. This, perhaps, is fortunate " for us, as presenting a bar to the admission and rivalship of our European " neighbours; though certainly the customs of a single year in a well frequented " port, not to mention the numberless advantages of population, &c. would greatly " exceed the profits of plunder, after deducting the expense, which must be great, in " keeping up a number of piratical vessels.

" The rich and commercial kingdom of Guzzerat (every town of which is or was " inhabited by rich Banians, a tribe as attached to commerce as any other tribe of " Hindoos to its hereditary pursuits) flourished infinitely more by its traffic, even " during the violent convulsions of the Mogul government previous to the establish- " ment of the Maratta power, than it ever has since that event; though time and " tranquillity have given ample leisure for doing away the effects of conquest and the " transfer of dominion.

" The Moguls, magnificent and ostentatious, required every article of luxury; " towns and villages grew out of this spirit: the Bramins and Marattas, less refined " and more parsimonious, are averse from and ignorant of those costly modes of " expense; hence those towns and cities, deprived of the cause of their existence, " are mouldering fast into ruin, and their wealthier inhabitants have sunk under or " fled from the rapacity of their new masters.

" In this cause might probably be traced the seeds of the present drooping com- " mercial state, of all those provinces of Hindostan that have been subjected to the " Maratta power; under which the provincial monied men, not to mention the " substantial landholders, have been subjected to oppressions and exactions: personal " property has become insecure; industry has failed; an aristocratical wealth, " arising from the soil and the labours of the peasantry, has succeeded, which is " confined to the conquerors, and Poona has become an insatiable sink, into which " vast treasures have been poured, scarce ever again to circulate.

" This was not the case under the Moguls; the riches carried annually to Delhi, " did not stagnate there; the internal commerce of the empire, and the spirit of the " people, gave full employment to the foreign influx of wealth: the productions of " each province, and the performances of every art, were in high demand; and the " pay of the vast armies of the empire kept pace in magnificence with every other " article of expence: hence arose numberless channels, through which the wealth of " the empire was again circulated to its extreme branches.

" The mere accumulation of riches by the inhabitants of an empire, is vicious and " sordid; but much more so, when it becomes the sole object of the rulers; a wise " legislature studies to make them the stimulatives of genius, of science, of agriculture, " and of commerce; to convert them to the consumption of the produce of industry, " and so to arrange them, as that the coffers of the state may be replenished from " the redundance of those of the subject; but, my Lord, this system is not known at " Poona.

" The fixed and grand source of this state's revenue, is Agriculture; the best, " perhaps, on which a nation can depend: that it has such a revenue, is the ne- " cessary consequence of possessing an immense tract of productive domain: that " it is not more productive, but on the contrary, that it labours under every disad- " vantage, proceeds from a faulty constitution: the second is, its Tribute, fixed by " various denominations on the greatest part of Hindostan: the third, the predatory " collections of its armies: the fourth, its domestic sequestrations; and the last, " its collections on the commerce of the empire; which I am inclined to think are " comparatively trifling and insignificant.

" Poona is still a large village, to which people of all denominations and all pro- " fessions are now beginning to resort, from the other ruined parts of Hindostan, " particularly from the decayed Mogul cities. Its reputation for security, since the " two abortive expeditions from Bombay, has greatly tended to promote its increase " and population; as the wealthier Bramins have in consequence begun to employ " some part of their hidden riches in building; which single circumstance necessarily " gives employment to a great number, and a great variety of artificers, as the " wants attendant on large buildings are endless.

" The circumstances which are above enumerated, of the great wealth of the " Bramins, and the great increase of Poona in buildings and inhabitants, must, I " should imagine, cause a greater demand for the articles, which can be furnished

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" only from Bombay, than heretofore; but from what I can observe of the present " genius of this government, I confess that I am inclined much to doubt the prac- " ticability of improving or extending our commerce, by any extraordinary means " adopted for that purpose; and as I believe that the common course of causes arising " from the state of the society has already operated its utmost effects, and will continue " so to do; so do I think, that an endeavour to improve or extend them, would " rather tend to awaken jealousy and suspicion of our intentions, than to answer the " liberal end proposed by your Lordship in Council."

What is the date of that letter?—In the year 1788, so far as to the genius of the Mahratta government: the next part of the question was, as to the inclination of the natives to receive European commodities. I think there certainly does not appear either to exist a want or an inclination, except amongst rich individuals, at the presidencies of our own government: the want of inclination seems to be the permanent cause, in the manners of the people; the deficiency of the means, seems to be a growing evil, from the decrease of the influx of specie from Europe, which, as far as my information goes, is now confined to the slender supplies from the gulfs of Persia and Arabia; and were there any prospect of forcing our manufactures, I humbly presume that, in as far as our native fellow subjects in India are in that relation entitled to the fostering care of government, it could not be wise or magnanimous to encroach upon the slender means which they possess for their own scanty maintenance, and the payment of our revenue.

Are you of opinion, that the general population of Hindostan, by that meaning the cultivators of the land, have the means, if they had the desire, of purchasing any English manufactures?—I certainly conceive that they have not.

If they had the means, do you think that, in the interior of the country, they have any taste for any British manufactures?—I do not know any of our manufactures for which they have a particular taste, except for our fire-arms; that indeed is not general; the princes who wish to embody regular corps, are desirous of getting our fire-arms and our ammunition: there may be perhaps spectacles and a little hardware; I believe that nearly comprizes any articles which I have seen a disposition in them to purchase.

Have the goodness to state who are the principal consumers of European articles at the presidencies, speaking particularly of Bombay, as you have been more acquainted with that presidency than any other?—There is a tribe of people at Bombay, that are peculiar to the western side of India, the Parsees; those people give somewhat into the manners of the Europeans; they have no repugnance to wine, like the rest of the natives of India; and they, as I understand, give into the pleasures of the table, and frequently entertain European gentlemen.

You mean, that they are the principal consumers, among the natives, of European commodities at Bombay?—Yes. It may be necessary for the Committee to keep in mind, that it is now fifteen years since I left India; there may perhaps have been a considerable alteration even in the manners of the Parsees, since I left India.

When you were at Bombay, was it true that many of the natives had establishments of six or eight carriages, meaning European carriages, and several of them with superb equipages?—I am not acquainted with that fact; I believe some of them had equipages, but as to the number there mentioned, or any extraordinary splendour, or any thing of that kind, I am not acquainted with it.

Had they their houses superbly furnished with European furniture?—I do not recollect ever having been in the house of a Parsee of any consideration; but their shops were always well stocked with European articles.

At that time, was there a demand, among the richer natives, for the finer and more elegant manufactures of Britain; elegant guns, pistols, watches, and articles of that description?—They certainly were always very acceptable to them, as presents; but I never understood that they were particularly extensive in their purchases of those kinds of articles: I have frequently presented them myself, and they have been always very gratefully received.

Do you think that, in the event of a free trade, there is any probability of a materially increased sale of the manufactures of this country among the natives of India?—It may be necessary to observe to the Committee, that I have never myself

been

been practically engaged in commerce; my general view of it has been in my diplomatic situations; and as far as it has been necessary for me to contemplate it in that point of view, I never saw that there was any great room for an increase of demand for the manufactures of this country, in any part of Hindostan with which I have been acquainted. *Sir Charles W. Malet, Bart.*

Do you think that, under the present system, the opulent natives of India have full means of procuring any European articles that they may wish for?—The three presidencies of India I look upon as emporiums for the whole country of Hindostan, and I believe that the natives of the whole of the continent of Hindostan may have easy communication with those presidencies, through the agents that are residing at them.

Did it appear to you, while you were in India, that the supply of European commodities carried to the markets, was fully equal to the demand on the part of the natives?—I never heard of a deficiency; nor was I, during my residence and during my journies in different parts of Hindostan, ever applied to for encreasing the quantities that had been imported.

Do not you know that the East India Company, from their anxiety to encourage British manufactures, have often exported more of them to India than they had occasion for to answer the demand?—I do not recollect, of my own knowledge, that such has been the case; but it is the impression on my mind, from what I have been in the habit of hearing.

Do you mean, what you were in the habit of hearing when you were in India?—Yes.

Are not the people of India a trading and manufacturing people, that are fully adequate to supply their own mercantile wants?—I conceive them to possess manufactures fully equal to the supply of all their mercantile wants.

Are they not quick in learning any European arts that they find useful to them?—They are certainly extremely ingenious, docile and industrious, and quick in learning such European arts as they find useful to them.

In your opinion, was the Company's government, when you were in India, adequate to the purposes of enforcing good order, and thereby promoting the happiness of the natives under our government in India?—I presume that the present prosperous state of the British empire in India, affords the best answer to that question: Further I beg leave humbly to submit, that I think the permanent goodness and efficiency of any vicarial government, must primarily depend upon the wisdom and virtue of the power whence it emanates, and secondarily on the undeviating strictness of its responsibility to that power; and as from the nature of the Company's organization, I should suppose its servants and delegates further removed from the partialities of the ruling power, and more exposed to the strictest scrutiny of its supremacy; while on the other hand the same organization removes all apprehension of that concentration of partialities or attachment which might tend to internal domestic danger, I humbly presume no delegation of government could afford a fairer prospect of efficiency over our Indian empire, than that of the East India Company, whose servants, if duly cherished, will not cease to emulate the great examples that have been set them in a *Clive* or a *Hastings*. I think that the acknowledged and conspicuous merits of the Company's civil and military servants, in constructing and upholding the mighty structure of our Indian empire, entitle them to the confidence of their King and country.

In your opinion, in the event of a free trade, will it not be essential to the stability of our empire in India, to continue to the local governments their present powers of removing such Englishmen as may misconduct themselves in India?—In a former part of my evidence, I think I adverted to the probability of an indiscriminate influx of Europeans, being impressed with unfavourable sentiments to the existing authorities in India; from the danger of the prevalence of such an indisposition, and from an addition to the numbers of that description of people for whom the order was originally made, I presume there must be an additional necessity for the exercise of that authority.

In your opinion, may not the taking away the great commercial advantages now enjoyed by the East India Company, ultimately greatly injure the British interests in India?

Sir Charles W. Malet, Bart.

India?—In as far as the exercise of the commercial power of the Company has hitherto been blended with that of their political, I humbly conceive that any interruption in the structure of that power, might tend to weaken the general edifice in the opinion of the natives; used, as they have been, to view it as a great whole, inasmuch as it might have a tendency to undermine the commercial intercourse between the two countries, it might certainly injure the interests of this nation.

(Examined by the Committee.)

Does not the principal part of the import and export trade of India, flow to the different presidencies and principal seaports along the coast, where there are civil and military establishments under the British government?—Undoubtedly; but there are native independent ports, where may be imports and exports, of which I am not acquainted.

Are not the Company's exports to India always sold at the presidencies, or at their subordinate factories along the coast?—I believe invariably so, to the best of my knowledge.

When you were at Poonah, were not advertisements, in respect of the Company's public sales, sent to the residency, to circulate through the city of Poonah, for the information of the inhabitants?—It was not the practice to send them to me as resident.

Do you know whether any native agents or merchants, from Poonah, ever attended those sales, or wrote to their agents at Bombay, to purchase goods for them at such sales?—I know that the merchants and shroffs had agents at Bombay, but I am not acquainted with the particular state of their commercial intercourse.

Is it within your knowledge, that the principal merchants at Poonah had native agents at Bombay, for the purposes of their commerce?—I cannot say that it is specifically within my knowledge, though I have no doubt of it.

During the time you resided at Poonah, do you know whether any of the principal private merchants at Bombay found it necessary, or worth while, to go into the interior, to sell their goods; this question having no reference to suttlers or persons of that description following the British armies?—I do not recollect the existence of such a fact.

Do you know whether the goods of the interior are not brought, in great abundance, to the principal seaports, by the natives, and cheaper than if this was done by European agency?—I humbly presume all the operations of the natives, with respect to conveyance through the country, might be done at a much cheaper rate than could be effected by Europeans acting in their own person.

Do you know whether European merchants would not experience difficulties and obstructions in the provision of such goods, which native agents would not meet with, or might more easily obviate?—Doubtless.

Under this state of the trade of India, and considering that the private merchants do not find it for their interest to go much into the interior, is it likely that the trade, being now opened as proposed, would occasion any material alterations in this respect?—There might be more of the agents, from the increase of the trade, should that increase be admissible; but I can perceive no additional inconvenience, because they would be the same native agents.

Considering that the interests of the European traders are thus confined, in a great degree, to the presidencies and some principal seaports, do you think that the influx of Europeans into the interior of India, would not be proportionably limited?—I presume it would depend upon the governments where they imported, to give or refuse permission for their entering into the interior.

Under those circumstances, would it not become unnecessary for many of them to proceed into the interior; supposing always that their interests chiefly lay at the seaports?—Their opinion of the necessity I would not pretend to judge of; but as to the fact I think it would be unnecessary.

Of the few Europeans that would thus find it necessary, or have an interest to go into the interior of the country, might they not, in your opinion, be placed under such

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such legal restraints in the Company's territories, as would be sufficient to prevent serious commotion?—I cannot help thinking, that in the event of an indiscriminate influx of Europeans, and those Europeans probably having rather an unfriendly impression with respect to the authorities of the country, being permitted to go into the interior, they might, notwithstanding the restrictions of government, occasionally cause disturbances.

If such Europeans were to commit offences in the interior of the country, either against the natives or the constituted authorities, might they not, under the present regulations, be seized and sent to England?—I am not exactly acquainted with the state of the regulations; but it has always been impressed upon my mind, that the government had the power of sending disorderly persons to England, though I presume that that might in many cases be eluded.

Have the goodness to state, from your extensive knowledge and experience of the native governments in India, whether any European traders could penetrate, or reside for any length of time, in the territories of a native prince, without the permission of that prince?—I should think not.

Have the goodness to state, whether, in the event of such European trader or others committing offences against the natives of this description, he would not be immediately seized by the native government, and expelled the country?—According to the offence that he might commit against the government of the country, he might be proportionably punished; he might be put to death, he might be imprisoned, or he might be expelled.

You have mentioned two instances of violent or intemperate conduct, on the part of two European officers in the Mahratta service, being severely punished; are those the only two instances, during your knowledge, of similar conduct?—I think there was another instance of a Mr. Boyd, an American; but I do not think it ever amounted to punishment; there was a bloody affray, but it did not I believe terminate in punishment to him personally; he was obliged to make his retreat by force from an attack made upon him; but what was the cause of the attack, or the circumstances of it, I am not aware.

If European traders were to go into the interior for the purposes of their commerce, and having, as they manifestly would have, an interest to conciliate the natives, do you think that they would be as likely as the officers above adverted to, to commit excesses against the natives?—I think the question is one dependent entirely upon personal character; with respect to the interest of the person, it certainly would be conciliation; but whether his ignorance of the manners might not involve him unwarily in disputes, is a matter entirely of chance.

Are there any part of the British territories in India, within your knowledge, where judicial authority emanating from the British government is not exercised?—I am not acquainted with the organization of the judicial authority of the British provinces.

When you were in India, had you many native servants in your establishment, private and public, that were commonly dressed in liveries or dresses of European cloth, made up according to the fashion of the country?—During my diplomatic situation at Poonah, two companies of sepoys were attached to it; they were dressed in European cloths. I was afterwards in the administration of the government of Bombay; all the attendants forming the retinue of the governor, were dressed in English woollens; I do not recollect that in my personal numerous establishment, my servants were dressed in European woollens.

During your residence in Bombay, were there not many of the public servants attached to the different departments of government, and particularly persons called Peons, also dressed in European woollens?—It is to them I allude, that the servants forming the calvacade or the retinue of the governor of Bombay, were dressed in English woollens: I believe the common attendants upon the offices, in the character of messengers, who are called Peons or Sepoys, were generally dressed in English woollens.

Do you know whether those persons were not much pleased with such dresses?—In as far as it was a badge of authority, it certainly was pleasing to them; might I judge of its being pleasing to them as a matter of habit or dress, I should think there was no particular predilection for it.

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Would those persons, in your opinion, have preferred comelies, the common manufacture of the country?—I presume that each individual of those men that I have just been describing, would, were he sent upon a message in which he was obliged to be out during the night, take his comely in addition to his woollen dress.

As an article of dress to appear in abroad and in the day time?—The comely is not an article of dress, it is only an article for the prevention of the inclemency of the weather.

Is it not capable of being made into an article of dress?—Doubtless it may be cut up; but I never saw it.

Be pleased to state whether English broad cloth is not commonly used in the housings of elephants, camels and horses, of the richer natives of the country?—Undoubtedly it is; and in addition, it is used for their shoes; among the richer Brahmins it is likewise used for a kind of surtout, with a cape that comes over their heads.

During the time you were in India, were the native princes, or any of them, in the habit of dressing some of their soldiers in uniforms of woollen cloth?—I believe they were.

You have stated, you were some time at Surat; had not the nabob of Surat at that time a corps of attendants so dressed in green uniforms?—I think it is very likely that he had; but I cannot say that I recollect it.

Do you recollect whether the Bukshee or principal minister of the nabob of Surat, had the care of those attendants?—I do not recollect it, but think it is very likely.

Can you state what others of the native princes in India, alluded to in your former answer, used such woollen cloths as uniforms for their troops?—I think Tippoo's troops were habited in the manufactures of his own country, with streaks like the streaks of a Tiger: Scindiah had regular corps, but I do not recollect whether they were dressed in woollens or in cloths of the country.

When you were at Bombay do you recollect whether the principal native merchants did not commonly use European carriages?—Some of them did use European carriages.

Have you ever heard, or do you know, whether their houses were not furnished with chandeliers, lamps, mirrors, and several other articles of European and Chinese manufactures?—I have understood that they are.

From your observation at Bombay, do you not think that there is more wealth generally distributed among the natives of that settlement, than among those of the interior provinces?—Undoubtedly.

Do you know of what classes that population of Bombay consists?—It consists of Hindoos, Mahomedans, Parsees, Christians, and some Jews.

Are there not a great many Hindoos at Bombay, of the cast called Purvoe?—Undoubtedly.

Are there not many of the Hindoo class called Banians?—Undoubtedly.

Are there not many of the Hindoo cast called Hamauls, Gotties, Comatties, and others?—Those last enumerated are foreigners, Hamauls, Gotties and Comatties.

By foreigners, you mean that they are persons that have come to Bombay to seek employ?—To seek a livelihood.

Are they not now fixed residents in the Island?—Many of them are become fixed residents in the Island.

Did you, during your stay in Bombay, ever see a statistical account, prepared by the superintendent of police, or in his office, stating the Hindoos of the Island to be three-fourths of the whole population?—I do not recollect having seen such statistical account.

Did not the Hindoo merchants called shroffs, ride in European carriages, during the time you were in Bombay?—I think there was one, but I am not sure, Nuggindass.

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Sir Charles W. Ma'et, Bart.

In a former part of your examination, you stated, that there was little want or inclination among the natives of India, for European manufactures, except at the different presidencies and principal sea ports, where there are European establishments; do you think that this greater inclination for European manufactures, at such presidencies and sea ports, is at all to be ascribed to the intercourse of the natives with the Europeans settled there?—I think it is almost exclusively belonging to the Parsees, that the request prevails for European articles.

Had the Parsees, according to your knowledge, or as far as you may be acquainted with their history, any such inclination for European manufactures previous to their intercourse?—I presume they could not feel the want before they were acquainted with the article.

Then the Committee may understand, that this intercourse with Europeans at the presidencies, has at least effected some change in the habits of the natives?—Doubtless; the Parsees have adopted new articles, not of dress, but of luxury, in their houses, and in their mode of conveyance.

You have stated, that the Mogul princes of India were in the habit of indulging in every description of luxury; did not the same spirit prevail among their principal officers?—The style of magnificence was general throughout the whole system of the Mogul empire.

Are not the descendants of the same people likely to indulge as their predecessors did, or if such were the original habits of those people, can any thing but poverty restrain their indulgence in the same luxuries now?—The wealth of the Moguls is principally confined to the chieftains of the empire; I know now but of three or four remaining of that decayed empire; one is the Nizam, another is the Vizier, another is the Nabob of Moorshedabad, and the other the Nabob of the Carnatic; I believe they indulge to the utmost of their power in the luxuries and pomps that were characteristic of their tribe.

Do not the Mussulmen in Persia also indulge, when they can afford it, in the use of European luxuries and manufactures?—I dare say they may, but I am not practically acquainted with it; I cannot speak to it of my own knowledge.

Were they in the habit of using woollen dresses when you were in that country, during the cold weather?—Persia is, I believe, one of the principal vends of the woollens that go to Bombay.

Can you state whether woollens are also in use among the northern tribes of Hindostan?—Not that I have observed; they substitute quilting in the cold weather as their clothing.

Can you state the number of the Mussulman population now in India?—Certainly I cannot.

Would you conceive, from your observation of India, the Mussulman population to be overrated at ten millions, the number stated by Mr. Orme?—It is a point on which I can form no definite opinion; the population is so very scattered and so very wide, that I do not know how it is possible to form any criterion to make a census.

Do you think it is any thing like that number?—I have not a single *datum* on which to form an opinion upon the subject; there are large provinces where scarce a Mahomedan is to be found; again there are large cities where perhaps the major part of the population may be Mahomedan.

Can you state what number there are in India of the people called Portuguese or native Christians?—I have heard that the total amount of native Christians may be 50 or 60,000, but I have no knowledge on which to form an opinion of my own.

In what country?—Taking from Bombay to Cape Comorin, and along the coast of Coromandel, and in short throughout the peninsula, Portuguese Christians, Syrian Christians, and Christians of the different denominations.

Are there not many of those Portuguese established in and about Bombay, and on the island of Salsette?—A great many.

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Are not their habits and dress in a great measure European?—I think some of the better sort on a Sunday may perhaps have a coat of broad cloth, but the mass of them which have come under my observation have the cloth of the country for a waistcoat, or something of that sort of habit.

Are not those people, generally speaking, in a very degraded condition, and miserably poor?—The generality of them are among the labouring classes of the society; their degradation, if degraded they are, must be from their manners; but I am not aware of any particular degradation attaching to them, or of their being particularly poor.

If, as you state, the better sort of those Portuguese dress commonly in European clothes, do you not think that if the great majority of those people were richer, they would also adopt the usages of their superiors of the same cast?—It is most likely that with an addition of wealth they would adopt a more expensive garb; but the climate appears to me to be a great obstacle to its adoption, as their common habit.

Are you acquainted with, or had you an opportunity of personally observing, during your residence in Bombay, the state of the Island of Salsette?—My residence in Bombay was very short, and during that time I had very little opportunity of observing the situation of Salsette.

You have stated, in a former part of your examination, that one reason why the natives of India had neither want nor inclination for European manufactures, was their scanty means, coupled with their obligation to pay the government revenue; can you state, for the information of the Committee, to what those scanty means of the natives are chiefly to be attributed?—Generally to the state of the society, particularly to the low price of labour.

Is not, in your opinion, the low price of labour rather an effect than a cause of such poverty?—Perhaps mutually, cause and effect.

Is not the land tax or revenue very high all over India?—I have always understood so; but never having been employed in any revenue department, I am not competent to give a decided opinion upon the question.

[The Witness withdrew.

[Adjourned to To-morrow, 11 o'clock.

15.

Lunæ, 26° die Aprilis, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

John Vivian, Esq. - - - - - - p. 235.
Sir *Charles Warre Malet*, Bart. p. 240.

(No. 4.)

Of Evidence before Select Committee.

Ordered, by The House of Commons, *to be printed,*
27 *April* 1813.

16.

MINUTES of EVIDENCE

TAKEN BEFORE THE SELECT COMMITTEE,

Appointed for the purpose of taking the Examination of such Witnesses, as shall be ordered by The House to attend the Committee of the Whole House, on the Affairs of The *East India* Company; and to report the MINUTES of such Examination, from time to time.

(No. 5.)

Martis, 27° die Aprilis, 1813.

The Right Hon. JOHN SULLIVAN, in The Chair.

Sir CHARLES WARRE MALET, bart.

Was again called in, and Examined by the Committee, as follows:

Sir Charles W. Malet, Bart.

WERE you understood rightly, in saying, that the native princes of India, particularly the Mahrattas, do not hold commerce in estimation, and give but little encouragement to it?—I conceive myself to be rightly understood.

Do you know of any of the princes of India being engaged in trade?—I do not.

Are you of opinion that the commercial pursuits of the Company tend to raise the character of the British nation in India?—I do not conceive that the commercial dealings of the Company have any particular tendency to increase the respect of the native princes in India.

State, whether, in your opinion, they have that tendency generally, or otherwise?—In as far as it connects them more generally with the commercial classes in India, I presume it may have a tendency to increase its influence over those classifications of society.

Are you of opinion that the Company's government would be more respected by the native princes, if they were to relinquish their commercial, and confine themselves to their political character in India?—I am rather inclined to think, that in the event of any diminution of the powers and privileges now exercised by the East India Company, coupled with an influx of a new class of Europeans from this country, the general result upon the minds of the Indian princes might be detrimental to the interests of the Company.

Would it, in your opinion, be detrimental to the real interests of the Company or the nation, were the Company to relinquish their commercial character in India, provided it can be shown that their trade with that country has been productive of a heavy loss?—I think in my former answer, the general result is that a diminution of the influence of the Company, by the abolition of its trade, might be detrimental to

Sir Charles W. Malet, Bart.

its governmental character; it remains for the Company, in its financial character, to determine, whether that diminution of character would be compensated by saving or avoiding the supposed incurred commercial loss.

Have you observed any considerable use made by the natives of India, of the metals of this country, such as copper, iron, steel, &c.?—The natives of India certainly make great use of copper, iron and steel; they have abundance of iron in their own country; steel they likewise have, but in what proportion, or what quantity, I cannot pretend to say; copper is in universal use amongst them, but whence it is procured, I am not competent to specify.

Have the goodness to state, in what part of India they obtain their iron within themselves?—There are very great iron works in the north of India, in the neighbourhood of Gwalliot; it is now fifteen years since I was in that part of the world, and I do not exactly recollect the very spot where the mines are, but they were in the course of my journey to the north of India, and were visited, and have been in some measure described by a gentleman of my suite.

Do not the natives of India use copper and brass vessels for holding water, milk and oil, and for other household purposes?—They certainly use copper and brass vessels for various domestic purposes.

Do not the natives of India, who can afford to purchase those, prefer them to earthen vessels?—I believe that a certain proportion of vessels of one or the other of those metals is almost a necessary part of their domestic utensils, but I cannot speak to the proportion between the use of them and earthen vessels: I beg incidentally to mention that, in their great entertainments, the Hindoos do not use either earthen or metal vessels; their plates off of which they eat, are composed of leaves sewn together.

Do you speak of India generally, or of any particular part of India?—Those parts of India with which I have had an opportunity of being acquainted.

Are you of opinion that the consumption generally by the natives of India of British manufactures, and other articles imported from this country, had increased between the period of your arrival in India, and that of your departure?—My residence while in India was chiefly in foreign situations, and during that residence, I certainly had no opportunities of observing any particular additional importation, or use of European articles, in as far as the European population at Bombay increased, there certainly must have been an additional call for European articles; I likewise believe that the Parsees of Bombay have increased in their demand for European articles.

Were English carriages in use amongst the natives of Poonah when you left India?—Certainly not; nor were their roads at all calculated for the use of them.

Have you heard that they are now very much so, and that his highness the Peishwah has several English equipages?—I have not heard it, but I think it very likely, from the introduction of a subsidiary corps at Poonah, that carriages may have been introduced, roads may have been mended, and the Peishwah may have adopted the use of them in a certain degree.

Were English chandeliers in use amongst the natives of Poonah when you were there?—I think there was a fondness for the glass ware of this country as an ornamental and useful article.

You have mentioned that the Hindoos eat off leaves, is it within your knowledge that the Musselmen do not so eat off leaves, nor the Portuguese or Parsees?—They certainly do not.

Is it within your knowledge, that those classes of natives sit down regularly to tables the same as Europeans do?—The Portuguese, I always understood to be nearly similar in their manners to ourselves; I am not acquainted with either the Parsees or the Mahometans having adopted in any degree that part of our manners.

Had not the Company formerly a considerable trade with Sind in the articles of woollens and metals?—They certainly had a considerable trade formerly, and a commercial residency existed in the country of Sind.

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Do you know how the Company came to lose that trade?—I do not accurately know how the Company lost the trade, but I understood the withdrawal of the factory to have been from the unsettled state of the country. *Sir Charles W. Malet, Bart.*

Have you heard of an unsuccessful attempt having been lately made by the Company to renew their intercourse with Sind, and to establish a commercial intercourse in that country?—I do not personally know of such an attempt; but I have heard that the re-establishment of the factory actually took place, and was again shortly withdrawn, but for what reasons I do not know.

Does not India produce remarkably fine grapes, and in great abundance?—Grapes I believe have been latterly introduced upon the Island of Bombay; there were grapes grown at Poonah, but not in great quantities; greater quantities, I understand, to have been grown at Aurungabad; I am not acquainted with the culture or growth of grapes in any other places.

Are you of opinion that the grape might be cultivated in India to any extent, and that wine might be produced therefrom by persons skilled in making it?—Doubtless grapes might be produced to any extent.

Are you of opinion, that cotton might also be produced to any extent?—I presume that the soil and climate of India might be used to the cultivation of cotton to any extent.

Are you of opinion, that if the resort of Europeans was restricted to those parts of India where there are British settlements, any peculiar danger would arise from that permission?—I conceive that no positive danger would arise to the Governments into which Europeans might be introduced; my expression of Governments supposes it to be one of the principal settlements of the Company, where their municipal and military power is in full vigour.

Meaning the three presidencies?—Meaning the three presidencies.

Do you mean the three presidencies only, when you allude to places where the municipal power is in full vigour?—I am not acquainted with the extent of the jurisdiction of the subordinate settlements, for the proper controlling of an indiscriminate influx of Europeans generally; I confine my answer to the three presidencies.

Do the Hindoos, on service with the army, carry their prejudices, with regard to Europeans touching or passing near their food, to the extent which you mentioned in your evidence of yesterday?—I believe that those tribes, which I particularised yesterday, *would*; or that, according to the observances of their casts, they *might*, even on service with the army.

In reference to what has been said respecting the disposition of the princes or chieftains whom we have conquered, have you observed any particular signs of dislike to the British among the mass of the Hindoo or Mahometan population of those countries, to whom we have at different times dictated the terms of peace or of subsidiary treaties?—Happily for this country, and for that part of it which is charged with the administration of India, I do not think that hitherto there have been any general marks of antipathy to the English nation, or its government in India, at least none have come within my knowledge; with respect to the influence of coercive treaties, and the alliances of ascendency, they have, generally speaking, been formed since I left India, consequently I cannot be so well qualified to speak to the influence of those treaties as gentlemen who have had an opportunity of local observation.

Inform the Committee what portion of Tippoo's dominions were assigned to the British after the treaty of 1792?—I think that the conquered part of the dominions of Tippoo were to be equally divided amongst the three allies, the British, the Peishwah and the Nizam.

Can you say what ports there are to the northward of Goa belonging to native powers, and to whom they respectively belong?—Raree and Vingorla belong to the Colapoor Rajah, and to the Dessi Warre; Severndroog Gheriah and Choule belong to the Peishwah; Tizzera or Dunda Rajpor belongs to the Sedy, formerly the admiral of the Mogul empire; Colabba belongs to Angria Basseen, and Gundavie belongs to the Peishwah; the two last are to the northward of Bombay, those I have mentioned just now are to the southward; Damaun belongs to the Portuguese; Jumbuzores to the Peishwah; Cambay to a Mogul Prince; the whole coast from

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thence to the Persian Gulf belongs to the independent powers, and there are very numerous ports, particularly on the coast of Guzzerat.

Do the treaties with any, and which of the princes, prevent Europeans penetrating into India?—I know there was an article in the treaty with the Peishwah, precluding the entertainment of foreign Europeans; but during my time I do not recollect any article precluding the admission either of British or foreigners.

How far does the country of the Colapoor Rajah extend from the sea coast, and do you know whose territory it bounds to the East?—It is on one side bounded by the Portuguese to the southward; to the eastward and northward it is bounded by the Peishwah's territories; the west is bounded by the sea; I am not exactly acquainted with its extent from the sea coast.

Might not Europeans, landing at the port of Rarec, have free access from thence to all parts of the interior of India, whether belonging to the Company or to native powers?—Undoubtedly, I know of no obstacle either physical or political.

Might not they also have access through the ports of Gheriah, Rajapore, Colabba and the other ports you have mentioned?—I know of no specific prevention.

Do you know whether the Sedy of Rajapore and Angria, are completely subject to the Peishwah, or how far they are independent states?—The Sedy of Rajapore is in a very peculiar predicament; the rightful heir has been provided for by the Peishwah with a Jaghire in Guzzerat, upon condition of surrendering to the Peishwah his claim to inheritance, of which the Peishwah was to take advantage as opportunity and power permitted: I have not heard that the Peishwah has taken advantage of that commutation, to get possession of Rajapore; Angria was, I believe, a feudatory of the Mahratta Raj, that is, of the kingly power before the vicarial power of the Peishwah took place; as a feudatory of the Raj; he is in a certain degree independent of the Peishwah, but certainly not independent of the influence of the Peishwah.

Do you think that any stipulations with the Peishwah, could be effectual to prevent Europeans penetrating through all or any of those ports into the interior?—Certainly no agreement with the Peishwah can be imperiously preventive.

Do you know what distance it is from Angria's port of Colabba to Bombay?—I believe Bombay is in the latitude of 19°, and probably Colibar may be from 15 to 20 miles to the southward of it; I speak under correction.

Have you ever been in the country of Cutch, or do you know the exact situation of that country?—I never have been in the country of Cutch, but its geographical situation I am generally acquainted with.

Are the countries to the north eastward of Cutch, subject to the Mahrattas, or are they independent chieftains?—To the north east of Cutch there are several independent rajahs, over whom the Mahratta influence is only in a degree in which their Muluckgheery armies can enforce a certain collection from them.

Would Europeans meet with any difficulty in penetrating into the interior of India through those countries?—I presume they would meet with no other difficulty than might arise from their own misconduct; there is a persuasion amongst the people of that country, that most Europeans are artillerists, acquainted with the use of cannon; and under that persuasion probably, they would be glad to receive stragglers.

Do you know whether there is in general good anchorage on the coast from Goa to the Indus, during the fair season, and could not boats easily land at every port you have mentioned, during that season?—I believe, that during the whole of the fair season, that is, from the beginning of November to the middle of May, there is a very safe communication between the coast and shipping; and that there is very good anchorage along the whole of that coast; I speak under correction, geographically.

Do you think there would be any, and what danger, in ships from this country navigated by Europeans, freely visiting and trading with the ports of the native princes in India, Persia, Arabia, and on the Eastern coast of Africa?—There are piratical vessels on the coast of Malabar, on the coast of Guzzerat, and in the Gulph of Persia, that would subject vessels, not well armed, to the danger of capture, to which

which may be superadded the common dangers to commercial adventurers, of bad governments, and bad paymasters under those governments; of the Eastern coast of Africa, or Abyssinia, I have not much information. *Sir Charles W. Malet, Bart*

Do you think there would be any danger of getting into disputes with the native officers of the ports?—I think that people, entirely ignorant of the peculiarities and great varieties of the character of the people, included in the extensive line described by the question, would certainly be subjected to great dangers of quarrels with the natives.

Do you know what commercial communications those ports have with Europeans?—Of the ports described on the coast of Malabar, I know but two, I think Jumboseere and Cambay, that are much frequented by Europeans; of those on the coast of Guzzerat, Gogo, and Bounagur; but all of them have a very frequent and intimate intercourse with our presidency of Bombay, by means of their own vessels.

Is not Bombay the emporium of trade, or the commercial depot for all the countries to the eastward of the Cape of Good Hope, as far as the Cape of Comorin, including the Gulphs of Arabia and Persia?—Undoubtedly, it is the great emporium.

Is not the produce of those countries chiefly brought to Bombay in small vessels, belonging to and navigated by natives?—I believe, excepting the trade of the Red Sea from Morha and Judda, and excepting some large square-rigged ships and vessels from Muscat, the whole commercial intercourse is carried on in their own latteen sail or single masted vessels.

Do not those vessels carry back the goods required by those countries, the produce or manufactures of Europe, China, and other parts of India?—I believe they do; the Company's naval establishment at Bombay is employed in convoying and escorting those vessels to various ports, to guard against the piratical states, I have previously had occasion to mention.

Do you think this mode of carrying on the country trade, as cheap or better than in English ships, manned by Europeans?—I conceive that it must be infinitely cheaper, and in as far as it is cheaper, must be preferable, and better for the natives.

Are you of opinion, that, considering the delicate texture and tenure of the British Empire in India, which is acknowledged not to depend upon its numerical, but on its moral force, that is opinion, repeated indiscretions of British subjects or Europeans, might shake the tranquillity, and not remotely the security of the British Empire in India?—I certainly think, that the indiscretions of our countrymen in India, coupled with the report of various proceedings in this country; of meetings, tending to diminish their commerce, to encroach upon their religion, and generally evincing a disposition subversive of their present state of society, may have a tendency to shake and undermine the amicable sentiments of the natives of that country.

Is or is not the population of India at present generally submissive, and apparently contented under the British government?—In my answer to a previous question, I have had occasion to say, that my knowledge of the influence of the alliances that have been formed with the native powers since I left India, is imperfect; previously to my leaving India, as far as my situations enabled me to judge, there was a degree of confidence in the native powers towards the Company's government, that was highly creditable to that government, and to our country in general.

Do you imagine that the Mahometans, out of whose hands the power has been taken by the British nation, which power they formerly used for the purpose of pillaging and oppressing the Hindoos, are equally contented, though apparently submissive with the Hindoo part of the population?—I think that the mass of the Mahometan population being so widely diffused and scattered, can hardly be supposed to form one general opinion or sensation; but I think that the chieftains and principal members of the Mahometan part of the society, must certainly feel their present humiliating situation extremely irksome.

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As long as the Hindoo population is contented with the British government, do you imagine that any discontents, or practice from those discontented Mahometans, could shake the British empire?—India is a country of vicissitude and revolution; I think it not at all improbable that some great genius, some extraordinary spirit, might arise, that could combine the present floating spirit of discontent in the Mahometans into one mass; in which case I think, notwithstanding the general amicable disposition of the Hindoos, that spirit might be dangerous and difficult to subdue.

Are you of opinion, that if any subject of discontent or apprehension was furnished by any measures taken in this country in regard to India, that would greatly increase the danger, and make the subversion of the British power very instantaneous and very easy?—Admitting the hostile spirit to be produced by any indiscretions or violations of the manners on the part of our countrymen, I presume that only power and opportunity would be wanting to effect the suggestions of any indisposition which might have been created.

Do you think that, practically, merely the power in the government of India of removing individuals who go to India under a parliamentary enactment, would be sufficient, without a positive direction in the act of parliament, in case British subjects are allowed to go to India, that any transgression or evasion of an order from government by any British subject or European, should ipso facto be followed by being sent out of the country, in order to avoid the subjecting the supreme government to the odium of it?—If it is meant to ask with respect to the exertion of such a power, parliament certainly could give the power of doing it; with respect to the consequences, and the bearings of the exercise of such a power, how far it might trench upon the individual liberty or welfare of the subject must depend upon the circumstances of the case at the time: and how far, in as far as it might bear upon the liberty and welfare of the subject, it would certainly become a question as to the advisableness or expediency of the exercise of the power.

Do not you conceive the supreme government of India to be always responsible to parliament for the proper use of its power?—Undoubtedly.

Are you of opinion, from your knowledge of the native habits and climate of Hindostan, that any chance of an increase of supply to those natives, of British articles, can be compared with the possible dangers arising from an increased intercourse with Europeans not in the Company's service, notwithstanding any regulations that may be made in regard to them?—I humbly presume that the increase of the disposal of European articles is a very dubious result of an indiscriminate influx of Europeans, consequently, that while the advantages must be dubious, the probable inconvenience of the influx is to be put in the balance against it.

In the answers you gave yesterday to the questions respecting the probable consequences of a greater influx of Europeans into India, did you not refer chiefly to that part of India which lies to the west of Cape Comorin?—Though there is a great opening for the admission of Europeans from the independent governments on the coast of Malabar, yet in my idea, with respect to the inconveniences of an indiscriminate influx of Europeans, in as far as that influx may operate in the production of disagreements with the natives, I do not mean to confine myself merely to the coast of Malabar.

Do not you conceive, that in part of the coast not immediately subject to the Company, Europeans might either by permission or comivance of minor native authorities, get admission into the interior of the country, notwithstanding the agreement of some of the principal native powers to exclude them?—I think they certainly might.

If it were freely permitted by the British government to British subjects to resort to India, would they not be likely to avail themselves of those modes of entrance into the interior in a greater degree than they have hitherto done?—In the proportion that the number would be increased the probability of the increase of entrance into the interior would be superadded.

If British subjects were permitted to trade to those countries on the coast of India, not subject to the Company, might there not, besides the danger of their embroiling themselves with the natives, be a danger of their getting into disputes with the native governments,

governments, in consequence of their attempting to establish factories and a local influence there?—Without perceiving any danger of their attempting to establish factories, I think there would be a danger in their endeavouring to establish that common intercourse which must be necessary to their commercial objects. *Sir Charles W. Malet, Bart.*

Does not the present state of the commercial intercourse between the British settlements in India and the north-west coast of India, the Gulphs of Persia and Arabia, and the east coast of Africa, afford ample means for the vend of all European commodities which those countries can take off, and for procuring a sufficiency of all the productions of those countries in demand in Europe?—I have always understood that it does.

Is not the clothing in English woollens of the peons, and other retainers of Europeans, entirely from the will and at the expense of their European masters?—Undoubtedly.

From the coast of Guzzerat, supposing an unrestricted intercourse of Europeans to that coast, would it be easy or not for them to get up to Indore, the country of Holkar, the country of Meer Khan, and to the independent Rajapoot states?—I can see neither obstacle nor difficulty.

Would it be an object to the independent states, not under the control of the British government, to conciliate Europeans, and get them to come into their country?—In a previous answer, I had occasion to say, that Europeans have generally the reputation of being artillerists or useful in some military mode or another; and in that capacity, I think it is very likely that they might be received or entertained.

In reference to the questions which have been put to-day, respecting the facility of entrance into the interior of India through Guzzerat, is not the more cultivated and civilized part of Guzzerat subject to the Peishwah, the Guicowar, and to the British government?—During the time of my residence in India the whole of Guzzerat, exclusive of Surat, was in the possession of the Peishwah, the Guicowar, Broache of Scindiah; the north western part was possessed by different rajahs in a certain degree, independent of either Peishwah or Guicowar, subject only to the visitation of their tributary collecting armies.

Have we not late treaties with those princes, by which they are prevented entertaining Europeans in their service, without the permission of the British government?—The treaties that existed during my time did not preclude the admission, though they did the entertainment of foreign Europeans in the Peishwah's service.

Is not the remainder of Guzzerat, or that portion of the country which extends to the borders of Cutch and Joudpore, commonly called Cottywar, and the people Cotties?—The country extending to the north of the town of Limbrey, in the province of Guzzerat, and probably some part to the southward of it, is called Cottywar, and is inhabited by a predatory tribe, denominated Cotties, but they do not extend to the sea coast.

Do not those people occupy the principal part of the interior of the country you have just described?—They do.

Are they not in a state little better than that of savages?—Though in a predatory state, they are far removed from a savage state; their dress, manners and food, assimilate them nearly to the Rajpoots, and except in the practice of exercising depredation, they are in their manner civil and courteous.

Have you ever seen or heard of official reports upon the public records of India, stating those people to be scarcely under the control of any thing like civil government; to be in a state where their princes or chiefs have very little influence over their private conduct, and where not only robbery, but murder, is constantly committed with impunity?—They certainly are a very singular tribe of men; they live in little independent associations or villages, and except in that circumstance of living in villages, and being stationary, nearly resemble the Arabs of the Desert. I have not heard of the frequency of the commission of murder, though they are certainly in the practice of predatory excursions from the seats of their own habitation.

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Do you know, from your own personal observation of those people, or from any such official reports as before adverted to, that they have amongst them a cast of people, called Bhauts, whose persons are held sacred by the natives, and who as such, commonly accompany travellers, for their security, and who from the state of society in that country, are, in fact, the only security travellers have against robbery and murder?—There are two tribes in Gazzerat that have that kind of sacred character, the Bhaut and the Charrau; they are in the habit of standing as security between the governments and the zemindars, for the payment of revenue, as also of giving protection to caravans by the supposed sin and danger that would accrue to the violator, or to the plunderer of those caravans, in the spilling of their blood.

Have you heard of the European officers of the British government, who have lately travelled through that country, under commissions from government, owing their personal safety entirely, notwithstanding their public commission, to those Bhauts and Charraus, and being still, on various occasions, notwithstanding this security, in great danger of their own lives?—I have not heard of European officers being in such predicaments, but I have heard that the present Sir Henry Montgomery was in danger, in the course of a service on which he was employed in that country for the purchase of horses; that was before the existence of our power in that country.

Have you ever seen any letters from the chiefs of those tribes, or have you ever heard that any such are on record, in which they openly avow themselves to be robbers by birth and profession?—I have never seen such letters; their practice of depredation is avowed; they are a tribe of armed horsemen.

In such a state of society as Cottywar presents, including the whole of the tribes, extending to the Rajpoot district of Joudpore and the Mahratta frontier, do you think it probable that Europeans would attempt to penetrate into India this way, or do you think that they could do it successfully, if attempted?—I do not think that there would be any danger whatever from that class of people to individual Europeans, throwing themselves upon their hospitality, consequently there would be none in their making a transit through their country; I mean individual Europeans not charged with great property, though I am at the same time well convinced, in my own mind, that by proper management, and a proper application to those people, they might be conciliated to a certain degree of accordance with our wishes.

Do you mean in preventing Europeans going through their country?—I mean that they might be made perfectly amicable to the British government, generally speaking.

What would the probable consequence in your opinion be, of such Europeans attempting to traverse the country, without the permission of the chiefs of those tribes, or if receiving that permission, committing offences against the people or the chiefs in their journey?—I think they might be cut off.

[The Witness withdrew.

ALEXANDER FALCONAR, Esquire,

Was called in, and Examined as follows:

Alexander Falconar, Esq.

Mr. Grant.] IN what capacities did you serve the East India Company?—I have served the East India Company in all the different departments of the government.

How long did you reside in India?—For about twenty-three years.

Beginning in what year?—In 1786 or 1787.

Under what presidency did you reside?—At the presidency of Madras.

State in what departments you served during the time you have mentioned?—I served in the military department, as an officer of infantry, of artillery, and of cavalry; in the civil department, as a revenue, judicial, commercial, political and diplomatic servant.

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Did you at any time fill the situation of chief secretary to the Madras government?—I was appointed by the government of Madras, during the period of the late military commotions there, to execute the functions of chief secretary to the government, and continued in that situation, till the termination of those dissensions.

Did you hold any other office at the same time?—At that time, I was senior member, and officiating president of the Board of Revenue; to which station I had attained through the several gradations of junior, second, and senior member, in a course of ten years service at that Board.

At what period did you quit the military for the civil service of the Company?—About the year 1790, I think.

State whether the chief secretary to the government is not the channel of official communication between the government and all the subordinate functionaries?—The immediate channel.

Did you at any time fill the office of translator to the government?—I filled the office of Persian translator to the government for the period from 1794 till about the end of 1810; I also filled the office at one time of Gentoo translator.

With which of the Indian languages are you acquainted?——I am, in some degree, conversant with the Arabic, Persian, and Hindûstannee, the Sanscrit and Telinga, or Gentoo languages.

From the acquaintance which you have acquired with the characters, manners, institutions, and prejudices of the natives of India, do you apprehend that the unlimited admission of British subjects to an intercourse with the native people, would be favourable either to the security of the natives, or to the stability of the British government, under which they live?—If an unrestrained resort of European adventurers to India were permitted, and an unlimited license of intercourse with the inhabitants of India granted, I apprehend the measure, besides being pregnant with delusive and seductive schemes of advantage to the adventurers themselves, would also be productive of consequences detrimental to the interests of the British empire in India, to those of the East India Company, and to the tranquillity and happiness of the Indian population.

In what manner do you conceive that the abuses, of which you have spoken, would arise, under the circumstances supposed?—They would arise from the extreme dissimilarity in the national character of the people of the respective countries, their different customs, manners, religions, sentiments, laws, and languages.

Have you observed in Europeans, either from their ignorance of the native usages and prejudices, or from an opinion of their own personal and national superiority, a disposition to insult or domineer over the natives?—A disposition of that nature has been generally observed: in the course of my experience, I have officially known many references to the government, in consequence of the dissentions occasioned by the imprudent injudicious interference of Europeans with the native population.

Supposing that the restrictions at present enforced on the admission of Europeans into the interior of India, without being abolished, were materially relaxed, is it your judgment that such a change of system would involve a proportionate hazard of the evil consequences described in your former answer?—In whatsoever degree they were relaxed, it would involve the hazards to which I have just now alluded.

You are doubtless aware that British subjects for offences committed against the natives are amenable only to the supreme court of judicature, and triable only by a jury composed of British subjects, do you conceive that it would be practicable or expedient to invest the Zillah courts, with a criminal cognizance over British subjects in general?—British subjects are liable only to the supreme court of judicature at the presidency for criminal cases; but they are liable to the jurisdiction of the Zillah courts in civil cases, when the property litigated is less than 500 rupees; but I conceive it would be both impracticable and inexpedient to subject them to the trial by a native jury in the Zillah or provincial courts.

Are not British subjects amenable to the Zillah courts to the extent mentioned by you, only by their own previous consent, and as a condition of their being allowed an ingress into the interior of the country?—It is in that case they are so liable.

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Would it in your opinion be practicable to institute a trial by jury in the Zillah or provincial courts, this condition being supposed, that such jury should consist exclusively of British subjects?—It would be impracticable in the Zillah courts, there being few or no British subjects resident in the situations where those courts are established.

Could British subjects in general be made criminally amenable to the courts in question as now constituted, without offence to the national feelings and prejudices of Englishmen?—In my opinion they could not.

Would the frequent exercise of coercion over British subjects on the part of native officials, or corps of sepoys, tend to lower the estimation in which the natives hold the British character?—It would have a tendency to depreciate the estimation in which they hold the British character.

Supposing that an open trade were established between this country and India, but that British Traders were interdicted from touching at any point of the coasts of India, except at the presidencies or at garrison towns, or in situations where the British government has established some sort of port police, do you conceive that such interdiction would prove effectual to prevent vessels from touching on other parts of the coast?—There are various creeks and places along each coast of the peninsula, besides the ports and places at which government have custom and police establishments, at which vessels navigated by European traders might successfully touch for the purposes of illicit trade, and elude the appointed custom and police establishments; I mean on the Malabar and Coromandel coasts.

Supposing that vessels were to touch on the coast in the manner described, and that British mariners were to land, would you apprehend, from such circumstances, any of the abuses which you have before described as likely to result from an enlarged intercourse between British subjects and the native people?—I apprehend that British mariners might successfully run from those trading vessels, and penetrate into the interior of the country, producing various mischiefs, or that those trading vessels might smuggle goods, by means of touching at those creeks and mouths of rivers to which I have alluded.

In your apprehension, would the facility of smuggling goods in the manner which you have described, operate as a temptation to private trading vessels from this country, to touch on prohibited parts of the coast?—There would be a degree of temptation, but it would be exposed to a great risk of detection by means of the police and custom establishments; in the vicinity of those places there are customs and police establishments near to those places.

Can you state generally, how many situations convenient for disembarking or landing goods there are on the coast of the peninsula, at which the British government has established any kind of custom-house or police?—On the Coromandel coast, at Madras, Masulipatam, Vizagapatam, Ganjam, I believe latterly at Cuttack as far as to Calcutta; on the Malabar coast, at Manjalore, Cochin, Bombay, and Tellicherry.

Are not those establishments very few and dispersed, considered with reference to the vast line of the coast of the peninsula?—They are.

Can you form any judgment, whether those establishments would be greatly multiplied without considerable expense?—It would tend to augment the expense in a very considerable degree to multiply the establishments in the proportion that would be necessary for the vigilant superintendence of the trade of adventurers, if the ports were thrown open.

Is there any circumstance, in your experience, which leads you to believe that seamen might be apt to desert from the trading vessels, in the manner described in a former answer?—It is not unusual for the mariners of the vessels of the Company to run from those vessels, induced by the temptation afforded them of entering the service of the coasting-trade of the country; on entering that service a common seaman is immediately advanced to the situation of a sea-cunny or steersman, and so on, to mate and captain. I apprehend that the vessels of European adventurers being exposed in the same degree to the same danger, might be materially distressed by the loss of some of the comparatively few mariners navigating such vessels, and might be compelled to employ Lascars in their return to Europe, thereby endangering their navigation.

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Alexander Falconar, Esq.

In your judgment, would the employment of Lascar crews in the trade with India, be on the whole commercially advantageous to the British traders?—By no means; it would require, I imagine, a crew consisting of double the number of Lascars to navigate a vessel compared to the usual number of Europeans employed on board such vessel, the increase of expense must consequently render it less advantageous to employ crews of that description, independently of the less efficient manner in which the navigation of such vessels can be conducted by those Lascars.

From your experience are you able to state, whether the natives of India furnish a considerable demand for the commodities of Europe?—The demand for the commodities of Europe is very small amongst the natives of India.

Have you found that demand materially to increase of late years?—I am not aware that it has increased; I apprehend it has rather diminished of late years.

Do you apprehend the demand for European commodities to have increased among the natives of rank or distinction?—I am not aware that it has increased amongst any class of the native population; and I am of opinion, that it is unlikely ever to increase beyond the degree in which we have found it by experience.

In your judgment, has the experiment of promoting the consumption of European commodities amongst the natives of India been adequately tried under the present system?—I imagine that the experience of the East India Company for a period of about two centuries, and the experience of other nations trading to Asia, has afforded ample proof of the improbability of increasing the demand beyond its present standard.

You have stated that the native demand for European commodities has recently rather declined than otherwise, can you state the causes of such declension?—The Indian population, from their dispositions, habits, and manners, are disinclined to the use of European commodities; they are also so expensive, that the natives in general have not the means of purchasing them; the markets in India have for some time past been overstocked with those commodities; the efforts of government have on various occasions, within my own experience, been ineffectual to procure vend for those commodities; I have known applications, on the part of government, to the native courts and princes of the country, offering clothing for their military establishments on very reasonable terms, at prime cost, I believe; and I have known those proposals to be unsuccessful; there are periodical sales of those commodities, on very low terms; those sales are ineffectual to produce a disposal of many of those articles; the tastes and dispositions of the people of India are, at the present moment, the same as we know them to be described by the historians who accompanied the expedition of Alexander the Great, upwards of two thousand years ago, they are the same at the present moment, as described by the native annalists of India, for a period long anterior even to that date, and it appears to me unlikely that they can by any expedient be changed; the market being overstocked, the demand of the natives has necessarily decreased.

Do you mean that the native demand for imports from this country has declined in consequence of the Indian markets being already overstocked with European commodities?—I mean that the demand for European articles in India, has declined; I am not aware of any demand by natives for articles from this country; I have heard of occasional applications, on the part of the native merchants, to the captains of Indiamen, for some particular articles, but there is no general direct demand on the part of the natives of India, for articles from this country.

Is the demand which the natives of India furnish for European commodities, found to increase in proportion to their means of purchasing those commodities?—It does not.

You have stated that many of the natives have not, in fact, the means of purchasing European commodities, is not that remark applicable to the great majority of them?—It is; the more opulent of them have the means, and if they had the means, without end they would apply those means to other purposes, than the purchase of European commodities; in the purchase of horses, of bullocks for their ploughs, and for the native cars; in the purchase of articles of eastern jewellery; in increasing the number of their ladies; in the celebration of their marriage ceremonies, and of the anniversary ceremonies of the obsequies of their ancestors, and such purposes; seldom in the purchase of articles of European luxury.

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In the settlement of Madras, are the superior natives found to imbibe a taste for European fashions?—Only the dubashes, or principal native servants of European gentlemen.

Do the dubashes adopt European fashions from a wish to please their employers or masters?—Entirely from that impulse.

Can you state whether the average price of agricultural and manufacturing labour in Coromandel, is not incomparably less than the average price of labour in this country?—It is greatly less.

Can you state the average price there?—It varies in agriculture, from the extremes of six to twelve shillings a month; amongst the different classes of artizans, in various proportions, from twelve to twenty shillings per month on an average, as I believe.

You have stated the price of labour to be greatly less in India than in this country, do you mean to imply, that the comforts enjoyed by the labouring classes are likewise in the same proportion?—By no means; their comforts are perhaps superior to the comforts of the labouring classes in this country; they are proportionate to their wishes and their wants.

From the cheapness of labour in India, would you infer that the labouring classes are in a state of wretchedness?—Certainly not.

Is it your judgment, that the cheapness of Indian labour is only proportionate to the cheapness of the means of subsistence in that country, and to the voluntary simplicity of the native habits?—Precisely so.

In your judgment, is the simplicity of the modes of life prevalent amongst the natives of India occasioned by circumstances in the nature of the climate?—It is occasioned by physical and peculiar circumstances in the climate, and the temperament of the people.

Do you apprehend that the countries of Europe can ever, under any circumstances, be on a great scale manufacturing countries, for the bulk of the native Indian population?—I imagine not.

To what causes would you ascribe it, that the commodities of India can advantageously enter the markets of Europe, and this against rival commodities brought from a much less distance?—To the extreme cheapness of labour in the manufacture of Indian commodities.

Would not therefore a general advance in the price of Indian labour proportionably advance the cost of Indian commodities in the European markets?—Of course it would.

On the supposition that an open trade were established between this country and India, do you conceive that such trade would labour under any other difficulties in the interior of the country, than those resulting from the limited native demand for European commodities?—I apprehend, that it might be occasionally subjected to the perils of passing through the countries of polygars, zemindars, and independent chiefs, who, besides plundering those articles, would also levy unauthorized rahdary duties on the transit of those commodities through those tracts of country; even the articles of the trade of the East India Company are sometimes not exempted from such depredations, and from the unauthorized exaction of those duties.

Do you refer to polygars or zemindars, independent of the British government or tributary?—Generally to those independent of the Company; but there are instances of even the subjects of the Company levying such duties.

How far, in your opinion, would it be easy for the British government, by the interposition of its own authority, to check the unauthorized exactions mentioned in your last answer?—It is perfectly competent to the government of the Company, to discourage and to prevent, within their own territories, the unauthorized exaction of those duties; but it is difficult, and sometimes impracticable, to prevent the independent tributaries on the borders of the Company's territories, from the levying of duties, and from the plunder of articles passing through those countries.

From your experience in the revenue department, under the presidency of Madras, can you state, whether it is the practice of the Madras government to collect the territorial revenues in kind?—It is not. *Alexander Falconar, Esq.*

(Examined by the Committee.)

Is not Anjengo included on the Malabar coast, where the Company have customs and a resident?—I believe they have also established a custom-house at Anjengo.

Have they not also at Callicut and Mahé?—I believe they have.

Are there, besides those places which you have enumerated, any others that you can mention; either on the eastern or western coast of the Peninsula, calculated for shipping of considerable burthen?—Not for shipping of burthen.

Of the burthen of from three to four hundred tons?—No, not for shipping of so large a description; my meaning was, that shipping of any description might lie off the mouths of the rivers to which I have alluded, might run in boats to the shores of those rivers, and smuggle out various articles of produce of the country, without being liable immediately to the detection of the police, and custom-house establishments.

Can you state, under the present system of collecting the revenue at Madras, what portion of the produce is left to the cultivators of the soil?—The government derive according to the different settlements, which settlements have been formed upon the results of the averages of the produce of many years, a proportion varying from one half to one third of the produce.

Has what is called the permanent system, been extended to Madras within your knowledge?—To parts of the territories subject to Madras.

Does it embrace a considerable part of the Madras territory?—It does embrace a considerable part of that territory.

Supposing political intrigue, or military services, to be the object of an adventurer, could not he get access to the interior, by means of landing at such creeks and other places as you have described, where there is no existing police under the authority of the East India Company?—He could doubtless avail himself of those unprotected situations to penetrate into the interior of the country; nay, it is very possible for adventurers, with views of the kind alluded to, to penetrate into the interior of the country, even through the portion of the country where there are police establishments.

Is the Committee to understand, that where you speak of the demand for European commodities having declined among the natives of India, there is at this day a less demand for European commodities than formerly existed?—I understood the demand for European commodities in India to be confined almost to the European inhabitants in India, the Portuguese inhabitants, born there, and the descendants of other Europeans born there; and that the demand, on the part of the natives, is extremely limited; the usual supply of the Indian market, for the purposes of the European inhabitants, affording ample means for furnishing the little which the natives at any time require.

Are you of opinion, that the total consumption of European commodities has latterly diminished among the natives of India?—It has diminished in the manner in which I have formerly stated, owing to the market being overstocked with those commodities.

[The Witness withdrew.

THOMAS COCKBURN, Esquire,

Was called in, and Examined as follows;

Mr. Jackson.] How long were you in the service of the East India Company?—From 1779 to the close of 1802. *Thomas Cockburn, Esq.*

Under which settlement?—The presidency of Madras.

You were in the civil service?—I was.

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Were you afterwards engaged as commissary to the army during the Mysore war?—Yes; I was commissary to the army during a part of the Mysore war; I was commissary to the army from 1786 until 1793.

Were you a member of the Board of Revenue?—I was, from 1793 till the period of my departure from India.

Did those different situations afford to you an ample opportunity of becoming acquainted with the general character of the natives?—They gave me an opportunity, but not so extensively as those who have made the languages of the country their study. At the period of my arrival in India it was not the system of the Company's government at Madras to encourage the study of the country languages; and the situations in which I was thrown immediately after my arrival, prevented me from giving that attention to them, which would have enabled me to have had the advantage to be derived from the possession of them.

Was your acquaintance with the natives sufficient for you to have a competent idea of their general manners and prejudices?—I think it was.

Had you, in your official character, much occasion to correspond with native collectors and other officers?—Not with native officers directly; but through the collectors, and I had very constant communications with all classes of natives personally.

From this degree of personal communication described by you, could you ascertain that their manners and opinions were of a fixed and unchangeable nature?—Judging from all I had read, in respect of the religion, manners and usages of the Hindoos, and comparing what I had read with what I saw when in India, I should think their manners and usages as unchangeable as it is possible to suppose the manners and usages of any people can be; I think they considered their prejudices and habits almost interwoven with their existence.

Did their religious prejudices seem to be of a deep and rooted nature?—I have stated, that they considered their religious prejudices as interwoven with their existence.

Have their civil habits and customs been equally interwoven with their existence, according to your opinion?—I believe their civil and religious habits are inseparable.

Are they, with regard to either, persons of very quick susceptibility?—I should certainly consider them so.

Are not the Company's servants, civil and military, now directed upon their arrival to accomplish themselves in the country languages?—It is necessary on their entering into the service, that they should be master of some one of the languages; and they always study them immediately upon their arrival, being sent to college for that purpose.

As far as your experience has gone, has it not been amongst the strict injunctions of the government to their servants, to regard with sacred respect and attention both the civil and religious prejudices of the natives?—It has been invariably so; and the legislature of this country has, I believe, provided in the 37th of the King, that respect shall be paid to their religious habits and usages, and even to such customs as shall not be consistent with English ideas.

Have those injunctions, generally speaking, been obeyed?—Generally speaking, I believe they have been obeyed.

Has not the civil and military servants, thus acquainting themselves with the language of the natives, very materially contributed to their strict obedience to such injunctions?—No doubt, they would have the means of earlier informing themselves with respect to those customs, which it would require a longer residence in the country, by those who are not masters of the languages, to acquire.

Generally speaking, have the natives, according to your experience, had reason to complain of the conduct of the Company's servants, either as to intentional or unintentional violation of those rules of respect for their civil or religious prejudices?—I have no knowledge of a general want of attention to their religious and civil prejudices; I believe it may be generally said, the greatest attention has been paid to them by the Company's servants, civil and military; there can, of course, be no rule without exceptions.

Are

Thomas Cockburn, Esq.

Are they not capable of involuntary offence from persons unacquainted with their usages and customs?—Many instances, I believe, have occurred of that.

Be pleased to state such instances as occur to you at the present?—I really cannot immediately state cases which have occurred within my particular knowledge; but without narrating the circumstances that have occurred during the period of my residence in India in past times, and in the present times, I have heard of accidental causes having given rise to very great evils.

State such circumstances as came to your knowledge?—In many instances I have known this; but I cannot particularize the instances; I might go as far back as 1670, when a resident at a particular factory got a present of a bull-dog from a captain of a ship, and went out hunting with it, and the bull-dog unluckily fastened upon a cow that belonged to a pagoda . . . .

During your residence in India, did any particular instances of this description of involuntary offence come to your knowledge?—I can speak only to general circumstances, that did not come to my own knowledge, but only from information.

Have you observed new comers to be more liable to offend the natives, than those who had previously made themselves acquainted with the language and customs of the natives?—Certainly, they are much more liable to it; they may do it frequently without being sensible that they are committing an offence; they may go near to a man when he is dressing his victuals, which is an offence that would render it necessary to throw away his dinner; they may do things without being at all aware they were committing offences.

Do you mean to state their prejudices to be of so strong a nature, that an European accidentally passing the food they should be dressing, would induce them therefore to throw away that food?—If he passed within that circle which they draw round the place where they are cooking their food, they would throw it away, if they were correct Hindoos.

State in what other way new comers are more liable to give offence than those who have been there longer?—I suppose there may be not less than fifty different sects of Hindoos, that have all their peculiar usages, which I am not acquainted with particularly; for I believe it would require a life to study them; where there are such a vast number of sects, it is impossible to describe all the particular modes by which a Hindoo might be annoyed by an European, who was ignorant of those customs.

Are such means by which they might be even unintentionally annoyed, numerous and various?—I should conceive them to be so.

Have you observed among new comers, a disposition to tyrannize over the natives, from any conscious superiority of the European character?—I believe it has very frequently occurred, that persons on their first arrival, are not so considerate of the natives as they should be.

Supposing that in consequence of an open trade from every port in the united kingdom, to every port within the limits of the Company's charter, a material influx of Europeans were to take place into India, what are your ideas as to the effect it might have, either upon the general happiness of the natives, or the welfare and stability of our Indian Empire?—It is very difficult to say what would be the effect of it; it would very much depend upon the regulations made in this country, to prevent the evil that might arise from it; and from the execution of such regulations in India.

Supposing the influx to be material, and the access thus general, do you apprehend that such regulations as you have hitherto observed or contemplated, could be effectual for such restraint?—The regulations that existed when I was in India, were, I believe, when a ship imported at any port on the coast where there was a master attendant and a custom-house, for the master attendant to send to the ship for a list of passengers, and a list of the crew, describing their countries and pursuits, before obtaining which, no boat or any thing else was suffered to land from the ship; if any of the persons on board that ship wished to proceed into the interior of the country, it was necessary to apply for a passport; if on his arrival at the station to which the passport was granted, he wished to proceed further, a new passport must

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be taken out; all Europeans travelling without passport were liable to be stopped by the officers of Government, dispersed over the country, and by the inhabitants of the villages, who were rewarded for bringing in straggling Europeans of any description.

Do you mean, that these regulations only took place in such parts where there was a master attendant of the custom house?—I do; because they could not be executed in other parts, where there was no master attendant, nor any custom house, nor port regulation; but I believe at most of the outports there were peons and officers under the direction of the collector, for the purpose, if possible, of preventing the ingress of Europeans.

Do you mean, that these endeavours to prevent the ingress of Europeans, were used in such places as were under the government of the East India Company?—Yes, under the government of the East India Company, directly under the Madras government.

Are there not many ports on either side of the Peninsula, that are not under the immediate authority of the East India Company?—On the Coromandel coast, from Cape Comorin to Calcutta, every part is under the immediate influence of the Madras government I believe, with the exception of a small spot, where there is an independant Polygar, of the name of Tondiman, the English influence prevails all round his country.

As to the Malabar coast?—The whole run of the Malabar coast up to Goa, is I believe, also under the English government, and subject of course to the regulations of the English government.

Are there not parts on the Malabar coast, that are not subject to the East India Company?—To Goa, they are, I believe, subject to the East India Company; and beyond that, I believe there is a small tract which is independent of the East India Company; but I am not particularly acquainted with that part of the country, and therefore can only speak from what I have heard and read on the subject; I have never been in that part of the country, nor had any particular information of what prevails there.

Do you apprehend a free trade capable of being carried on profitably and effectually on either coast of India, unless the merchant or adventurer should have leave to follow his own merchandize, and superintend the sale of it?—I am not aware where a merchant would have occasion to follow goods, carried from this country, into the interior of India; merchants who traded to India when I was there, found it most advantageous, I suppose, to carry their cargoes where the best market was to be found, namely, the presidencies of Madras, Bombay, or Bengal; and there they would find a sale either by retail or by cargo; but I do not believe that cargoes to any extent could be disposed of, so as to obtain a return cargo, but at a very great loss.

Supposing the adventurers should think it most expedient for themselves to accompany their merchandize into the interior, do you think it would be politically safe to allow them so to do?—If by the question I am to understand an unrestrained resort into all parts of India, I should consider it as likely to produce very bad effects on the peace and happiness and comfort of the natives, and on the English interests in India; if restraints were imposed, it might not have so prejudicial an effect.

Will not the efficacy of such restraint very much depend upon the number of persons who shall thus be admitted into the interior, as well as upon their rank and station in life?—Certainly it would.

Supposing so universal a free trade to India as that which has been stated, allowing to every person, from every port of the United Kingdom, to go with his merchandize to India, whether confined to the three presidencies, and such ports as have garrisons or custom-houses, or whether allowed to every port within the limits of the Company's charter, is it not your opinion, that the number of adventurers thus introduced to India must, in the nature of things, be very considerable?—I have already stated, that I do not believe any great number could, for the purposes of trade, go into the interior of the country; and while the laws, which preclude Europeans from holding or renting lands, without the permission of the governments of India, exist, I cannot perceive a probability of any very great number of Europeans taking

taking up their residence in the interior; if a great number were likely to take up their residence there, it would certainly require the utmost vigilance of the government, and the strictest execution of its regulations, to prevent evil consequences arising from it. *Thomas Cockburn, Esq.*

Supposing such persons to be allowed to travel through India for the purposes of their commerce, would the danger be less?—It would depend very much upon the quality and character of the persons who were to travel through India, what the danger might be.

Supposing them to be principally tradesmen and artificers?—I should think it very probable, that tradesmen and artificers travelling through the country, would endeavour to seek employ with some of those native powers with whom we have connection, or who are not immediately connected with us, if very great encouragement was held out to them; but under a vigilant execution of the regulations I have already observed, I do not apprehend that many persons of that description could obtain a residence in the country.

If the number of persons finding their way into the interior, should be considerable, is it your opinion that the danger would be in proportion to their number?—It would be greatly increased of course as their number extended.

Supposing them to be of the humble stations in life before described, do you think that the danger would be greater than if they were men of a superior order?—Certainly.

Supposing a native to be assaulted by a British European, can he proceed against him for such offence, but in one of three courts of Bombay, Madras, or Bengal?—I believe he cannot; but he would complain to the nearest magistrate, and if the complaint was found to be well founded, it would be the duty of the magistrate to take up such European, to bind over the witnesses, and to send him to the Presidency for trial; the law authorizes an European to prosecute a Native in the civil courts in the country, to any extent, the whole extent of his fortune; but an European is, by some construction of law, not considered amenable to the country courts, except when, on being permitted to go up the country under the license of the government, he enters into a bond to allow himself to be prosecuted to the extent of 500 rupees; for any sum beyond that, if he should be from one to 1,000 miles distant from any of the presidencies where the supreme courts sit, the native must proceed to the presidency for the purpose of prosecuting his demand. I consider this one of the greatest grievances under which our British Indian subjects labour, and as it is only confined to British subjects, I also am compelled to consider it as a great injustice to our native subjects; and I apprehend they must very much doubt our impartiality, when Europeans, not British subjects, are amenable to those courts.

Can an European be criminally prosecuted by a native but in one of the three courts which have been named?—He cannot; and if I am to speak to matter of opinion I should say, except in case of life and death, he ought to be amenable to the country courts which are constituted under the legislative authority of this country.

Those country courts are governed by the native laws, are they not?—They are governed by the native laws, as far as relates to natives; in the case of Mahometans they are regulated by the law of the Koran; in the case of Hindoos by the law of Shasters.

These are the only two descriptions of law which prevail in them, are they not?—They are the only descriptions of law that prevail in them, except that the magistrates acting as justices of the peace are guided, as to Europeans, by the usual books of law for the guidance of justices of peace in this country.

Do you mean to state, that such justices of the peace have it in their power to inflict punishment upon Europeans, or merely to bind over the prosecuting parties and to take security?—Merely to bind over the prosecuting parties, and to take security.

Do you concur in opinion, that the usual earnings of the great mass of the natives in such parts of India with which you are best acquainted, are from six to 12*s.* per month, or thereabouts?—I have a Statement of expenses of a labouring man and his family at Madras, which I had occasion to call for, for my own information: it was obtained for a purpose, that it was not likely to be undervalued;

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this is a Statement of expenses of the family of a labourer, consisting of himself, his wife and five children, the eldest eight years old, and the youngest an infant; they amounted in the aggregate to £. 11. 6 *s.* per annum, in which was included, for clothing for the entire family, 17*s.* and a fraction, for the whole year. [The Witness delivered in the paper, which was read as follows:]

EXPENSES and EARNINGS of the Family of a MADRAS LABOURER, consisting of himself, his Wife, and 5 Children, the eldest 8 years of age, the youngest an Infant.

	Per Day	Per Month.	Per Year.
NECESSARIES:	Pag^{s} Fan^{s} Cash.	Pag^{s} Fan^{s} Cash.	Pag^{s} Fan^{s} Cash.
Rice for the Husband and Wife at 1½ measure per Day	— 1 40	1 — —	
Curry Stuff	— — 15	— 5 50	
Salt Fish, or Green and Herbs	— — 10	— 3 60	
Firewood and Bratty	— — 20	— 7 40	
Lamp Oil for the Lamp, and Gingely Oil for washing the Heads	— — 20	— 7 40	
Salt	— — 40		
Beetle Nuts and Tobacco	— — 20	— 7 40	
Rent of a Veranda or small Room	— — —	— 2 —	
1 Boy of 8 years of age, ¾ measure of Rice	— — 20	— 7 40	
4 Infants ½ D° D°	— — 30	— 11 20	
		2 8. 10	26 6 10
2 Man Cloth for a year — — — — 22 40			
1 Turband D° — — — — — 11 20			
2 Woman Cloth D° — — — — 1 — —			
Cloth for 4 Boys — — — — — 17 —			
	— — —	*s. d.* (£.0. 17. 0¼)	2 5 66
EARNINGS:		*s. d.*	
	Pag^{s} p^{r} Month. p^{r} Year.	(£. 11. 6. 1¼)	28 11 70
For the Man, at 3 Fanams per day — 2 — —			
For the Woman, at 1½ D° D° — — 1 — —			
For the Boy of 8 years, at ¾ D° — — — 22 40			
3 22 40	42 — —		
Deduct 1½ Months labour for the Man, for casualties — 3			
D° 4 Months labour for the Woman, for casualties — 4	9 — —	*s. d.* (£.13. 4. 0.)	33 — —
D° 4 Months labour for the Boy, for casualties — 2			
Savings		*s. d.* (£.1. 17. 10½)	4 33 10

[The further examination of this Witness was postponed.

[The Witness withdrew.

Adjourned to To-morrow, 11 o'Clock.

16.

Martis, 27° die Aprilis, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Sir *Charles Warre Malet*, Bart. - p. 253.
Alexander Falconar, Esq. - - p. 260.
Thomas Cockburn, Esq. - - - p. 266.

(No. 5.)

Of Evidence before Select Committee.

Ordered, by The House of Commons, *to be printed,*
28 *April* 1813.

17.

MINUTES of EVIDENCE

TAKEN BEFORE THE SELECT COMMITTEE,

Appointed for the purpose of taking the Examination of such Witnesses, as shall be ordered by The House to attend the Committee of the Whole House, on the Affairs of The *East India* Company; and to report the MINUTES of such Examination, from time to time.

(No. 6.)

Mercurij, 28° die Aprilis, 1813.

The Right Hon. JOHN SULLIVAN, in The Chair.

ALEXANDER FALCONAR, Esquire,

Was again called in, and Examined by the Committee as follows:

Alexander Falconar, Esq.

DO you wish to give any explanation of your evidence of yesterday?—I was apprehensive I had not made myself sufficiently intelligible to the Committee upon a question relative to the decrease, as it was put to me, of the demand for European articles by the natives; I wish to explain it by saying, that as India has been of late years so overstocked with European articles as to render them drugs in the market, not only was the encouragement diminished for the further exportation of them from Europe by European traders, but the demand for them by the natives, who at all times purchase them as curiosities rather than as necessaries, was decreased in proportion as the articles became more familiar.

When you speak of India, do you speak of India generally, or only the presidencies to which you were attached?—Of the parts subordinate to the Madras presidency.

When you speak of late years, to what period do you allude?—The last five or six years that I was in the country: I returned two years ago.

Do you consider the population of the Portuguese, and half-cast people, to be very much increased within the last twenty years?—I do consider it to have increased greatly, in proportion to the influx of European inhabitants to India.

Do you think that separating the commercial transactions of British India from those hands in whom the supreme government may be placed, would be consistent with the interests of the British Empire in India and in Europe?—I can only answer as far as my own experience goes, that I conceive the junction of those two powers, as they have been united in the hands of the East India Company, to be more compatible with their interests, and more conducive to their prosperity, than if they had been distinct, and if they were separated.

Does it come to your knowledge, that many, if not most of the articles for the use of the Europeans, formerly brought from England, are now prepared at the presidencies by native workmen, under the direction and instruction of British artificers and artisans?—The great proportion of those articles are now so prepared, at the presidency of Madras, by native artificers, under the superintendence of European foremen.

Alexander Falconar, Esq.

What proportion of price may they bear to the same articles imported from Europe?—I imagine from one half to one third of the European price.

For example, what might shoes cost, prepared by the native workmen under superintendence of Europeans?—For eight shillings, five pairs of shoes made by native workmen, of a quality in appearance to equal those of Europe, might be purchased.

Of course they are not so strong?—They appear so; I have never worn any.

Has that diminished the former import of those articles from England; and is there a probability that the supply of those articles will, in India progressively increase, and of course nearly stop the importation of them from Europe?—It will tend considerably to diminish the supply from Europe, but in what degree I am not prepared to say; it has already tended to diminish that supply.

Are carriages, and articles of tanned leather, and in the metals, also prepared by the native workmen under British artificers?—All those articles are prepared by native workmen.

Are they at inferior prices?—In comparative perfection, and on very moderate terms, by the native workmen. [The Witness withdrew.

THOMAS COCKBURN, Esquire,

Was again called in, and further Examined, as follows:

Thomas Cockburn, Esq.

Mr. Jackson.] BE pleased to proceed in your answer to the question proposed yesterday?——THE earnings of this family, allowing for casualties and non employment, amounted to thirty-three pagodas per annum; the prices of provision at Madras are of course higher than in the interior of the country, and greatly higher than in Bengal; and I beg leave to hand in the prices of the provision included in the Statement already referred to, at the period when it was given to me, in 1802.

[The Witness delivered in a Paper, which was read, as follows:]

TABLE of the NECESSARIES of LIFE, generally in use among the HINDOOS.

	G. Pr Measure, = to 2lbs 14 1/3 oz English.	F. Pr Mercal = to 23lb 2 32/133 oz Eng.	E. Per Garce, = to 9,256lbs Eng.	A. Per Pallem, = to 1oz 25 dec. Eng.	B Per Viss, = to 3lbs 2oz Eng	C. Per Maund, = to 25lbs Eng.	D. Per Candy, = to 500lbs English.
	F. C.	Fan.	H. I. J. Pag. Fan. Ch.	Cash.	Fans. C.	Pags. Fans.	Pags. Fans.
RICE	1 10 (2 1/4 d.)	9 (1s. 7 1/2 d.)	80 — — (£. 32.)				
NUTCHERRY	— 60 (1 1/2 d.)	6 (1s. 0 1/4 d.)	53 16 70 (£.21. 7s. 0d.)				
PEPPER				25 (1/4 d.)	12 40 (2s. 2 1/4 d.)	2 10 (17s. 9 1/4 d.)	44 2 (£. 17. 12s. 4d 1/2)
CHILLY				5 (5th of 1/4 d.)	2 40 (5 1/4 d.)	— 20 (3s. 6 1/4 d.)	8 40 (£. 3. 11s. 1 1/4 d.)
TAMARIND					1 60 (3 1/4 d.)	— 14 (2s. 5 1/4 d.)	6 10 (£. 2. 9s. 9 1/4 d.)
TURMARICK				7 1/2 (1/4 d.)	3 60 (8d.)	— 30 (5s. 4d.)	13 15 (£. 4. 8s. 10 1/4 d.)
MUSTARD				5 (5th of 1/4 d.)	2 40 (5 1/4 d.)	— 20 (3s. 6 1/4 d.)	8 40 (£. 3. 11s. 1 1/4 d.)
CUMMIN SEEDS				15 (1/4 d.)	7 40 (1s. 4d.)	1 15 (10s. 8d.)	26 30 (£. 10. 13s. 4d.)
MENTY				6	3 10 (6 1/4 d.)	— 25 (4s. 5 1/4 d.)	11 5 (£. 4. 8s. 10 1/4 d.)
GARLICK				11 (1/4 d.)	5 40 (11 1/4 d.)	— 44 (7s. 10d.)	19 25 (£. 7. 16s. 5 1/4 d.)
ONIONS				5	2 40 (5 1/4 d.)	— 20 (3s. 6 1/4 d.)	8 40 (£. 3. 11s. 1 1/4 d.)
GHEY				17 1/2 (1/4 d.)	8 60 (1s. 6 1/4 d.)	1 25 (12s. 5 1/4 d.)	31 5 (£. 12. 8s. 10 1/4 d.)
BOILED NUTS				34 (1/4 d.)	14 — (2s. 6 1/4 d.)	2 22 (19s. 10 1/4 d.)	48 40 (£. 19. 11s. 1 1/4 d.)

A. 1 Pallem = 1 oz. 25 dr.
B 40 Pallem 1 Viss = 3 lbs. 2 oz.
C. 8 Viss 1 Maund = 25 lbs.
D 20 Maunds 1 Candy = 500 lbs.
E 1 Garce = 9,256 lbs.
F 400 Mercals = 1 Garce.
G 8 Measures = 1 Mercal.

H. 1 Pagoda = 8 Shillings.
I. 45 Fanams = 1 Pagoda.
J. 80 Cash = 1 Fanam.

N. B. The Cash is a copper coin, 37 1/2 to a penny, coined and sent from England to India.

Thomas Cockburn, Esq.

IN the interior, the price of labour and of living must of course be much lower than at Madras; I had an opportunity of knowing the price of labour in the interior, in consequence of my situation at the Board of Revenue, and know that it is much lower. I have also a Statement of the expenses and earnings of a middling family, composed of six men, a boy of five years of age, and twelve women, in all nineteen persons; the person to whom I allude was in the situation of a Dubash, who keeps a hackerry, a carriage used in that country, with two bullocks: The whole expenses of this family amounted per annum to two hundred pounds and a fraction sterling; of which the expense for clothing the whole family, for the year, amounted to about thirty-two pounds sterling.

[The Witness delivered in the Paper, which was read, as follows:]

EXPENSES of a MADRAS middling HINDOO FAMILY,

of Six Men, a Boy of 5 years of age, and 12 Women,—in all 19 Persons.

				Pag^{s}	Fan^{s}	Cash.
30 Mercalls of RICE, at 1 Mercall per day; at 5 Mercalls per Pagoda				6 (£ 2)	—	—
30 Measures of D°, at 1 Measure per day, for the daily Beggers, &c.				—	33 (6s)	60
30 D° of NUTCHENY, is 3¾ Mercalls per month; at 8 Mercalls per Pagoda				—	22 (3s 11d.)	—
3 D° of Doll and GREEN GRAM — D° — at 4 D°				1 (8s.)	—	—
BUZAR Expenses, such as GHEY, SPICES, and CURRY STUFF, &c.				5 (£. 2.)	—	—
500 Billets of FIREWOOD, 22 40, Bratty, 22 40				3 (£ 1 4s)	—	—
30 Bundles of BEETLE, at 1 Bundle per day, at 1 30 each		—	41 20 (7s 4d)			
5 Viss of BOILED NUTS, at 15 Fanams per Viss		1	30 — (13s 4d)	2	33	40 (£ 1. 11. 11½d.)
1 D° of TOBACCO		—	7 20 (1s. 3½d)			
9 Measures of LAMP OIL, Fanams 54, Gingely Oil, 1 Measure, 7				1	16	— (10s. 10½d.)
Sundry Expenses in Fanams, and for Vegetables, such as Brinjals, Planteens, Potatoes, &c for Currys				5 (£ 2)	—	—
				25 (£ 10 2s. 8½d)	15	20
HACKERRY EXPENSES.						
HORSE GRAM for the Two Bullocks:						
90 Measures, at 3 Measures per day, at 8 Mercalls per Pagoda		1	18 20 (11s. 2¾d)			
Straw, 20 Bundles, at 4 Fanams per Bundle		1	35 — (14s. 2¾d.)	4	42	— (£ 1. 19s. 5½d)
Hackerry Driver's Pay		1	33 60 (14s)			
1 Servant, 1 Pagoda — 1 Washer, 22 40				1 (12s)	22	40
				31 (£. 12. 14s 2d)	34	60
CLOTH for the Men and Women, for a year			80 — — (£. 32.)			
Father and elder Brother's ANNIVERSARIES			25 — — (£. 10)			
Expenses of PONGAL FEAST			15 — — (£. 6)			
		12) 120 (		10 (£. 4)	—	—
		(per Ann. £ 48.)				
TOTAL Expense for a Month				41 (£ 16. 14s. 2d. per Month.)	34	60
TOTAL per Ann.				(£. 200 10s.)		

THE Dubash is considered as a superior sort of person?—A person of the middling rank, and in a higher sphere, from his keeping a hackerry, and being employed as an interpreter.

What

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What is the usual occupation and situation of the persons you call Dubashes?—They are employed as agents, as interpreters, as merchants under Europeans, and in a variety of shapes.

Are they frequently employed as stewards, in taking care of the pecuniary concerns of the Europeans?—Yes, always; and are themselves very often merchants.

Are they, generally speaking, considered as persons of property?—Generally speaking, they are persons of medium property; many of them I believe live more upon salaries and emoluments derived from their masters, than having any property of their own; though there are also many of them possessed of considerable property.

Have you contemplated the probable earnings of such a person?—That is impossible, it would depend entirely upon the extent of his dealings, and the particular situations he was placed in.

Can you give any general idea of the probable earnings of such a person, supposing him to be employed in the affairs of an European?—It is not in my power to give an answer; I do not know any standard by which I could ascertain the income of a man who was employed in his own concerns, and perhaps obtaining undue advantages from his master.

Would it be to the amount of several hundreds a year sterling?—I cannot form an opinion.

The calculation you have put in, respects a family, and not an individual, and residing at Madras?—Yes.

State the ordinary earnings of an individual in the interior, in the Madras establishment, or any other with which you are acquainted?—I should consider the expense of a labouring man in the interior would vary of course according to the situation and the price of provisions; but I suppose that in some situations it would be two thirds of the expense at Madras, and in others one half.

Can you give the Committee any idea, per week or per month, what a native would earn?—If it was two-thirds or one-half, it would be two-thirds or one-half of the statements I have already given in.

With no greater income than this, is not the power of prosecuting in either of the supreme courts, and conducting witnesses to them, utterly out of the question?—Utterly impracticable, at a distance from the presidencies; but in cases where witnesses and prosecutors are in poverty, it is the usage of the Company's government to allow a batta to witnesses proceeding to the presidencies, I believe, about two annas per day, amounting to about threepence or threepence halfpenny; and in particular cases where the party may be considered as a pauper, the regulations provide for the expenses of the prosecutor being paid: but at a distance from the presidencies those indulgences would be of very little use to a man who must forsake his family, his pursuits, and his means of livelihood, for the purpose of carrying on such a prosecution.

If aggression towards the natives should increase in proportion to the number of new adventurers, and the difficulties of appealing to the supreme court remain as great as they are at present, might it not, in your opinion, drive the natives to despair, or ultimate revenge or disaffection towards the British government?—Of course, in proportion as occurrences of this nature took place, of oppressions from Europeans to the natives, so it would naturally indispose the natives to the British government; but unless it can be supposed that you are speaking of an extreme case, it is difficult to believe that it would have any immediate effect in producing rebellion: in proportion however as the religious habits and usages and customs of the natives are infringed by Europeans, so of course would they be ready to join any power that might give them a hope of being relieved from oppression. I do not consider, speaking generally, that the native British subjects of India can have any motives for union, so as to at all affect the permanency of the British government in India, so long as the perfect toleration of their religion, their usages, their prejudices, the government of their own families, and security for their persons and property, are allowed to them.

Do you mean by infringement of their religious habits or prejudices or customs, offence to them, whether intentional or inadvertent?—Casual and inadvertent offence would

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would be distressing to them; but it would not probably have any very violent effect, if they found that they were likely to meet redress from those to whom they had a right to complain, unless it was in a very extended degree, which supposes a very great increase of European population in the interior of the country; and, as I have observed yesterday, I am not aware, so long as Europeans are precluded from holding lands, or employing themselves in the cultivation or renting of lands, without the sanction of government, that any great numbers of Europeans would find any legitimate object in residing in the interior.

Supposing legal redress to be as difficult to be obtained as you have described, would not offences such as have been alluded to, deeply affect the peace and happiness of the natives, although it might not provoke them to ultimate rebellion?—I should think it destructive of their peace and happiness; I of course allude to Europeans of the lower orders, from their habit of indulging in drinking; where a quart of spirits may be obtained for twopence or twopence halfpenny, it may naturally be supposed that great disorders would follow.

Does not the stability of the British empire in India, in your opinion, very much depend upon the high opinion which the natives entertain of the European character, and particularly of the Company's government?—I believe the stability of the British government in India to depend principally upon the justice and impartiality with which the laws are administered, and on complete protection, as I have already explained, being afforded to the natives.

Do you include in that answer their ideas of the superiority of the British character?—Their ideas of the British character must be entirely founded upon the conduct of the British government, generally speaking, to the inhabitants at large; individual injuries do not, I conceive, make so deep an impression upon them.

In fact, do the natives in your opinion, entertain a very high idea of the superiority of the European or British character?—They do, certainly.

If Europeans in consequence of their increased numbers, and proportionate increased offences towards the natives, should become the object of frequent legal punishment, might not that materially lower, in the opinion of the natives, their present ideas of the superiority of the European character?—The frequent recurrence of such trials would no doubt lower the character of Europeans, generally speaking, in the eyes of the natives, because it would more familiarise them to their bad habits and practices; but I should conceive that their frequently seeing them punished for offences against themselves, would not tend to lower the general character of the British government, in the opinion of the natives.

Would such circumstance tend to degrade and lower the European people themselves, in the eyes of the natives?—I should not suppose that, speaking generally, it could have that effect, in the light in which I have stated it, because it would seem that to punish an European for a crime committed against a native, would rather make them believe that they were sure of protection, even against the Europeans themselves; but in giving this opinion I must distinctly state, that I should consider a great increase of European population in the interior of India, unrestrained, or even under restrictions, which in an extensive country are difficult to be carried into execution, (the zillahs or districts, wherein only one magistrate resides, extending, I believe, from four to ten thousand square miles,) must inevitably produce a great deal of interference and mischievous consequences to the Indian population, especially if they were led to believe that it was likely to lead to the occupancy of lands by the Europeans so situated.

If Europeans were made amenable to the native courts, would not that, in your opinion, lessen the ideas of the natives with respect to European superiority, and that deference for the European character which the natives now appear to feel towards them?—The deference to the European character among the natives of India must be founded, not only on their physical strength and greater superiority of understanding, generally speaking, but upon the justice which they experience from them; and, if all Europeans who seek to reside in the interior of India with the licence of the Company's government, and who go there for their own advantage, and of their own free-will, were to be made amenable in all cases, except life and death, to the country courts, I mean the courts of appeal and of circuit, where European judges preside, which courts are authorized by the legislature of this country,

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I am of opinion that it would be considered by the natives that the English acted with justice and impartiality. I think that it is one of the greatest evils that they can suffer, to be under the necessity of seeking justice, as I have already stated, at so great a distance. In the explanation I gave yesterday upon the subject of the courts, I believe I omitted to state, that all persons employed by the Company or by Europeans in India, were, by a construction of law, not supposed amenable to the country courts; and when I was in Bengal in the year 1802, numerous persons who had committed murder, being sepoys in the employ of the Company and others, were confined, because the government, under a reference made upon that subject, did not feel that they had the power to order their execution; and that therefore the evils which I have explained, would be greatly extended unless some subsequent Act, since 1802, has remedied the evil: A reference had been made to England upon this subject, which had not been answered at the time I left India; another inconvenience, arising out of the undefined powers of the supreme courts, and those of the country courts, existed when I was in Bengal; the courts of sudder and Foujdarry adawlut at the presidency, the former being the chief court of civil, and the latter of criminal jurisdiction, were not allowed or supposed to have any concurrent jurisdiction in Calcutta; I mean, that if the sentence of the court was to be executed by a person having come to Calcutta in regard to whom an appeal was made, and a decree had issued, it was alleged there was no authority vested in the sudder courts to take up such person; and I was given to understand, that any attempt at such an arrest, if resisted and death ensued, would be considered as murder, and therefore, the only legal mode of proceeding in such a case, was to institute some other suit in the supreme court, thereby adding to the heavy expenses which had accumulated in the progress of the trial in a zillàh court, in the court of appeal or circuit, and in the sudder court: Having stated these circumstances on my return from India, Lord Cornwallis mentioned them to the Chairman of the Court of Directors, and measures were I believe adopted, or were about to be adopted, for remedying the evils; I mention them now, lest that should not have been effectually done.

Did you mean to say that the judges of either of the supreme courts, or the recorder's court, attended the court of circuit?—Neither.

Do not you know that such courts do not entertain criminal jurisdiction, with respect to British Europeans?—The inferior courts do not.

Do the courts of circuit?—They do not; I was referring to natives in the employ of the Company.

Are not what are called the zillàh courts wholly distinct from the circuit courts?—They are; there is an appeal from the zillàh court to the circuit court in its civil jurisdiction; and from the circuit to the sudder court; and from the sudder court, if the cause at action be above five thousand pounds, to the King in Council in England.

The zillàh court means a district court?—It does, of civil jurisdiction.

Does either the zillàh court or the court of circuit, or any court short of one of the supreme courts, entertain criminal jurisdiction over British Europeans?—They do not entertain criminal jurisdiction over Europeans; but the magistrate in the zillàh court is, or ought to be a justice of the peace, and ought, on all occasions of complaint against a European, to enquire into such complaints, and if they be of a flagrant nature, to attach his person, and to send him to Calcutta, Madras, or Bombay, as the case may be, for trial.

If the magistrates of the zillàh court had the power to try and punish British Europeans, would it not materially tend to degrade and lessen their consequence in the eyes and estimation of the natives?—I cannot doubt that it would have that effect in a great degree; but at the same time, it would give them proofs of the justice of the English government in general.

Would not taking away from the East India Company a material part of its commercial authority, materially lessen, in the eyes and in the opinions of the natives, their weight and consequence?—Unless I understood what was meant by a material part of their commercial authority I am not aware, that I could answer the question.

Would not the admission of rival traders into India, against the known consent of the Company, materially shake their weight and consequence in the eyes and in the opinion

opinion of the natives?—I should think an unrestrained admission of Europeans, under any plea, into the interior of India, very destructive to the English interests in India, and, therefore, destructive to the Company, who have the government of India.

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Supposing such admission to be against the known consent of the Company, would it not lower their weight and consequence in the opinion of the natives?—It would make the natives feel that persons had a right to go into the interior, without either the sanction or consent of the government, and naturally give rise to an idea that the government had no controul over them; and therefore would, no doubt, very much lessen the respect due to the authorities of the governments in India.

Would a belief or opinion on the part of the natives, of colonization by British settlers, be to them an acceptable or an alarming idea?—I should in my own opinion consider it pregnant with the most baneful consequences; it would utterly destroy the confidence of the people of India in the faith and justice of the British government, who have, in the regulations that have been promulgated throughout India, solemnly declared, that in all the changes made by those regulations, they have only in view to secure to the natives of India, entire freedom of religion, habits and usages, and entire controul in their own families, according to the laws of the Shaster and Koran; which regulations have been so far affirmed, that they have been legalized by acts of the legislature of this country; viz. 21 of the King, c. 70.; 37th of the King, chap. 142, and an act in 1800.

Supposing a persuasion to take place on the part of the natives, that British colonization were about to take place, what consequences do you apprehend from such a belief?—The consequence of indisposing them to the British government, and of their taking the first opportunity of relieving themselves from what they would consider their oppressors.

Would British adventurers possessing themselves of land, lead to a persuasion of that kind on the part of the natives?—Undoubtedly, if it was suffered to any extent, and irregular means were used to possess themselves of lands; but as the law now stands, any European who may surreptitiously get possession of lands in any way whatever, is liable to have them forfeited, and himself recalled to the presidency.

Though Europeans are not allowed to purchase lands, are they not allowed to hold land by lease to the extent of fifty bigas in Bengal?—They are by the sanction of the government, allowed to have lands to a certain extent, for the purposes of their dwelling-houses; and on some occasions, that indulgence has been extended for the purposes of endeavouring to make improvements; but all under the strict regulation of the government.

What proportion of English measurement is fifty bigas?—I believe there are about three bigas to an acre in some places, and five bigas to two acres in others.

By the terms of the leases or pottas, are they not entitled to hold the land as long as they pay the established quit-rent; and does not this give such Europeans the means of building habitations and manufactories, and holding them up the country, as permanent property?—I never recollect that without the circuit of ten miles from the presidency of Madras, where leases, I believe, are granted for ninety-nine years, that any lands were granted for an extended period; but when such lands are granted, the parties enter into a specific agreement with government, which contains clauses for the security of the natives with whom they may have dealings, if any cultivators happen to be resident within the space of lands so allotted; and where it may be waste land, there is, I believe, generally a definite period of possession given, it is always considered resumable by government, in the event of failure in any of the conditions upon which it was granted.

Is it the zemindar, or the British government that grants the lease?—If in a zemindary, I should suppose the government would be more cautious in granting a lease, and in specifying the particular terms on which it should be granted, than if in havelly lands, over which they have entire controul.

Can you say, in point of fact, whether such lease would be granted by the government or by the zemindar?—It cannot be granted by a zemindar but by the sanction of the British government; and not only by the sanction of the British government, but if an European applied for any portion of land belonging to a zemindar, this application would be referred to the collector in whose district the land was situate;

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a specific report would be made of every thing that related to it, its measurement and extent; and the government, with this information before them, would then sanction, if they thought proper, the occupancy of such land by an European, upon such terms as might be defined and agreed to.

In point of fact and form, is the lease granted by the zemindar or not?—I know of no possibility of a lease being granted by a zemindar to an European, since the granting of that lease and the possession of that land would subject an European to its forfeiture, and to be recalled to the presidency, unless he had the sanction of the government.

Can a lease under the permanent settlement be granted by any but a zemindar?—The lands within the jurisdiction of a zemindar, can only be leased by a zemindar; but a zemindar cannot lease any of his land to an European, without infringing the law of the country, and subjecting the European to the penalties attaching to it.

Do you mean to say there are no leases granted by zemindars to Europeans?—Not within my knowledge, without the sanction of government; in former times, such circumstances might happen, but not since the regulation and introduction of law and strict superintendance; I confine my statements to Madras; it may be very different in Bengal.

If from a free trade or any other cause, the number of Europeans at the presidencies were much increased, have you any doubt from your experience in India, that there would be among them, men of shattered fortunes or restless tempers, who would be anxious, with or without licence, to get into the interior?—I can very easily suppose, that men of shattered fortunes would go any where, and endeavour, by every means in their power to better them; and if they went to India to better their fortunes, they certainly would endeavour to accomplish the object which they had in view.

Would they be likely, in your opinion, to endeavour the accomplishment of that object, by getting into the interior of the country?—If by getting into the interior of the country they could promote that object, I have not the smallest doubt they would endeavour to do so.

If such persons got into the interior, would they not, in your opinion, find reception and employment among the native chiefs or princes?—I do not suppose that it would be easy for any number of Europeans to find access into the interior, through the Company's districts, from the restraints imposed in the manner which I stated in my evidence of yesterday: I have no doubt that those who did obtain access there, would find employment under some of those chiefs who may have a desire to obtain a superiority over their neighbours by the employment of Europeans in forming their troops, because they have an idea, that most Europeans are good soldiers.

Do they entertain that idea in a considerable degree, of private Europeans being accomplished soldiers?—They have that opinion, because they have generally found them forward in their exertions when they have had occasion to employ them; and they are generally supposed capable of drilling men, and of leading them.

Do you think that the treaties between the Company and the native princes would be effectual to prevent their entertainment of such Europeans, if such were their desire?—I do not know; there are many of that description of chiefs alluded to, who have not treaties with the Company; those who have treaties with the Company have residents at their durbars, I believe; but if they had an object in obtaining a force, possibly with an ulterior view of opposing the very objects of those treaties, or of gaining an ascendency over their neighbours, it is probable that they would naturally wish for the aid of Europeans; and they certainly might entertain Europeans without its being very probable that the residents themselves should gain information of it, they would of course not entertain them at their durbars, where the resident was, but in distant parts of their countries; and I do not believe that the resident is allowed to have people attached to him to pervade the country; at the same time, he would be wanting in his duty if he did not completely inform himself of every thing that was passing within the range of the authority of the person with whom he resided; their subordinate chiefs might also be employed for the purpose of entertaining Europeans, where the controul of the resident would not reach; but the great difficulty of reaching their object would probably not enable many Europeans to obtain such establishments.

Supposing

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Supposing political intrigue or military service to be the object, is it your opinion contemplating the proposed access to every part of India, on either side of the Peninsula, and from every part of the United Kingdom, that such Persons would be enabled to find their way to the service of such princes, if they were disposed to entertain them?—I observed in my evidence yesterday, that the regulations were very strict within the Company's jurisdiction, and detailed the existing regulations for the prevention of Europeans going into the interior; but where men have an object in view, it is of course still possible that they may defeat the best regulations, if those regulations are not vigilantly and efficiently executed; and it may also be supposed that persons who had the view of going into the interior, would naturally avoid the dominions of the Company where such restrictions prevailed. If all persons going out in ships from this country, were as at present registered, and if copies of those registers were transmitted to India, it would be in the power of the government to know all persons who were included in those lists, and endeavour to see that the same persons returned in the ships in which they came out; but persons might be on board those ships not included in the lists, who might proceed to situations where the Company's power did not extend, and thereby get into the interior; but unless men had some very particular object in view, some particular certain advantage they were to derive from it, I should still think that not many of them would obtain their object.

Supposing such object to be some political employ, or some military rank, or any other paramount and earnest object, do you mean to say, that such persons would not have the means of getting into the service of chiefs?—That implies a superior class of Europeans to the persons whom I am speaking of, and I should then think it still more difficult for them to get into the interior, because they would more probably become known to some persons in India, connected with the government, or with the officers of government; I shall not say that Englishmen, or Scotchmen, or Irishmen, employed in official stations, would not sometimes be inclined to favour their countrymen, and thereby they might certainly some of them get into the country.

Be pleased to say, contemplating so universal an access as has been described to the territories of independent princes, as well as the territories of the East India Company, supposing the object of the parties to be of a paramount and earnest nature to themselves, whether or not you think they could make their way to the service of their native chiefs, or provinces, if they were disposed to entertain them?—It is a question which is very difficult to answer. In a country, I mean British India, the extent of which I believe is not much less than 320 or 330,000 square miles, it is very difficult to know what avenues might be found to elude the best regulations. I have stated my opinion of the regulations established by the Company, where their power extends, and the effect they would have, if vigilantly executed, in preventing any great ingress of Europeans; but through other channels, the Gulf of Persia, and up beyond the Company's possessions belonging to Bombay, if there were great advantages offered by the native chiefs and princes of the country, there can be no doubt that many Europeans would seek their fortunes there.

Does a British resident with a native prince, always reside where the native prince resides?—I believe, generally, because the object of his appointment is to attend where the durbar is held.

Does he, in point of fact, according to your experience and knowledge, reside or not, where the native prince resides?—I do not know whether he resides, or does not reside where the native prince may reside, but his duty is to reside at the durbar of such prince; it is probable the prince may go into the country, and say to the British resident, you will remain at your own quarters while I make the tour of my country: I do not suppose that the British resident would have the power to say, I will accompany you, or if he had, that it would perhaps be desirable that he should exert such an authority, unless he suspected that the prince had objects inimical to the interests of the government whom he represented, and then no doubt he would follow him wherever he went, because it would be his duty so to do.

Might not Europeans be collected in distant parts of the territories of such chiefs and princes, without the knowledge of our residents?—Certainly, they might, in my opinion.

Would not those dangers then be still greater as to those chiefs and princes with whom we have no such treaties, or where it may happen that there are not residents?

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—Certainly, it would be more in the power of such persons to entertain Europeans in their service without the English government getting a knowledge of it, not having residents upon the spot.

From the experience you have had and your knowledge of the wishes and wants of the natives, do you apprehend that there is room to hope for any materially encreased consumption of European articles by the natives?—I do not apprehend, from what appears to be the usages and habits of the natives, and from the articles they in general use, that any great increase of consumption amongst the natives of British manufactured articles can be expected; it is reasonable to suppose that as population increases consumption must increase, in a certain degree, of such articles as they may have been in the habit of using; but it is very difficult for any man to say whether there may not be some articles that may not hereafter be required by the natives, though in my own opinion, I think there never can be any great extent of demand. The wants of the people of India are very few; the table of necessaries which I have given in, shews what articles are used for their general consumption; and unless some of the articles of Europe should enter into the general consumption of India, I do not think that we can expect any great extension of the consumption of European articles among them; but there has been a great increase of consumption of European articles for the Europeans in India and the descendants of Europeans in India, and that will increase in proportion to the increase of those descriptions of population.

Can you name any new article which, in the course of your long experience, has been introduced into native consumption?—I am not aware of any new article; I believe they have used a few empty bottles for the purpose of keeping ghee and oil and such things, in addition to a few woollen articles; they used very few carriages while I was at Madras, there were not above three or four natives who had carriages: they use sometimes a few glasses; the metals of course were used, iron and copper; but I never was engaged in trade there, and therefore can only speak generally to those points.

Those are articles which, from the time you have had any means of observing them, with the exception of bottles, they have used?—Yes.

During that period, has it appeared to you that the demand for such articles for native consumption has increased?—It undoubtedly has increased, from the period I went to India, but in a very small degree; nor am I aware how it is probable that any very great increase of it can take place among the natives.

According to your experience have the natives throughout India, as far as your knowledge extends, uniformly had the means of full and ample supply of such European articles as they might require under the present system of the East India Company's trade?—As far as I know, they have had an ample supply of all the articles imported by the Company and by individual traders: the only proof that I can offer that these supplies have been ample, is, that on the 30th of April in the year 1793, it appears that there were in the Company's warehouses in India imported goods from Europe to the amount, I believe, of about one hundred and fifty-nine thousand pounds unsold, and that on the 30th of April 1809, there were upwards of one million sterling imported European goods in the Company's warehouses unsold; I believe the Company had in the intermediate period between 1793 and 1809, very much increased their exports from this country; this shows, therefore, that consumption did not follow the increased export.

Do the values of goods in the warehouses in India, at the times mentioned by you, come within your own knowledge?—No; I speak from the accounts which have been laid before parliament.

Do those relate to goods in warehouses at Madras?—No; Madras, Bombay, Bengal and Bencoolen, I believe; and at Madras the stock, as may be seen by the accounts, was very much increased in like manner as the general stock of the warehouses throughout India.

You mean that the stock in hand, at Madras, was increased in the same proportion?—Yes.

According to your observation, have the bazars generally been fully and well supplied with European articles?—There are in the bazar particular native shops for European articles and for China articles, and for all the various articles that are produced in the country; and, I believe, there is nothing brought to India from Europe, that is not to be found in them for purchase.

According

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According to your opinion whatever wants the natives may have had for European articles, have they had full and ample means of supplying themselves therewith?—Of the articles imported by the Company, and by individuals who naturally, I should suppose, would carry out whatever was likely to turn to their advantage, they have had the means, because the Company make their sales by public auction, and many individuals are compelled to do the same to get rid of their goods; and therefore they have an opportunity of buying them generally cheap.

Can you name any European article, which the natives have required for their wants, which they have not had the means of purchasing?—I have no knowledge of any European article, which the natives require for their general use; they may use some of them as luxuries.

Can you name any European article which the natives have been desirous of purchasing, and which they have not had the means of purchasing?—I do not know what they might have desired, there might be many things they desired, that they had not the means of purchasing; the opportunity of purchasing they certainly had, if they had the means.

When it has happened that natives have possessed or acquired considerable property, have they directed its expenditure materially towards the purchase of European articles, or in Native, or other indulgencies of a different nature?—In the part of India, where I resided, the natives generally employed their superfluous wealth, in the expenses of the marriages of their children, in the ceremonies performed on their father's death: and besides these, the richer classes of them employ large sums in repairing pagodas; digging tanks, where no water is otherwise to be had, for the travellers and the cattle; wells for the comfort of travellers; choultries, or refectories for their convenience, where no shelter could be otherwise had; and for charitable purposes, which every native of any fortune or distinction feels it his duty, as it is prescribed by his religion, to bestow.

Can you say, that you have discovered any material inclination towards the purchase of European articles for the purposes of such celebrations, as you have referred to?—I have frequently been at marriages and ceremonials, and on such occasions have had an opportunity of observing some glasses and small lustres, as matter of ornament; but the European articles used on such occasions for the convenience of the Europeans, who were invited to attend, are generally borrowed from the Europeans, their masters, or others.

Can you say whether the natives increase either in the practice or the capability of manufacturing what are called European articles?—I do not recollect any article in particular of European manufacture that they make, except carriages, which are produced by the native artificers, employed under the superintendence of Europeans, who make very good carriages; the natives themselves make plate, and have done so time immemorial, and very curious workmen they are, as will be seen by the Tritchinopoly chains exhibited in this country.

Do they make boots and shoes?—Yes; boots and shoes with and without the intervention of Europeans; but since European artificers have resided there they make better shoes and boots, for they have excellent tanned leather, which was not the case in my time, I only know it from those who have returned from the country lately, it was introduced by one person; I believe there are other articles that they imitate: there is nothing that they cannot make if you give them a pattern, instructions and materials.

According to your observation, did the practice of making such articles appear to increase?—Very much, I believe, so as much to decrease the number of European carriages carried out there.

Looking to the degree of ingenuity you have described, their power of imitation and the extreme disparity of wages between that country and this, does it appear to you that any material accession of European artificers might or might not tend in a great degree to supersede the necessity of import from this country?—Certainly, it would have the effect; in proportion as India manufactured for herself, so of course it would lessen the necessity of imports from this country of those articles which they could manufacture.

Thomas Cochburn, Esq.

The Committee is to understand you to be of opinion, that the native manufactures of what are called European articles, would considerably increase?—The native manufacture of what are called European articles, would increase if the buyers could purchase them cheaper from the native manufacturers, and found them more durable than the European article.

Looking to the immense disproportion of the price of labour, the expenses of freight, and the various charges of merchandize, have you any doubt that they will be able to manufacture so considerably cheaper, as to produce that encouragement?—If the question refers to carriages and articles of that description used among Europeans, I have no doubt that the artificers of India under European direction, would be enabled completely to supply the market, if the article was cheaper and more durable than what was imported from Europe, as I have already observed; I think they could make them cheaper.

Be pleased to state such articles as you think, so assisted and with such advantages, they could not manufacture?—I really do not recollect; I could not specify them, there are such innumerable articles.

Do you think that such articles as are generally consumed by Europeans in India, will not by and by be imitated and made by the natives, instructed by European artists?—A great portion of the articles that are carried from England to India for the consumption of Europeans, are articles of consumption for eating and drinking; broad cloth cannot be made in India, as it now stands, unless the wool is carried out there for the purpose of making it, the wool of that country being, unless very far to the northward, too much of a hairy quality to make good broad cloth.

Does any other article occur to you which they would not be able to make?—Iron they can make in any quantity that is desired, for they have the best materials for so doing; steel they make very good; copper is to be found there but not in great quantities; at least where the mines have been tried they have not been found very productive; there may be many articles which, if I had possession of an invoice of those articles that are used by Europeans in India, I might be able to point out: hats they could not manufacture unless instructed by Europeans; if instructed by Europeans, there is plenty of hare-skins and rabbit-skins to be found in the country, from which they might make hats; for most of the articles which are for the consumption of Europeans in the way of carriages, the materials are to be found in India. But it is not in my power to state all the articles which the natives are or are not competent to manufacture: the articles that are in general consumption in India for Europeans or other persons, are so universally known by those that are concerned in the trade, that it will be easy for persons in possession of that information, to judge what may or may not be manufactured by natives under European superintendence.

Assisted by the advantages that have been described, the natives of India either do, or in your opinion speedily will attain a capacity of making such, the materials for which may be found in India?—I think their capacity is equal to the making of any thing that materials can be found for; whether they will make it so well or so durable, or so much worth the money as what is made in Europe, is a question I cannot answer, unless I made a trial and ascertained the fact.

Is it within your knwledge that the East India Company have taken great pains to extend to the utmost the consumption of European articles among the natives, and throughout India?—As far as offering all the articles that they brought to India for sale, both at public auction and at their open storehouses daily, at as low prices as could be expected, or perhaps could be found any where in India, they have endeavoured to supply the market with European articles, and their servants who are in the immediate charge of them, I believe derive a commission from the sale of such articles; at least I recollect being a member of a committee, which recommended that that practice should prevail for the purpose of inducing greater exertion in the persons in charge of the goods, by giving them an interest in the sale.

Has not the Company frequently exported or sold at a known loss, for the purpose of increasing such export or sales of European articles.?—I have known goods sold much below the invoice price, that is all that I know on that subject.

Are you now acting as a commissioner for investigating the Carnatic debts?—I am.

(Examined by the Committee.)

Thomas Cockburn, Esq.

Are you of opinion that separating the commercial transactions of British India, from those hands in whom the civil government may be lodged, would be consistent with the interests of the British empire in India, and of course in Europe?—The magnitude and importance of that question would require a consideration which I have not been able to give it, so as to answer it with satisfaction to myself; but if my opinion is asked, whether an entire separation of the Company's mercantile and political character would be a means of adding to our security in India, or adding to the advantages that are to be derived by this country from India, I should say, that I do not think the separation of the mercantile and political character of the Company is compatible with the successful government, or I might say, the maintenance of the English government in India: When I say the commercial character of the Company, I am not aware of the evils that arise from their commercial character, under the regulations and laws that now exist in India; but I am of opinion that a regulated trade that shall have that species of freedom, that a man shall be able to sail his ship at his own times and convenience, would be, in addition to the trade of the Company, a great advantage to India. I should suppose that the regulations which were established for that purpose, under the government of the Marquis Wellesley, proved that the trade was extended, and that individual advantage kept pace with that of the Company. I think it will always be desirable that every ship that carries bullion, of whatever nation she may be, should have an opportunity of purchasing the produce of the country, because India possessing no mines, or at least producing very little either of gold or silver, must depend upon foreign commerce, to feed the circulation; and if the specie of that country is to be exported to Europe, without such imports to feed it, the consequences must be fatal to the circulating medium of India. When I was at Madras, that subject was very often under the consideration of the government and its officers, and I remember it was my individual opinion, that a remission of duties to a certain extent on all exports should be allowed to the extent of bullion bonâ fide imported on such ships; and that arose from a pressure which the public service and individuals experienced from a very great want of specie, without the possibility of extending to any considerable degree a paper currency.

Are there not tradesmen of all descriptions, such as coach-makers, cabinet-makers, upholsterers, workers in metals, persons casting or making glass bottles, preparers of tanned leather, persons making accoutrements, harness, and all the articles for which tanned leather is wanted, shoemakers and taylors, who are native labourers under British artificers?—I believe all those descriptions of persons are to be found in India; some who work under European superintendence, and others who work for themselves: when I was in India, all the furniture I had occasion to use, was made by natives.

What proportion of price do those articles manufactured under British artificers, by native labourers, bear to the same articles imported from Europe?—I really have no recollection, at this distance of time, of the particular prices of the articles of that description; the price of the European articles varied very much at different times. When I went to India I bought six pair of shoes and a pair of slippers for a pagoda, they were manufactured by a native, not superintended by a European; and before I left it, the price was three pair of shoes, without the slippers, for a pagoda; but I preferred European shoes, because, from the imperfection of the tanning of the Indian shoe, I found my feet were liable to be injured by them: since that period, I understand, tanneries have been established, and better leather produced.

Is it not your opinion that the native shoes that could be purchased at a much less expense, would be at least equally, if not under the expense that a British pair of shoes would cost?—It would depend entirely upon the weather in which they were used; if it was rainy they would be very soon destroyed; if the weather was dry, they would wear much longer, and probably as long as one pair of European shoes, if not rather longer.

Excepting in the season of the monsoons?—Including all seasons, when the weather was wet.

There are seven or eight months in the year, when there is no rain?—The quantity of water falling there may be estimated at from 45 to 70 and 80 inches altogether within

Thomas Cockburn, Esq.

the year, according to situation, and severity of the monsoon; and I believe I might say that sometimes a half or two-thirds of that falls within three months, or thereabouts: it is unfortunate when there is eight months of drought; I have known upwards of thirty inches fall within one month.

Speaking respecting copper and tin, you mentioned that the copper mines of Hindostan had produced hitherto but little?—Scarcely any thing lately; they have formerly been worked, and the veins of them that were opened produced excellent copper; but they have not been tried to any extent: probably they may produce excellent copper.

Cannot copper and tin be brought to the coast of Bengal from the islands in the Indian Archipelago, easier and cheaper by commercial people resident at the British ports, than by being imported from England?—I am not acquainted with the trade in that quarter; I believe I could state the price of tin at Madras; I have a price current in my pocket. The price of tin from the Eastern Islands and the Malay Coast was, in the year 1801 or 1802, 35 star pagodas per candy of 500 lbs. weight English: no copper appears to have been imported from that quarter, nor am I aware that any copper is to be found but in Japan; at least, none was known to me to be imported at Madras when I was there, and I never knew that description of copper imported, but in the Company's ships, and sometimes from Batavia.

Do you know whether there is not copper that may be brought from the Persian Gulf from Mesopotamia, at a much smaller expense of freight and an easier expense in the prime cost?—I am not at all acquainted with that.

Having stated, that you think the frequent punishment of Europeans for offences committed against the natives of India would not have the effect of lowering the character of the British government in that country, are you not of opinion that such punishment would rather tend to exalt than degrade the British character in India, by impressing more forcibly upon the minds of the natives the impartiality and efficacy of our laws, and thereby removing any doubts which may at present be entertained upon that head?—However it might induce the natives of India to admire our justice, the question implies a frequent recurrence of the evil; and it would therefore follow, that the grievance must be frequent, and that however much they might admire the conduct of the British government in punishing the offence, it would very much indispose them to the individual British subjects.

Having stated, that you consider all the western coast of the peninsula of India as far as Goa, to be subject to the British government; do you mean to include that part of the coast which belongs to the Rajah of Travancore?—I mean to include that, inasmuch as a British resident resides there, and it was found indispensably necessary for the security of India, that the greatest vigilance should be exerted there to prevent the ingress of Europeans, particularly foreign Europeans and Frenchmen; and therefore the rajah consented that the English government should have a check and control over the ingress of Europeans into Travancore, in like manner as in their own countries, though there may perhaps be ports where they have no efficient control or establishment, which I am not acquainted with.

Do you consider the Peishwah to have more authority in his country, than the Rajah of Travancore has in his dominions?—I think the Peishwah must have more authority in his country than the Rajah of Travancore has in his dominions; because, from the rebellion which took place in Travancore, against the authority of the Company's government, greater restrictions have I suppose been imposed upon him.

Was the rebellion alluded to by you, considered as on the part of the Rajah of Travancore, or of his subjects?—When I say the rebellion, it was a rebellion against the authority of the Company, I believe, instigated by the dewan; I was not in India at that time, and therefore cannot speak from my own knowledge: As to the regulations to which I refer, I believe I am correct.

Is the Committee to understand, that you consider the authority of the Rajah of Travancore in his own country as merely nominal?—I consider the authority of the Rajah of Travancore in his own country to be not nominal, as it relates to the internal government of his own country, but under rules and regulations, as it would affect the English government; possibly since I left India, rules and regulations may have been imposed, which may give him not so much latitude in his country as he had formerly.

Thomas Cockburn, Esq.

How did the English government acquire the authority to which you allude, and against which you state a rebellion has taken place; was it by conquest, or otherwise?—I should suppose that the authority they have acquired there, was in consequence of a treaty with the Rajah, which took place in consequence of the disturbances that produced that rebellion to which I have alluded.

Have you heard of the contract for pepper, made between the Company and the Rajah of Travancore, about the year 1797?—Travancore was not under the Madras government in 1795, as far as I recollect; and I had no opportunity of being acquainted with any contracts made by the Bombay government.

Are you of opinion that there would be the same inducement now as twenty years ago, for Europeans to seek employment in the service of the native powers in India, considering the political changes which have taken place, and the treaties concluded by the British government with the native powers, to prevent Europeans being entertained by them?—Certainly not, nor could there be the same facilities, when the power of Hyder surrounded our territories, and possessed a large portion of the Malabar coast, and when Cuttack was in possession of the Mahrattas, there certainly must have been greater facility in European deserters, or any other Europeans who wished to enter those countries, reaching them: I have already explained the difficulties that now exist, as far as I am able.

Are you of opinion that any serious danger would arise to the British interests in India, from the possible admission of a few Europeans into the service of such of the native powers as can be at all considered independent of the British government, and with which no treaties exist?—Even a few Europeans getting into the service of any of those chieftains, whose ambition might lead them to a desire of extending their dominions, might aid and assist them in gaining a superiority over their neighbours; but I do not think that the British government have any thing to apprehend from any combination of that description, except creating disturbances, which would certainly create expense, and induce the loss of lives.

Did not the Mahratta armies prove more formidable to the British power in India, under their own irregular mode of discipline, than since the introduction of the European system under European officers?—I think, when opposed to Europeans, they did; and that it was a very happy circumstance for the English that Tippoo did not follow his father's advice, which was, never to organize infantry with the hope of competing with the English troops; owing to that circumstance, and his having diminished the establishment of his irregular cavalry, he certainly lost a great deal of that advantage which he otherwise must have possessed in his opposition to the English arms.

Is it not believed that Scindiah suffered from the same cause?—I have no doubt he did; but the force Scindiah had organized was of such a nature, that if it had not been opposed by military exertions and combinations that I believe never were surpassed in any part of the world, we should have had little chance of overcoming it; his army was arriving at a degree of perfection, that, if considerably augmented, it would have been found very difficult to put down, and that certainly in a great measure from the employment of Europeans: it was perhaps partly the imperfect state to which it had arrived under European discipline, and the want of a sufficient number of Europeans, that we were indebted for our extraordinary success.

Did not the Burtpore Rajah make a more successful resistance to the British arms without the aid of European officers and tactics, than those native powers did, which had both?—The Rajah of Burtpore fought within a very strong fortress, which was considered almost impregnable, he had a very large garrison; the English had not, unfortunately, the means which they ought always if possible to possess, I mean mortars and shells, which would have prevented the dreadful losses that occurred on that occasion. It is perfectly well known, that Indians undisciplined, when behind walls make a most vigorous defence, and have often been known to drive off European troops in attempting to assault: ultimately, of course, they could not prevail.

What effect, prejudicial or otherwise, do you conceive would be produced in India by the large importations of specie lately made by the Company, from that country, under the denomination of surplus revenue?—The effect of sending specie from India to any great extent, without giving the opportunity of an ingress of specie to that country, would be most distressing, as I have already explained. I am not aware of any specie imported under the denomination of surplus revenue.

Thomas Cockburn, Esq.

Have you heard that, notwithstanding this surplus revenue, the Company have lately opened new loans at the different presidencies in India?—I have in the newspapers seen something about it.

Do you speak of Indian newspapers?—Yes; I have seen an advertisement for a new 6 per-cent loan, in, I think, the Madras paper; I cannot exactly state the date.

What in your opinion has been the impression made upon the minds of the Company's creditors, natives as well as Europeans, by the late financial operations of the governments in India, particularly in the various transfers or nominal payments of their public loans, from the years 1807/1808 to 1810/1811?—I can speak to the effect that was produced upon the minds of many of the creditors in this country, and may infer what would be the opinion of the people of India, in regard to one loan which I myself had an opportunity of knowing the particulars of: There was a loan opened for the purpose of inducing a subscription of 10 per cent paper, possessing the option of being paid the principal and interest in England, into a loan of 8 per cent paper, payable the principal in India and the interest in England; and money was also received by government at a premium, when money was offered: The loan held out to creditors, that interest would be paid by bills on England half yearly from year to year at a favourable exchange of 8 *s.* 6 *d.* per pagoda, and three months sight; I believe the loan was to be made up, and the certificates or notes to be dated, on the 31st of May 1809, and the interest of 8 per cent. to run from that period: In the month of September or October 1809, this loan, which the persons who had the 10 per cent paper were induced to go into, and to accept 8 per cent on account of the favourable remittance to Europe, which, from the expression that the interest was to be paid half yearly from year to year, was considered a loan of some duration, was advertised to be paid off; and the loan was paid off, within 6 months from its completion. It appeared therefore that these favourable terms were held out by the government of Madras for the purpose of inducing individuals to subscribe their paper payable in England, for paper payable in India, but the interest in England; and that the moment the confiding public had subscribed their paper, and given up the great advantage of payment in England, the inducement was withdrawn, and the loan paid off, and the parties many of them compelled to subscribe to less favourable loans, locking up their property in India. Of course, this, which was considered by individuals as a breach of contract, I mean so far as they could not but suppose that the terms of the advertisement gave them reason to believe that the loan would be of some duration, must, as it would naturally affect individual credit, have had the same effect upon public credit. I believe that the Court of Directors, upon representations having been made to them, have in some instances given inadequate relief, in so far as they have agreed to permit those persons who held paper at 6 per cent, to receive bills upon England for it when they shall advertise it for payment in India. I am not perhaps perfectly correct in the details of this, for I have not thought of it for a length of time. I had some paper myself in this situation. The effect upon my mind was, that it was a very different proceeding from what had been observed in this country, when the government thought it a duty to bring forward a resolution for a reduction of the interest in 1749 (vide Smollet, vol. 3, page 279.) The circumstances that may have occasioned this financial measure, I am not acquainted with; I speak only of its effects upon my own mind. Upon the representation from some of the creditors in India to the government at Madras, they saw the justice of repaying the premium which had been paid to it by individuals to get into the loan; otherwise a considerable part of the interest that had accrued would have been paid by the premium given by the lender.

Are you aware of the Company's having opened loans in India, themselves paying the premium for the cash?—When the Company's interest is at six per cent, and money is wanted, and bears a higher interest in the market, they no doubt, with a view to keep the interest at the rate of six per cent, would act very wisely in giving a premium to induce such loan, rather than increase the rate of interest, which would have a permanent effect.

Have not you heard of the Company giving a premium, allowing at the same time eight per cent?—When the interest of money was at eight per cent, and money even at that rate could not be got, the same principle would naturally induce them to give a premium, as is done in this country on all occasions of loans, according to the state of the money market.

Have

Have you heard of the Company giving this premium, and an interest of eight per cent. at the time that private merchants were only allowing six per cent.?—Not to my knowledge or recollection. *Thomas Cockburn, Esq.*

Have not you heard, that the money collected in the Company's treasuries in India, for the purpose of effecting the reduction of interest, in the manner of which you have just given an instance, was borrowed upon those terms, the greatest part of it?—I am not acquainted with that fact, it was subsequent to my leaving India; but, if the object of the Company's government had been to reduce the interest on their great debt, it was certainly their duty, as it was their interest, to borrow money on those terms, if by that means the reduction of interest could be effected. I do not complain of the reduction of interest in India, I think it was essentially necessary to the interests of the public that it should be so; I only complain of the manner in which it was done, and the discredit which it brought upon English credit, which, I believe, stood higher than any other credit in the world.

Are you aware, that although they thus effected a reduction of interest, they actually had not the means of paying off their debt, and that although they paid off nominally upwards of thirty millions sterling, they had not in their treasuries at any time more than five or six millions during that period?—If with so small a comparative sum at their command, which must have been known to the monied interest in India, they were enabled to effect a measure so salutary to the public interests, if it could be done without injury to their credit, and without any breach of engagement, I think that the government of India would derive credit from having been able to accomplish so great an object with such small means.

Have the goodness to state, explicitly, whether the conduct of the government in India towards their creditors, was not generally considered as a gross breach of public faith and engagement?—In regard to an explicit statement of my opinion, I do certainly think, that the manner of doing it was inconsistent with the dignity of the British government, and ultimately will prove injurious to their interests; as every measure will do which is not founded upon just principles and fair and open dealing.

It having been stated, that iron was produced in India, did you see or hear of any Indian iron exposed for sale in the market?—Never having dealt in any articles of that kind, I really never had an opportunity of seeing it in the market, or endeavouring to buy it; but I have heard of its being to be bought, and it must be so, because the steel which is made from it, is produced in the Mysore country to a considerable extent.

Is not the iron manufactured in India inferior in quality to that imported from England?—It is certainly as inferior to that imported from England at present, as English iron was formerly to Swedish, when almost all the iron sent to India by the Company was Swedish; now, happily for this country, English iron is manufactured, not only equal in quality, but in some respects better than Swedish, and yet may be bought I believe many pounds per ton cheaper, and is now I believe, the only iron exported by the Company to India.

Can you form any opinion of the probable proportion Mussulmen bear to the Hindoos in point of number, in that part of the country with which you have been acquainted?—That question it is impossible to answer without a census being taken; where I have had an opportunity of seeing it taken, in the Mysore country, where I should have expected more Mussulmen than in the Carnatic, I think the proportion was thirty-eight Hindoos to one Mussulman; but that varies precisely in proportion to the power and number of the Mussulmen governments that existed in different parts of India.

Do you consider those Mussulmen who have been put down from offices of power and emolument, equally contented with the British sovereignty as the Hindoos?—Certainly not, it is impossible to suppose that men who enjoyed unlimited power, office and emolument, can be equally satisfied with the Hindoos, who more generally derive greater advantages from office and emolument under the English government, though both enjoy as complete protection as it is possible for men to enjoy where laws have not been long established, but which time and experience will, no doubt, improve into greater perfection.

Thomas Cockburn, Esq.

Could discontents to any extent amongst the Mussulmen produce danger of the British sovereignty, as long as the Hindoos are satisfied with the British government? —I have already explained, that I do not think there is any bond of union that could be established among them, to induce such an event as is referred to in the question, unless under the circumstances which I have before stated.

If the Mussulmen could induce the Hindoos to concur with them, would the British power be safe?—If the Mussulmen could induce the Hindoo population to rise in rebellion against the English government, it is impossible to suppose that it would not be a very difficult thing for the few Europeans that now hold the power in India long to exist; the extension of the British power in India, though it could not have been gained without the aid of a great European force, was yet attained principally by the aid of our native subjects. During the war of Hyder in the year 1780, I knew of instances of attachment in the native troops which it is impossible for me not to mention; Hyder entered the country with an army of 100,000 men; the army which we had in the field under Sir Eyre Coote, amounted to not more than 8,000 muskets, of which not 1,000 were Europeans; all the garrisons in the country of our own were occupied by a few European officers with native troops; Hyder offered very high terms to induce them to secede from their duty; they were frequently from 4 to 14 months in arrears of pay; they were in some instances reduced to the necessity of disposing of their children to obtain the means of their own subsistence, and also with a view to secure the lives of their children by sending them to those who had the means of feeding them; at this period there were emissaries sent among them for the purpose of inducing them to swerve from their duty; it was at this period they fought the battle of Porto Novo, in 1781, which without their aid could never have been fought; such attachment to the government whose salt they eat, which is their common expression, shews, that if they are protected in their religion, their privileges, and their family rights; and that so long as they are so protected, we have nothing to apprehend from any combinations to overset our government. I believe they have no attachment to any form of political power.

Do you imagine, from any occurrences in the Decan, that there might be any motive that could produce an union between the Mussulmen and Hindoos?—That is a question I cannot answer, more fully than I have already, in effect.

You derive no consequences from what happened at Vellore?—I would rather not enter into that question; but I am ready to do it if it be the wish of the Committee.

[The Witness withdrew.

[Adjourned to To-morrow eleven o'clock.

17.

Mercurij, 28° die Aprilis, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Alexander Falconar, Esq. - - p. 271
Thomas Cockburn, Esq. - - - p. 272

(No. 6.)

Of Evidence before Select Committee.

Ordered, by The House of Commons, *to be printed,*
29 *April* 1813.

18.

MINUTES of EVIDENCE

TAKEN BEFORE THE SELECT COMMITTEE,

Appointed for the purpose of taking the Examination of such Witnesses, as shall be ordered by The House to attend the Committee of the Whole House, on the Affairs of The *East India* Company; and to report the Minutes of such Examination, from time to time.

(No. 7.)

Jovis, 29° die Aprilis, 1813.

The Right Hon. JOHN SULLIVAN, in The Chair.

CHARLES BULLER, Esquire, a Member of the House,
Was Examined as follows:

Charles Buller, Esq.

Mr. Impey.] HOW long have you been in the civil service of the East India Company?—About two and twenty years: I was one and twenty years actually resident in India.

You were at the Bengal presidency?—I was.

In what department?—In the revenue.

You are still in the service of the East India Company?—I am.

Did you reside in India during twenty-one years?—One and twenty years, or within a month or two.

From your long residence in that country, had you opportunities of remarking upon the characters, the habits, and prejudices of the natives?—Certainly, I had an opportunity.

Are you of opinion that they are a people peculiarly tenacious of their habits and prejudices?—They certainly are, very particularly so, as far as I can judge.

In the event of a free trade between this country and India, and many Englishmen being permitted to penetrate into the interior, is it your opinion that such permission would be attended with any, and what ill effects, to the peace and happiness of the natives?—I should conceive it to be dangerous; that it would be the cause of much oppression and persecution to the natives, and that it would be prejudicial to the British name, and consequently to the British interests.

Though Europeans are not allowed to purchase land, are they not allowed in Bengal to hold land by leases to the extent of about fifty begars?—They are; and the same person is allowed to hold several detached spots of fifty begars each.

Charles Buller, Esq.

Can you state what is about the average rate of those begars—what is the extent of land they contain?—I cannot say exactly, but I understand there are three begars to an acre.

Have the goodness to state whether those leases are not granted by zemindars?—They are granted by the zemindars, the lease is obtained first by the settler, and he sends it to the collector, who sends it to the Board of Revenue, for the sanction of government, for his holding his lands. As a member of the Board of Revenue, I have been in the habit every Board-day, of sending up two or three of those applications.

In consequence of this permission, have not Europeans the means of building habitations and manufactories, and holding them up in the country as permanent property?—It is for the express purpose of enabling them to do that, that they are allowed, I believe.

Are there not actually many Europeans settled up the country, in Bengal, upon property of this description, such as indigo manufacturers, and others?—A considerable number; I before stated two or three, but I would wish to say, that we were in the habit of sending up every Board-day, at least one application, for holding land to that extent.

Under the zemindars, by permission of the government?—Yes, from the grant of the zemindars.

Have you actually known such licensed Europeans so far misconduct themselves, as to make it necessary for the government to send them out of the country?—I have had to conduct enquiries sometimes into the conduct of those gentlemen, and I think it occurred to me in two instances, within the short space of two months, to recommend, that two gentlemen should be sent out of the district, in which they had been allowed to reside. Those came accidentally under my official knowledge; I had nothing to do with the general superintendence of the conduct of those gentlemen, nor with the police of the country; but when any question arose, whether an European held lands directly or indirectly, such questions were referred to the Board of revenue for report; and in the two instances I have alluded to, the evidence of their oppression of the Ryots, was so very strong, that though I do not know it actually came within the scope of our duty to recommend their removal, yet we did as much, which was, to suggest to the government, whether they were fit persons to be allowed to reside in the districts.

Were they removed in consequence of that recommendation?—I was given to understand that they were removed; the order for their removal was not sent to the Board of Revenue, but through another channel; but I am pretty certain they were removed.

In the event of a free trade, if many persons, even with licences, were permitted to go into the interior of the country, do you not think the evil which has already arisen from the misconduct of licenced persons in Bengal, would be probably very much increased?—Certainly, I do; I am very apprehensive of a number of Europeans settling in the interior; I have heard a great deal of oppressions committed by them, and I feel rather strongly on that subject, against the measure; a number of Europeans in the country would considerably tend to increase the evil, because I think those oppressions were generally occasioned by the quarrels of those Europeans amongst themselves, and indeed they generally came to light from the quarrels of the Europeans; the natives were not much in the habit, at least to my knowledge, of bringing complaints against Europeans; they were afraid; I only speak from my knowledge as a member of the Board of Revenue.

Are you then of opinion from your knowledge of the character of the natives, that they are likely to sustain considerable injury rather than complain against Englishmen?—In the cases that I have known, as I have said before, the complaints were generally made known in consequence of some quarrel between Europeans; I therefore suppose that the natives were not in the habit of complaining: Upon light occasions, certainly not; but a magistrate can speak much better to that than I can; I have never been a magistrate.

Are you of opinion, that if oppressions of the nature above stated, took place in many instances, they might create such a discontent among the native population, as would

would be dangerous to the stability of our government in India?—If in many instances they took place, I should think that danger might ensue; but it would be a considerable number of instances before there was any actual danger to our Empire. *Charles Buller, Esq.*

Do you think that the power which is now vested in the local government of India, of sending Europeans out of the country, in case of misbehaviour, is necessary to maintain the peace of the country, and the security of the government?—Most essential.

Where any violences or oppressions of natives by Englishmen take place in India, up the country, have the natives any adequate means of obtaining justice against their oppressors, except by that power which the government possess of removal of their oppressors out of the country?—They may appeal to the magistrate of the district, who may send the offenders to the supreme court.

If such oppressions are committed at the distance of hundreds, or even a thousand miles up the country, do you think the natives can have any adequate justice by appealing to the supreme court?—They would, in all probability, not have the means of appealing; they would not be able to leave their own concerns for such a length of time.

Has it not fallen within your knowledge that, from such defect of justice, the murders of the parties offending have ensued?—I have certainly known, or rather heard, of one instance, where murder was actually committed; the gentleman was actually murdered: I have also heard of another instance; it was a lady, who was very nearly murdered; she was not absolutely murdered.

Can you state at all the nature of the oppressions which have come to your knowledge, of the native Indians by Europeans?—What I recollect, were flogging of the ryots, and imprisonment.

Supposing an unlimited influx of British subjects were allowed into the three presidencies, but under an absolute restriction from penetrating into the interior, is it your opinion that such restriction would prove effectual to prevent persons getting into the interior?—If I were to answer that theoretically, I should say, that I should suppose government could easily prevent it. But judging from what I have constantly seen, I do think it would be very difficult indeed to prevent it. The prohibitions against Europeans entering into the interior are at present very strong, but somehow or other they do contrive to get into the interior, and actually do settle there. In short, I conceive that it much more depends upon the individual character of the magistrate than upon any general laws which government can lay down. An active magistrate will certainly prevent Europeans from entering into the interior, and also will keep them from doing any gross acts of injustice while they are there; but in our service, as in other parts of the world, there are persons sometimes appointed to offices who are not competent to them; and in such cases the Europeans often do commit great mischief.

Is not the power vested in the local governments of removing such Englishmen as misbehave themselves, considered as a very invidious power in its exercise, and never resorted to but in extreme cases?—I fancy very much so: the exercise of it creates great clamour against the government.

In your opinion, would a free trade with India produce any materially increased demand among the natives for European commodities?—I should rather think not; as far as I can judge of the natives their wants are very few, and those very easily satisfied, and where that is the case, with regard to the natural wants, I think they very seldom have many artificial wants.

Have the mass of the population in the Bengal provinces, either the desire or the means of purchasing British commodities?—I do not know what their desire may be; they certainly have not the means; and I should not suppose they have much the desire, because they are content, as I have before said, with gratifying those few natural wants that they have.

According to your observation, do you think that the more opulent natives in the Bengal provinces, have any great wish or taste for such articles, meaning European articles?—I think very little; as far as I have seen, they have a few articles of glass

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ware, lustres, and those things; but I recollect, in the case of one very opulent man, that they were very trumpery kind of articles, and I should doubt very much their having been bought actually at a shop; I should rather think that they were bought at the auction of an English gentleman.

Do the native domestics of Europeans adopt, in any degree, European habits?—None that I recollect.

Does the supply of European articles in India, according to the present system of trade, appear to you to be fully equal to the demand of the natives?—Certainly, I should suppose so, I have generally seen the bazars full of those articles which the natives ever use.

Do you think that the present system is fully adequate to the supply of any probably increased demand on the part of the natives of India for European articles?—I should suppose so, for I have no reason to believe that there will be an increased demand.

Examined by the Committee.

Can you form an opinion what the effect of separating the commercial transactions of British India from those hands, whoever they may be, in which the future government of the country may be lodged, would be, whether consistent with the interests of the British empire in India and in Europe?—That is a very general question; I conceive that it would be presumption in me to answer that by a plain yes or no, when so many intelligent persons differ upon the question; of course, every one who has heard the Indian question discussed, must have formed some opinion upon it; and all I can say upon that is, that I am against the separation.

Do you think that practically, merely a power in the government of India to remove individuals who may go there under a parliamentary enactment, would be sufficient without a positive direction in the Act of Parliament, that any transgression or evasion of an order from government by any European, should ipso facto be followed by being sent out of the country, subject to the remission of that penalty by the government of India?—I think, that any thing which would tend to take away the odium to which government is subjected from the exercise of that very necessary power, would be highly desirable.

Are there not tradesmen at Calcutta of all descriptions, such as coach-makers, cabinet-makers, upholsterers, workers in metals, persons employed in casting or making glass bottles, tanning leather, making accoutrements, harness, and all articles for which tanned leather is wanted, shoemakers and taylors?—I believe, generally, there are all those that have been described.

Is not the consequence of that, that those articles are furnished through the native labourers under British artificers in a state fit for use, and at a much inferior price to what they can be imported from Europe?—Certainly.

Has not the consequence of this been to have already lessened exceedingly the importation of those articles that formerly obtained vend at Calcutta?—In most instances, I conceive, if not in all.

Do you conceive it probable, from the accounts that have been given of the aptness of the natives, and their ingenuity in learning all mechanical arts, that the progress of that must be their improvement in the making of every thing of which the materials are found in India, and of course that in time, the import to India of British articles may most materially decline?—I should think that they might materially decline; but I do not conceive they will ever arrive at that great state of perfection in which many manufactures are carried on in England; I particularly apply that to European gentlemen who are nice about their carriages, and other articles which may be supplied in India, but which they would still prefer having from England.

Applying it to the articles more commonly in use there, such as those made by shoemakers, tailors, workers in iron and in steel, and in the tanning leather accoutrements, and harness of all kinds?—I should conceive they would considerably decline.

Does

Charles Buller, Esq.

Does it come in your way to know, whether copper and tin may not be and are not brought to Calcutta from the islands in the Indian Archipelago, easier and cheaper by the commercial people residing at the settlement, than they can be imported from England?—I have no other means of knowledge than what every gentleman has here from reading on the subject.

How many Europeans do you suppose are now resident in the interior of Bengal, not in the Company's service?—Upon my word, I do not know.

Can you form a guess?—I really cannot.

One, two, or three hundred, or four hundred?—I have no means of knowing what there are in the ceded and conquered districts.

Is there not a very large proportion of those foreigners?—Not that I know of, there are several foreigners I have understood employed by English gentlemen, particularly in the vicinity of Chandernegur and Chinsura, and the foreign settlements; but I believe they are not residents.

Are there not many of the indigo planters, Frenchmen?—I should rather suppose not, as far as my opinion goes; but I have not resided much in the interior.

As you were in the revenue department, and therefore must be acquainted with the collection and payment of the revenues; in the event of the Company's commercial transactions being abridged, or of their investments being diminished by the interference of open traders, would, in your opinion, the revenues be equally productive as under the existing system?—I should not suppose the revenues would be much affected by it.

Would they not be lessened in proportion as the open traders interfered with the Company's investments?—The only mode in which I can conceive it would affect the revenue, would be by throwing out of employment several people who do pay revenue to government, on account of their lands; in that way it would probably affect the revenue, but I should not suppose to any great extent.

If that interference had the effect of lessening the Company's investment, would it not in all probability occasion an increase in the investments of private traders, and thereby give full employment to all the persons that would otherwise have been working for the Company?—If the private traders could carry on their concerns with effect, of course, it would.

JOHN STRACEY, Esquire,

Was called in, and Examined as follows:

John Stracey, Esq.

Mr. Grant.] How long, and in what capacities have you served the East India Company?—Between fourteen and fifteen years, in different departments; some time in the judicial department, and the rest as under-secretary to government.

On what establishment?—The Bengal establishment.

State in what parts of the country you principally resided?—I was in the district of Tirhoot, in the province of Behar; and at Mymensing, in the district of Dacca; and at Cawnpoor, in the ceded provinces.

From your experience, can you state, whether, under the system of the Company, the great mass of the natives of India live in a state of comfort and contentment?—I certainly think they do, in every respect.

With reference to the climate in which they live, are they comfortably lodged, fed, and clothed?—Speaking of them as a people in general, and according to their habits and customs, I consider the natives to be as well, as happy, and as contented as any set of people in the world.

Were the trade to India laid open, and British subjects permitted freely, or at least in greatly increased numbers, to pervade the interior of the country, would such an event, in your apprehension, tend to disturb the comfort and contentedness which you have described, or the reverse?—From the different instances I have known, I am certainly of opinion, that great disturbances would be excited amongst the natives by the Europeans, who would, in all probability, be guilty of the greatest excesses.

John Stracey, Esq.

Is that opinion founded upon any specific experience?—Several different instances have occurred, both with Europeans out of the Company's service, and those in the Company's service, and also in the King's service.

Mention what species of oppressions those are to which you particularly refer?—While in Tirhoot, I think there were two gentlemen, at different times, tried in Calcutta for maltreating the natives; one of them endeavouring to extort confession, on the idea of having been plundered; another on the charge of disfiguring some women; both of whom, I believe, were tried and convicted in the supreme court, of the offences charged against them.

What do you mean by disfiguring?—It is a number of years back; but the disfiguring I believe was, taking off the end of their nose to disfigure them.

Did it happen in procuring from the nose the ornaments they usually wear there?—No, cutting off the tip of the nose; this gentleman was connected with a native female, who, through jealousy, mutilated the women as I have described, to which he was conceived to be an accessary, and was tried for that offence, and was convicted, I believe in Calcutta: I recollect an instance while I was sub-secretary, wherein a number of Lascars, denominated I believe Batta Lascars in Calcutta, the people whose profession it is to navigate vessels in the river, and to load and unload ships; many of those were employed in a ship in the river, the captain of which being short of hands, suddenly set sail and carried them away for Europe; the government, upon receiving information of this, took up a ship for the express purpose, and dispatched it with warm clothing to the Cape of Good Hope, to bring these people back, with the captain also, but whether it was successful or not, I do not know. There were several instances of misconduct also of Europeans, while I was magistrate of the district of Cawnpore. Some of the European soldiers were guilty of breaking into a house of a European trader, which house was defended by some native watchmen, in which one of the soldiers was killed, and the natives wounded; some of the former I apprehended and sent to Calcutta for trial, but they were immediately acquitted, in consequence of the proprietor of the house not thinking proper to prosecute in Calcutta, the distance being so great.

Were British subjects, in greatly increased numbers, to visit, or to pervade the interior of the country, is it your opinion that such injuries as those which you have described, or other parallel atrocities, might be materially multiplied?—I certainly consider that great excesses would result; Europeans look upon the natives with a certain degree of contempt; they are often totally ignorant of their manners and habits; and some through ignorance, and some through intention, would be guilty of very great excesses.

You have stated, that in one of the instances referred to, the prosecution was dropped on the part of the oppressed party, by reason of the distance of the supreme court of judicature; is it your opinion that a frequent resort, on the part of the natives of the interior, to the supreme courts of judicature, would be morally practicable?—I believe not; in all cases, however, in which a native complains against an European, for any act of felony, or violent oppression, by the present regulations, the expences of the natives, both plaintiff and witnesses, are always paid by the government, in order to enable them to proceed to Calcutta and return.

On the supposition that the offences in question became extremely frequent, would it be possible, in your opinion, coequally to extend that indulgence, through which the suffering parties are enabled to resort to justice at Calcutta?—That must depend, I should suppose, entirely upon the number of cases that would occur, and, consequently, upon the number of Europeans that might be allowed to reside in the interior of the country; if these occurrences were very frequent, the expense to government would be extreme; but I should suppose they would always allow it, as it is their present practice.

In spite of this indulgence, might not the natives in the interior suffer immense inconvenience, from the necessity of making a long journey, before they could find the justice required?—Their being taken away from their houses and families and occupations, is a very great grievance; and in many instances they go into a climate and country, of which they are totally ignorant.

Do you mean to imply, that the distance of the seat of justice would be a most serious inconvenience, even were that justice free?—The distance is the greatest inconvenience; for in many instances, I believe it may be extended as far as ten or twelve hundred miles. *John Stracey, Esq.*

Would it be possible, without offence to the national prejudices of Englishmen, to invest the courts of the British magistrates with criminal jurisdiction over British subjects in general?—I think, supposing the magistrate to have the power that he has at present, of apprehending, that instead of sending them to Calcutta in all cases short of felony and murder, a remedy might be found for giving the natives redress, by giving the courts of appeal or courts of circuit the power of deciding.

You are aware, that in the courts which you have just mentioned, the mode of trial by jury is not established; are you of opinion that the trial by jury could be introduced into those courts?—Most undoubtedly not; I do not think it possible.

In your judgment, would the frequent exercise of a coercive and despotic authority over the persons of British subjects, on the part of the British government, or its public functionaries, in any manner affect the estimation in which the natives generally hold the British character and name?—That is a matter so completely of opinion, that I really do not know exactly how to answer that question; as an opinion of my own, I think it would; but it is merely a matter of opinion.

Is the opinion you have just stated, founded upon that knowledge of the natives which you have acquired from your experience?—My opinion is founded upon so very few cases of Europeans, that I can only judge from them; the natives certainly would think an European degraded, by being frequently brought into the court; for the higher sort of natives think themselves extremely degraded by being so brought into a court of justice; and they would attach that degree of degradation to the Europeans, I apprehend, that they do to themselves.

In a former answer you mentioned an instance in which a grievous act of oppression was committed by a commander of a British vessel, on some Batta Lascars; on the supposition that a free trade with India were established, and the Indian coasts generally laid open to the resort of trading vessels from this country, are you of opinion that such acts of violence might frequently take place?—The instance alluded to was perpetrated even almost under the eyes of the government; if therefore Europeans were allowed to navigate, or to go to all ports on the different coasts of Coromandel or Malabar, similar acts I should think likely to occur; and if they did occur, the redress given in that instance could not be given there, and the effect I should think very prejudicial to the British name.

Independently of the oppression common to all such acts of piracy, on whatever people committed, are they attended with any peculiar hardships when committed upon the people of India?—It depends materially, I believe, upon the cast of natives on whom the grievance has been committed; with several casts of Hindoos, if the provisions are not laid in by their Brahmins, they will not eat those provisions on board of ship, and consequently in a voyage from India to Europe or the Cape of Good Hope, the natives on board such ships must starve.

Have you ever known any instances of unlicensed European adventurers wandering through the interior of the country?—While at Cawnpore, I think I recollect one instance of a British subject having absconded from one of the Company's ships on the coast of Malabar, across the Peninsula, coming into the district of Cawnpore, when the police officer immediately apprehended him, and sent him to me; and I, with the authority of government, sent him to Calcutta. There were some other instances: one of a Frenchman, who came up to Cawnpore as a trader; he was also apprehended, and by the orders of government sent to Calcutta; a third was an officer, who had been in the service of Scindiah, and wounded at the battle of Assaye; he was, I believe, a half cast, but being in European dress he was apprehended by the police; I sent him to Lord Lake, then with the army; I am not perfectly sure whether he was detained by Lord Lake, or sent to Calcutta.

You have stated, that you saw at Cawnpore an adventurer who had crossed from the Malabar coast; can you state, roughly, what distance that person must have travelled?—I should think about thirteen or fourteen hundred miles.

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Must he not have come through the Mahratta dominions?—Yes, he must have come through the country possessed by Holkar and by Scindiah, and a part of the territories of the Rany of Ghoud.

In your judgment may the natives of India be described as both an agricultural and a manufacturing people?—Most undoubtedly.

In both characters do they not work far more cheaply than the natives of this country, or of Europe in general?—There is no comparison; every thing is much cheaper, the articles of cloathing, and other articles, and their labour is much cheaper; that varied of course, in different parts in which I was situated; I think in the Dacca province it did not amount to more than 3*s.* 6*d.* or 3*s.* 9*d.* per month; in Behar to about 5*s.* and at Cawnpore to about 7*s.* 6*d.*

Do you mean for agricultural or manufacturing labour?—Merely labouring people; men who come to do daily labour, as husbandmen work in this country, doing up gardens, or dressing lands, or any thing of that kind.

The gains of the labouring classes in general being thus limited, have they the means of purchasing European commodities?—I certainly should think not; I do not see how it is possible.

You have stated the gains of the labouring classes in India as incomparably smaller than those of the labouring classes in Europe; do you mean to imply that the comforts of the former are less in the same proportion?—The native of India, I conceive, is as happy and contented in his situation, as any of the lower orders of people are in this country.

Are not the simplicity and frugality of the native habits, agreeable to the nature of the climate under which they live?—Yes.

Is it your judgment then, that the cheapness of living and of labour in India, proceeds from accidental and precarious causes, or is rooted in the climate, soil, produce, and inveterate usages of the country?—I think it is from the permanent cause of climate and of soil.

In your judgment, is it probable, that under any circumstances, the mass of the natives of India will draw a great portion of the commodities which they ordinarily use, from this country?—I do not know that they use any thing in their ordinary use from Europe, except it is some few woollens or broad cloths, which they may have accidentally got at a very cheap rate.

Are they likely to use European commodities under any change of system which can be adopted?—I should think not.

Do you consider the Indian markets as at present fully stocked with European commodities?—I had very little opportunity of observing that; but from the frequent and continual sales of European articles in Calcutta, by auction, the natives had every opportunity of procuring the articles they wished, if they had the means of purchasing them.

Do you intend to imply, that the sellers of those articles were reduced to the method of auction, from the impossibility of disposing of their commodities in any other manner?—I have understood that to be the case, but cannot speak positively to it.

Were those articles, in fact, to be had at very cheap rates?—Sometimes I believe they were, and generally, I understood, not exceeding the European price.

Can you state, whether the weavers and other persons concerned in the provision of the Company's investments, or in the manufactures of salt and opium, are not protected from oppression on the part of the commercial residents, by specific regulations and laws?—There is a specific regulation for the guidance of the commercial residents how they are to provide the Company's investments; if any native under those regulations thinks himself aggrieved by the commercial residents, gomastahs or agents, he may complain to the public courts of justice, when the complaint is, as well as I recollect, referred in the first instance, to the resident to settle, and if the party aggrieved is not satisfied, he again applies to the court, when his suit or cause is taken up, in the same manner as against any other individuals.

What

John Stracey, Esq.

What are the public courts of justice alluded to in your answer?—Those that are established in the interior of the country, the zillah courts, and the city courts; there is a court established in each city, and in each district; that depends entirely upon where the aggression has been committed.

Is it not the practice of the Bengal government to publish all its regulations in the country languages, for general information?—They are all published in the different languages, the Persian, the Bengalee, and the Hindostannee. Several copies of each regulation, in the different languages, are sent to the judges and magistrates of the districts, and the collectors, who are directed to distribute them to the vakeels or counsellors attendant upon the different courts, and other natives.

Have you known instances in which redress has been granted, under the circumstances described, to persons aggrieved by commercial residents or other public functionaries?—I do not recollect any specific case; but those cases must be almost innumerable, I conceive, in the different courts.

Is it known to you whether the regulations of the Indian governments are usually laid before the British Parliament?—That I do not know.

Though you cannot recal any specific instance in which persons aggrieved in the manner before described have received redress, do you recollect that such instances have in fact occurred?—I recollect having several complaints laid before me against the conduct of the gomastahs or agents of the residents; but I do not recollect any cases of extorting money, or any thing of that kind; they were the usual complaints for assault or battery, and I have settled them the same as between any other two individuals.

(Examined by the Committee.)

Does not the same law apply exactly to the Company's commercial residents as to every other person having dealings with the native weavers?—Exactly so; I apprehend, if it is against a Company's servant, the trial takes place in the court; but I believe there must be some reference to the government before he can be removed, but I do not recollect the point having occurred; it is a number of years since I was a magistrate in India; I know there is some specific regulation how to proceed respecting Company's servants in such cases; the regulations are all printed; the specific regulations I do not immediately recollect.

Do you think that, practically speaking, merely the power of removing individuals who may go to India under a Parliamentary enactment, would be sufficient, without a positive direction in the Act of Parliament; that any transgression or evasion of an order from the government by any European, should ipso facto be followed by being sent out of the country, subject to the remission of that penalty by the supreme government?—I am certainly of opinion, that no Europeans whatever should be allowed in the interior of the country, without the greatest caution on the part of the government, and those Europeans should certainly be under the strictest regulations; a clause of that kind might be of great effect, in preventing their being guilty of any acts of violence or of aggression, and thereby would tend to benefit.

Would it not relieve both the district magistrate and the supreme government, in some cases where they might hesitate from the odium of exercising a strong act of power?—I should think it would, because the terror of such a clause would certainly be efficacious in preventing many acts of oppression.

Having been in many different parts of India, and having had an opportunity of judging of the disposition of the people of those parts, can you form any opinion of the proportion the Mussulmen bear to the Hindoos, in point of number?—In the district of Mymensing I made a calculation, as well as I now recollect, of the inhabitants of the district, who amounted to between sixteen and seventeen hundred thousand; the proportion, as well as I could form an opinion from those who attended the public courts, bore about five to three in favour of the Hindoo.

In the upper provinces how does the proportion stand, in your idea?—At Cawnpore I made a calculation of the inhabitants, in consequence of an order of government to endeavour to ascertain the consumption of salt, but the precise number of the inhabitants or the proportion of Hindoo inhabitants I do not at this moment recollect; I think the Hindoos are more numerous there, in proportion to the Mahomedans, than they are in the eastern parts of Bengal.

John Stracey, Esq.

Do you consider those Mussulmen who have been put down from the offices of power and emolument equally contented with the British sovereignty as the Hindoos are?—Most undoubtedly not, for men who have been in the habit of having arbitrary power and authority do not like to relinquish it.

Do you apprehend that disturbance to any extent among the Mussulmen might produce danger to the British sovereignty, as long as the Hindoos are contented and satisfied with the British government?—That depends entirely upon the leader or the individual who might start up; in the upper provinces, a man of ability, whether he was a Hindoo or a Mahomedan, would in those provinces be followed, I conceive, by a great number of both sects.

Is there reason to imagine, that the occurrences in the Carnatic, alluding to the unfortunate catastrophe at Vellore, could produce any consequences that might affect an union between the Mussulmen and the Hindoos, to put down the British power?—The circumstance at Vellore occurred since I left India; I have no further information upon that subject, than what I have gained from verbal reports, pamphlets, and other publications: I came to England in 1805, and that occurred in 1806 or 1807.

How many Europeans, not in the service of the Company, do you think are now resident in the interior of Bengal?—I have no knowledge whatever; there were several Europeans in the district of Tirhout, but their precise number I do not recollect; there was only one in the district of Mymemsing, who was a Frenchman; and in the district of Cawnpore there were only the soldiers and the suttlers attached to the cantonments; there were no European settlers.

As far as you know, are there not a good many foreigners amongst those resident in the interior?—I believe there are in Calcutta, but I do not know that there are in the interior; there may be some few.

Were not the Europeans formerly entertained in the service of the native powers of India, principally foreigners?—I believe they were; at the court of the Nizam and in the Mahratta service, there were some Englishmen, but mostly I believe were Frenchmen.

Did not the whole of the Europeans entertained by the Mahratta chieftain Scindiah withdraw themselves from his service soon after the commencement of the war, under a proclamation of the Bengal government, holding out encouragement to them to do so?—I believe some withdrew under the proclamation of the government; but I believe also that Scindiah, after the battle of Assaye, and the taking of the fortress of Allighar, dismissed a good many of them; the half cast I have before mentioned was a captain in Scindiah's service, and was dismissed immediately after the battle, along with the other officers that were with that army.

Have you heard that the Mahratta chieftain, Holkar, under an apprehension of disaffection on the part of his European officers, put them all to death?—I do not recollect hearing of the circumstance; there were several of our European officers taken by Holkar, in the retreat of Colonel Monson's detachment, who were put to death by Holkar; but I do not know that he put any of those in his own service to death.

Do you conceive, that there would now be the same encouragement as formerly, either for the native princes of India to entertain, or for Europeans to be entertained in their service, under those circumstances?—At present I believe there is a specific article in the treaties of all the native powers, that they shall not employ or retain any Europeans in their service; abiding by that article, therefore, I do not see how they could well employ them.

With reference to the disaffection and dismissal of the officers formerly in Scindiah's service, do not you conceive that those circumstances must prove discouraging, either to the native princes to entertain European officers in their service, or for European officers to be so entertained?—That, I should think, would entirely depend upon the advantage that each would expect to derive; the prince in regard to the services he expected to receive, and the European the emolument that was held out to him.

Do you suppose that the native princes can now put the same trust as formerly in European officers?—I really do not know how to answer that question, it depends so much upon circumstances.

John Stracey, Esq.

Do you understand whether there are any treaties with the native powers, by which they stipulate not to employ Europeans in their service, except with the Peishwa and the Nizam?—I always understood with all of them; I do not recollect seeing the treaties, excepting one, I think, with the Nizam; but I understood it was the same with all the other powers, the rajah of Berar, the rajah of Jeypore, and others.

[The Witness withdrew.

JAMES WILLIS, Esquire,

Was called in, and Examined as follows:

James Willis, Esq.

Mr. Adam.] You are a Commissioner of the Customs?—I am.

How long have you been in that situation?—About seven years and a half.

Have you, in that situation, had an opportunity of considering the state of the illicit trade carried on in voyages to the port of London?—From the reports of the officers.

With regard to illicit trade in other parts of the kingdom, does your knowledge of that arise from the same sources?—From the returns of the officers.

Have you had any opportunity of being acquainted particularly with the nature of the East India importations by the Company?—Merely from the reports of the officers.

Have you considered how far the opening an importation trade from the East Indies to this country, would be likely to increase illicit trade or smuggling?—It has been considered by the Board, who have reported upon the subject.

You have likewise considered it as one of the persons signing that report?—I have.

State to the Committee, whether you think the illicit trade, or smugggling, is likely to be increased by an enlargement of the trade, and by permitting a free importation to different ports of the kingdom?—I have no doubt that it will, from the various opinions of our respective officers upon the subject.

In what respect, or in what way, do you suppose it will have that effect?—The more the trade is extended and dispersed, the more I think would be the danger of smuggling we have to apprehend.

There are certain guards and regulations now adopted by order of the Board of Customs, for the purpose of preventing illicit trade, and particularly for the purpose of preventing illicit trade from East Indian importations; do you conceive that those regulations and guards would be equally applicable to prevent it in a trade to the out ports?—Some of the out ports are better adapted than others for the reception of East India ships; and those ports are specified in the report of our Board, which are Liverpool, Hull, and Bristol.

The East India trade is carried on in ships of very considerable burthen; the trade to China in ships of very large size; the trade to the different ports of India in ships of not less than 800 tons?—Except the extra ships.

Do you consider that the size of a ship in which the trade is carried on, affords the means, with greater facility, of preventing smuggling?—I should conceive that the smaller the ship, the more effectual the guard would be, when within port; but I should conceive that small ships can approach nearer the coast than larger ships, and therefore more smuggling might be expected therefrom.

Then upon the approach of smaller ships to their port of delivery, you consider that there would be a greater likelihood of smuggling from them than from large ships, in approaching their port of delivery?—I do, certainly.

You consider that to arise from the security of guarding a large ship with a larger cargo, and consequently greater value; that you guard a greater quantity of cargo in a large ship than in a small one?—I understand from the practical officers, those large ships are not so easily guarded as smaller ones in harbour.

James Wallis, Esq.

In the approach to a harbour in their voyage, when they come within the chops of the Channel, for instance?—I should think there would be more danger from small ships than from large ones there, most undoubtedly.

Do not you consider that the dispersion of the cargo into smaller quantities, by being loaded on board smaller ships, is likely to produce a greater quantity of smuggling than larger cargoes on board larger ships?—I should conceive so.

Your Board has reported that the trade ought not to be carried on, if carried on to the out ports in ships of a less burthen, than from three hundred and fifty to four hundred tons?—Yes.

Supposing the trade to be carried on to the out ports, such as Bristol, Liverpool, Hull, Greenock, and so on, in ships of that diminished size, are you of opinion that that would give a greater facility to smuggling than having the trade carried on as it is now in large ships, directly to the port of London?—I should think so, certainly.

Do not you consider that an increased number of ships, increased in consequence of their diminution in point of burthen, would tend likewise to the increase of smuggling?—I think so.

Are you acquainted better with the state of the port of Liverpool, or the approaches to that port?—Never having been there, I have not the least knowledge of it; but there is one of our practical officers now in attendance, who has been lately there on service, who can speak to that point; his name is Flood, he is inspector of the river.

Was he sent down to Liverpool?—Yes, the year before last; not with a view to this question, but to correct some irregularities that were known to exist in the port.

You have made a distinction between smuggling apprehended in port, and the smuggling apprehended upon the approach to the port; are you of opinion that the smuggling in the approach to the port is likely to be more effectually prevented when carried on in large vessels in few numbers, than in small vessels in larger numbers?—That is my opinion, clearly.

Are you of opinion, that the smaller vessels and larger numbers going to different ports, instead of being all bound to one port, as to the port of London, would increase the quantity of smuggling?—The more the trade is dispersed, of course the more the danger of smuggling must be increased.

If that trade is carried on along a long line of coast, is there a likelihood of the smuggling being increased from that cause?—That must depend upon the guard that is on the coast, both the water and the land-guard.

Do you conceive the guard in the Channel to be better than the guard along the other parts of the coast?—Most undoubtedly.

Do you conceive that guard can be afforded with greater facility than along the other lines of coast?—Yes, most undoubtedly; the guard on the southern coast consists of fourteen cutters, thirty-six six-oared boats, and sixty-five riding officers. On the western coast, it consists of ten cutters, thirteen boats, and twenty-seven riding officers. On the eastern coast, nine cutters, eleven boats, and thirty-two riding officers.

What do you mean by the western coast?—The coast opposite Ireland.

Do you mean the coast of England in St. George's Channel?—Yes; the coast of England, opposite to Ireland.

From what point to what point?—From the Land's End up to Carlisle, which is the extent of our ports.

From thence northward, the jurisdiction of the Scotch Commissioners commences?—Yes.

Where does the eastern coast begin, and where does it end?—From Margate up to Berwick.

Have you had any opportunity of knowing the conduct of the owners of Indiamen, in respect to illicit trade?—I never heard that they were concerned in it, nor do I know how they could be interested.

Have

James Willis, Esq.

Have you had any opportunity of knowing the conduct of the East India Company with respect to the regularity of the importation of their cargoes?—I never heard any complaint.

Have you ever had any reason to suspect that there was any attempt on the part of the East India Company, in their importations of cargoes, to bring them in illicitly?—I cannot conceive that it is for their interest to attempt any such conduct.

In point of fact, you know of no such attempt on the part of the Company?—I have not the least recollection of such a circumstance.

Should you have reason to apprehend that the owners of private vessels or the cargoes on board private vessels, importing generally under a free trade to the different ports of the kingdom, would have inducements to smuggle?—I cannot say that I have any reason to suspect that they would.

Would they have the means more readily afforded them to smuggle than such ships as the trade is now carried on in?—Certainly.

Might individuals become owners of ships, under a free trade, where it was carried on in bottoms of from 350 to 400 tons, with a view to smuggling?—They might, certainly; I do not say that they will do so, but they might.

You consider it as practicable?—Certainly.

What do you think as to the probability of it?—I think it probable.

Do you think that the probability would extend to whole cargoes being smuggled in that way?—No.

Do you conceive that smuggling is checked by the port of importation from India being more directly and immediately under the eye of the Board of Customs?—No doubt of it, and particularly so by a recent regulation adopted, of sending tide-waiters to meet the ships upon their arrival in the Downs, and to accompany them to the docks.

Do you conceive that the officers are more likely to exert themselves in the discharge of their duty, by being more immediately under the eye of the Board?—They ought to do so.

Are you acquainted with the nature of the importation, and trade in India piece-goods?—Merely from the returns of the practical officers.

Can you speak, of your own knowledge, with regard to any facilities arising from the nature of that trade, to carrying it on illicitly?—The smallness of the package certainly must afford more facility than many other articles of a more bulky nature.

Do you think that there is likely to be considerable injury to the revenue from re-landing piece goods imported for the purpose of exportation, that are entered for the purpose of such exportation?—Certainly.

Do you think that danger is increased, in proportion to the number of out ports, to which the right of importation should be given?—Yes.

Have you got with you the reports on which the commissioners formed their reports to the Lords of the Treasury?—Yes, I have; I have also an abstract.

Examined by the Committee.

Have you brought those documents by your own mere motion, or by desire of any person?—I proposed in my answer as to the selection of Liverpool and other ports, to have referred to these returns; copies have been made, expecting an order to be given by Parliament for them; I have brought them of my own accord, in order to make such use of them as might be necessary.

Have these abstracts been prepared under the direction of the commissioners of the customs?—They have, under the authority of the Board.

James Willis, Esq.

Were any practical officers sent down to the out ports?—Not with a view to this inquiry, but on other business.

Could any opinion be formed what additional water-guard and land officers may be necessary, to give the same degree of security to the revenue from the India and China trade, which it possesses at present?—That is a matter which has never yet come under the consideration of the Board, but undoubtedly it will, in case the trade shall be extended, as is proposed, to the out ports, become the duty of the commissioners to consider that.

Do you think that any mode of carrying on the import and export trade from India and China could be devised, so little exposed to smuggling and frauds on the revenue, so free from the objection of an increased number of officers, and at so little expense, likely for all articles ad valorem, procuring their real value, and the duty payable thereon, as bringing the whole trade of India and China to the East India warehouses and docks, immediately under the inspection and superintendence of the superior Board of Customs?—That question requires more consideration than I have at present time to give to it; no doubt the present system is as perfect as can be well expected, under all circumstances; but whether one more perfect can be devised, it is very difficult for me to say.

According to your professional knowledge of what may be practised, from what has been practised in different parts of the kingdom, can you not apply that knowledge to the question now proposed to you?—I think the present system is as perfect as under all the circumstances can be expected; but certainly there may be evils in the present system.

If ships of 350 tons were at liberty to come and go from different ports along the coast of the kingdom, open to the possibility of relanding prohibited articles, or articles on which a great drawback has been allowed, is or is not the danger of smuggling greater than from the mode in which the trade is now carried on in larger ships going from a single port?—I think I have given an answer already to that question in the affirmative.

You have already stated, you conceive the revenue in considerable hazard, according to the length of coast the ship has to run; in your opinion, would not a port situated at the entrance of the Channel, surrounded by British cruisers in aid of the excise and customs, be a most desirable position, provided all other accommodations within the port were such as to meet the approbation of the Boards of custom and excise?—I should think, more preferable than a port to the northward.

Is not the observation of the commissioners of excise and customs, as given in their report respecting Liverpool, Hull, and Bristol, governed by the great accommodations afforded in those ports, within the ports?—The reasons for the selection of the ports of Hull, Bristol, and Liverpool, are, because they are already warehousing ports, affording greater security in the opinion of the Board than any other ports, in the ports themselves, and because there are already establishments at those ports as warehousing ports.

Is the Committee to understand you that the accommodation was framed upon the accommodation within the ports, and with no relation to geographical situation?—I think so; that was the impression on my mind at the time.

[The Witness withdrew.

Mr. JOHN LEE,

Was called in, and Examined, as follows:

Mr. John Lee.

Mr. Impey.] What situation do you hold at the India House?—Assistant clerk to the committee of private trade.

Do you know that there are standing orders of the Court of Directors, framed for the purpose of preventing the deviation of ships employed in the Company's service, and for the detection and punishment of persons who shall be concerned in illicit trade?—Certainly.

Have you a copy of those orders?—I have.

[The Witness produced them, and they were read as follows:]

"STANDING

Mr. John Lee.

" STANDING ORDERS of the Court of Directors of the United " Company of Merchants of England, trading to the East Indies, for " preventing the deviation of ships employed in the Company's service, " and for the detection and punishment of persons who shall be con- " cerned in illicit trade.

" At a Court of Directors, held the 11th of September 1776,

" Ordered, That it be a standing order of this court, that in future, within " six weeks after each of the Company's homeward bound ships is cleared, " the commander and officers thereof be summoned to attend a joint com- " mittee of private trade and shipping, to whom it is referred to make strict " inquiry into the reasons of any deviations which shall have been made by " such a ship during the whole course of her voyage, and that the said " committee do with all convenient speed, report their opinion thereon to " the court.

" At a Court of Directors, held the 23d May, 1777.

" The court taking into consideration the mischief arising to the Com- " pany by the illicit trading, both outward and homeward bound, of the " commanders and officers of ships in the Company's service; and it having " appeared by informations received from the officers of government, and by " other proofs laid before the court, that such practices are frequently " carried on at foreign ports, or in Ireland, Scotland, or out ports in this " kingdom, to which the ships proceed contrary to the orders and instruc- " tions given to the commanders, or by means of vessels which meet the " Company's ships at sea, and there deliver to and receive goods from " them

" Resolved unanimously, In order to detect and bring such offenders to " punishment, that it be a standing order of this court, That the clerk to the " committee of private trade do within four weeks next after each of the Com- " pany's homeward ships shall be cleared, collect from the ships' journals, and " from letters and other things which shall come to his knowledge (and which " he shall examine for the purpose) an account of all the ships proceedings " to or towards any port or place both outward and homeward bound " without or contrary to the Company's orders or instructions, and of all the " ship's deviations from or loitering in the course of her voyage in the English " Channel, or elsewhere, and do state the same in writing to the chairman and " deputy chairman, and also to the respective committees of private trade " and shipping, in order that such matters may respectively be taken into " consideration by the joint committee of private trade and shipping, pursuant " to the standing order of this court, made the 11th day of September last; " and it is further resolved, that in case the committee of private trade and " shipping, shall not within six weeks after such state laid before them as afore- " said, report to this court that such ships, proceeding to such ports or places, " without or contrary to the orders of the Company, and such deviations or " loitering were necessary or prudent for the safety of the ship and cargo, " the Company's solicitor shall be informed thereof by the clerk of the said " committee, and he shall forthwith, without further orders, file a bill in the " Court of Exchequer against the commander of such ship, and such other " persons as counsel shall advise to be necessary parties, charging them with " having been concerned in illicit trade, and praying a full discovery thereof " and relief for the damages sustained, thereby waving all other penalties, " according to Act of Parliament made in that behalf, which suit shall not " be stopped or stayed by any order or vote of court or any committee " thereof.

" Resolved unanimously, That it be a standing order of this court, that " when any suit is ordered by this court to be brought against any person or " persons on account of illicit trade, upon any information or evidence laid " before the court, the proceedings thereon shall not be stayed at any time " after the next subsequent court, by an order or vote of this court, or any " committee thereof.

" Resolved unanimously, That upon the arrival of the Company's ships in " the River Thames, the clerk of the committee of private trade, shall

Mr. John Lee.

" forthwith give notice thereof to the master-attendant and surveyor of shipping, and thereupon the master-attendant, or his assistant, or in case they shall be otherwise previously employed, then the surveyor of shipping, or his assistant, shall forthwith repair on board the said ship or ships before any goods shall be delivered, and shall carefully examine the state and condition of the hold, and of every part of the lower deck, and report to the committee of private trade, what vacant space, if any, shall remain therein that is fit and proper for the stowage of goods; and also, whether any packages appear to have been removed, disturbed, or replaced during the homeward-bound passage.

" Resolved unanimously, That if on examination it should be reported by the officer or officers abovementioned, that any space is left in the hold proper for the stowage of goods, the commander of such ship shall forfeit and pay to the Company the sum of £.100. for every sixty cubical feet of such vacant space, unless it shall appear upon the ship's journals, or other authenticated paper, that the said commander, upon his application in writing to the governor and council at the settlement from whence he was last dispatched, or to the supra cargoes in China was refused a larger quantity of goods; or unless it shall appear to the committee that such vacancy had arisen from the settlement of the cargo, or some other unavoidable accident during the course of the voyage.

" Resolved unanimously, That the commanders of the Company's ships be directed by the said committee not to open nor permit the hatches of their ships to be opened on their arrival in the river Thames till the officer or officers aboyementioned shall come on board for the purpose of such examination.

" It frequently happening that practices of smuggling by this Company's officers are discovered by his Majesty's officers of the customs, and suits are brought thereon which do not come to the knowledge of this court, and compositions are often made of such suits very much to the prejudice of this Company.

" Resolved unanimously, That this Company's solicitor do forthwith apply to his Majesty's commissioners of the customs, and request, that they will be pleased to order their solicitor to give this Company's solicitor an account of all suits now depending; and also, from time to time, of all suits that shall hereafter be brought against any of the commanders and officers of this Company's ships, for practices of smuggling of East India goods, and of all the proceeding thereon; which account the Company's solicitor shall forthwith communicate to the chairman, and deputy chairman, and to the respective committees of private trade and shipping, in order that they may pursue such measures as shall appear proper."

Do you know that copies of those standing orders are given to all commanders of outward-bound ships with their instructions?—Immediately after their being sworn in, copies of those instructions are given them, as well as a printed book of instructions.

Do you know that by the terms of the charter-parties, by which the Company's ships are engaged, the commanders and the first and second mates of each ship are bound to keep exact journals of all transactions that occur during the course of the voyage, together with a diary of ship's courses, winds, &c?—Most certainly.

Do you know that the officers above stated are bound to deliver upon oath, if required, to the clerk of the committee of private trade, the journals and diary stated in the former question?—Certainly.

Do you know that those journals are in fact invariably kept and delivered?—Invariably so.

Do you know that upon the return of the homeward bound ships, the commanders deliver up, at the India House, all the orders and papers which they receive abroad or in the course of their voyage?—Regularly so.

Do you know that those journals and papers are very minutely examined to detect any deviation or illicit practice in the course of the voyage?—Certainly so.

If

Mr. John Lee.

If any deviation or illicit practice is discovered, what is the course adopted?—It is the duty of the clerk, so soon as the journals are received, and attested by the several officers to be their original journals, the commanders official papers also delivered, the result of the proceedings of the Company's governments abroad, on unloading and loading the ships, and every transaction appertaining to the commander's conduct examined, to collect from those particulars an account of all the ships proceedings outward or homeward-bound, without or contra to the Company's orders and instructions, and of all deviations from or loitering in the course of her voyage; a detail of which is submitted in writing to the Committee of Private Trade, who invariably examine the commanders personally, previous to their being deemed eligible for a further command; this investigation takes place previous to the entire payment of the proceeds of the private freight, and a final adjustment between the Company and the owner, for the freight and earnings of the ship; and if there should, in the course of the investigation, appear the minutest deviation from the Company's orders or instructions, the Committee of Private Trade recommend for the adoption of the Court of Directors, such punishment as the nature of the offence may merit, either a reprimand, fine, suspension, or dismissal from the Company's service.

Where any officer of the Company is either charged with or suspected of such deviation, or any illicit practices, is such person permitted to resume any command in the Company's service till he has discharged himself of such suspicion?—Most undoubtedly, not.

Do you know whether strict orders are not given, and precautions taken, to prevent the homeward-bound ships from loitering at any out port, or in the Channel?—The contract entered into between the East India Company and the owners, called the charter-party, provides, that if any commander puts into any port in his outward voyage for the purposes of illicit trade, himself and owners are liable to pay out of the freight 100*l.* per day for every day the ship remains at such port of deviation, and the freight received is to be considered as unlicensed goods, and forfeited to the Company; the charter-party also provides, that if a commander touches at the Island of Ascension, or sails from St. Helena in the night, without permission of the Company's government, the owners and master shall forfeit out of the freight 200*l.*; it also covenants, that if the commander touches at Barbadoes, or any other island or port in America, without orders, the owners and master shall forfeit in like manner out of the freight, 10*l.* per ton on every ton the ship is chartered for; there is a further provision also in the charter party, that in case the ship puts into any of the western islands, or Plymouth, or any port of England and Ireland, or any other port or ports in Europe, without orders, the owners and master shall pay to the said Company out of the freight, 500*l.* for every such offence, as well as their daily demorage for such time as the ship remains, or as she shall lose by the deviation.

Are orders likewise given by the Company, that revenue officers shall be received on board the homeward-bound ships as soon as they arrive in the Channel, and have access to every part of them, to detect any illicit practice?—Certainly, so.

Upon the arrival of every ship, does not a survey take place as to her stowage, to see whether there is any vacant space, or any packages have been removed or disturbed for illicit purposes?—On the ship's arriving at her moorings in the river Thames, intimation is given by the clerk to the Committee, to the Company's master attendant and surveyor of shipping, who, or their officers, proceed on board previous to the opening of the hatches, for the purpose of examining the state and condition of the hold, and of every part of the lower deck; the master attendant reports to the clerk of the Committee if any vacant space remains therein; and whether the ship is stowed conformably to the Company's regulations, and the conditions of their contract; there is also another description of Company's officer, called a surveyor of private trade, whose duty in the first instance on proceeding on board, is to examine the ship before she begins to work, to see whether the holds are full; and if not, to render an account to the Committee of Private Trade of the vacant space; and when the ship is not at work, to affix locks sent on board by the Company, to all the hatchways and scuttles leading into the hold, and to keep the keys of the same; also the keys of the gun-room, ports, lazaret, bread-room, and powder-room; and on discovery of any of those places being opened clandestinely, it becomes his duty to report the same. The surveyors

Mr. John Lee.

have also directions to rummage the ship, whenever they shall judge it necessary, for the purposes of discovering illicit trade; and every morning, before he unlocks the hatches or scuttles, to examine every part of the ship not under the Company's locks; if he shall discover any illicit articles, his instructions are to secure the same, and report it to the Committee of Private Trade. If the Surveyor connives at clandestine trade, he is subject to dismissal from the Company's service. The surveyor keeps a journal of daily transactions, and regular accounts of goods received and delivered out of the ship, as well as the state of the stowage; the officers of the customs are permitted, jointly with the Company's surveyors, to secure the gun room, ports, and scuttles, with locks and chains; also to put locks on the several hatchways, leading into the hold from the lower deck. There is a clause in the surveyor's instructions, furnished to them by the Court of Directors, giving, as an encouragement to the surveyor, such proportion of the net produce of all forfeitures which the Company can claim by virtue of any information or discovery he shall make of clandestine trade, as the Court shall judge to be a proper reward for his vigilance: he is generally instructed faithfully to follow all orders or instructions, which, by his oath or security bond, he is obliged to do, on pain of immediate dismissal from the service.

Do you know, in point of fact, that where any officers of the Company have been detected in illicit trade, they have been severely punished, either by dismission or suspension, or heavy fines?—In every case, within my knowledge, they have been so punished.

In consequence of the precautions taken by the Company, have the detections of such illicit practices in the captains or superior officers, been frequent or unfrequent? —Not frequent within my experience.

[The Witness withdrew.

[Adjourned to Monday eleven o'clock.

18.

Jovis, 29° die Aprilis, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Charles Buller, Esq. - - - - p. 289.
John Stracey, Esq. - - - - - p. 293.
James Willis, Esq. - - - - - - p. 299.
Mr. *John Lee* - - - - - - p. 302.

(No. 7.)

Of Evidence before Select Committee.

Ordered, by The House of Commons, *to be printed,*
30 *April* 1813.

19.

MINUTES of EVIDENCE

TAKEN BEFORE THE SELECT COMMITTEE,

Appointed for the purpose of taking the Examination of such Witnesses, as shall be ordered by The House to attend the Committee of the Whole House, on the Affairs of The *East India* Company; and to report the MINUTES of such Examination, from time to time.

(No. 8.)

Lunæ, 3° die Maij, 1813.

The Right Hon. JOHN SULLIVAN, in The Chair.

THE Committee Room was cleared. The Committee determined that the names of the Agents, appointed to act on the part of the Petitioners against the renewal of the East India Company's exclusive privileges, be given in.

The Counsel and Agents were again called in.

Mr. *Richardson* and Mr. *Humphreys* appeared as Agents for the Petitioners at Bristol, Liverpool, Hull, Glasgow, Greenock, Belfast, Dublin, Newcastle, Manchester, Birmingham, Sheffield, Iron Masters of Shropshire, Stockport, and Plymouth.

Mr *Lavie* appeared as Agent for the Petition of the Merchants Bankers Traders and others of the city and port of London, interested in the East India and China import trade:

And also for the merchants of London, owners and agents for the owners of East India built ships, trading to the port of London.

JAMES SEDGWICK, Esquire,

Was called, and Examined as follows:

James Sedgwick, Esq.

Mr. Adam.] YOU are a commissioner of excise, and chairman of the Board of excise in Scotland?—I am.

How long have you held that situation?—I have been chairman about three years; I was appointed chairman, after I had been there about two or three months.

Have you had an opportunity of considering, in your situation as chairman of the commissioners of excise, the effect of opening the importation of Indian commodities from the East Indies generally, to the out ports of the northern part of the island?—I of course had not my attention drawn to the subject, till after some

James Sedgwick, Esq.

application was made upon it, and certain questions referred to the Board; from the consideration I then gave it, I am prepared to answer the questions which may be proposed to me.

You gave to it such consideration as those questions referred to your Board required?—Yes.

Do you conceive that the opening that trade to the out ports would be the cause of an increase of illicit trade, or of smuggling?—I should think it would.

Are you particularly acquainted with the geographical situation of the mouth of the Clyde?—Finding it necessary some time ago to make some arrangements on the west coast with respect to the cutters, I had some opportunity of examining it.

From the examination that you have made of the mouth of the Clyde, do you think that the approach to that part affords opportunities for smuggling?—Certainly, if they approach near to it; I take into my consideration, of course, the difficulty of arriving there from India; but if they were once there, no doubt the facility of smuggling must be very considerable.

From what circumstances do you conceive the facility of smuggling would be considerable?—I conceive that in proportion as the trade would be extended, the temptation would be increased, and the facility of smuggling upon that coast would be very great, because it is so situated that it is difficult to avoid it even in the state of the general trade.

State the particular local circumstances that give rise to that opinion?—The intersection of the country with such a considerable number of locks, that it is quite impossible to make such an establishment of cutters as would at all either prevent smuggling or detect it.

Is its vicinity to the Highlands and to the western coast of Scotland likely to give an opportunity for smuggling in case of an increased importation, by opening the Indian trade?—I should think it was.

Are you well acquainted personally with the situation of the different islands of the Hebrides, and on the western coast of Argyleshire?—I was in the Hebrides last summer, but of course have no further acquaintance with it, than the taking a pleasurable tour at that time would give me; my attention was not called to it with a view to a specific subject of this kind; but from the recollection I have of it, I am enabled to answer such questions as you may put to me.

Were you in that tour enabled to make yourself at all acquainted with the extent and nature of the western coast of the county of Argyle?—I found the extent of that to be very considerable; and the nature of it to be such, as to afford very great facilities for smuggling.

Very much indented with the sea?—Very much.

Affording deep water?—Yes.

Are you able to state from your recollection the extent of that coast?—I really cannot say exactly, perhaps two or three and twenty miles, but I do not know whether that estimate is quite correct.

In order to approach the port of Greenock and port of Glasgow with the East India trade, would the vessels come through Saint George's Channel, or by the north of Ireland, and so double the Mull of Kintyre?—I should think through Saint George's Channel.

Would it come between England and Ireland, or by the north of Ireland?—It would come through the Pentland Firth.

Supposing ships with East India produce to come directly to the port of Greenock, without any necessity of going through the Channel, would not their approach to the port of Greenock be by the western coast of Ireland, and between Ireland and Scotland?—I could not precisely tell, without reference to a map, but it is a question easily decided.

Taking it for granted, that that is the course by which Indian ships, carrying on a free trade, would approach the port of Greenock, would there be a considerable

facility

James Sedgwick, Esq.

facility to the smuggling those articles in the course of their voyage along the western coast of Ireland, and through between Scotland and Ireland, until they enter the port of Greenock?—Certainly, there would be endless opportunities of landing the cargo.

Are you acquainted with the more northerly part of the western coast of Scotland, the coast of Inverness?—Yes, I know something of the coast of Inverness, having been to Fort George and Fort Augustus.

I speak of the western side of the coast of Inverness?—I am not particularly acquainted with that.

Without being particularly acquainted with the local situation, yet knowing from the inspection of the map the long indented line of coast from the coast of Argyleshire northward, and from thence through the Pentland Firth, do you conceive that would give additional opportunities to the smuggling of articles, carried round by the Pentland Firth to the Eastern coast of Scotland?—Yes.

Are you acquainted with the different forths on the Eastern coast of Scotland, with the Murray Firth?—I am.

The Firth of Tay?—I know them generally by passing them, when I went round the coast.

The Firth of Forth?—I know that.

The Firth of Forth you are particularly acquainted with, being the situation of the Board?—I am.

Do you conceive the carrying the East India trade round by those Firths would afford great facility to increased smuggling?—I conceive it would.

Do you think that would be facilitated by the trade being carried on in ships of from 300 to 350 tons burthen?—Certainly.

That the reduced size of the ships would increase the facility of smuggling?—Certainly; because they would enter where larger ships could not.

Have you considered of any measures that could be devised to prevent the dangers arising from smuggling along that line of coast?—No, I have not; it would be very difficult to bring forward the remedy, till the evil itself is distinctly stated, because these measures must adapt themselves to the circumstances, and be applied to the evil as it presents itself.

Are you acquainted with the situation of the port of Greenock, in respect to its being provided with wet docks, and whether it is under the warehousing system?—It is under the warehousing system.

Do you know the situation of the docks there?—No, I do not;—I never was there but for an hour or two.

Do you know whether the docks are surrounded with a high wall?—I think not.

Are you acquainted with the particular situation of the port of Leith, which is the port of Edinburgh?—I am.

Is it possible in the present state of the port of Leith to carry on the warehousing system there?—Certainly.

There are wet docks there lately made?—There are.

Are those wet docks surrounded by a wall?—I think not, but I am not often called from Edinburgh to that place, and seldom visit it.

Can you state positively whether they are surrounded by a high wall, so as to be cut off from the rest of the harbour?—No, I cannot; I think there is no such wall.

Are you acquainted with the state of the ports on the northern side of the Firth of Forth?—I am not.

Has your attention been called to the possibility of levying the revenue by an ad valorem duty, in case of opening the trade to India as a free trade, and whether there must not be recourse had to a rative duty instead of an ad valorem duty?—My attention has not been called to that, because it has not come before me; and more particularly because it would belong to the customs, rather than to our Board.

James Sedgwick, Esq.

Is it your opinion, that in order to secure at all against the increase of smuggling, that you are apprehensive of, in case of opening a free trade from India to the northern ports of this kingdom in small ships, that it would be necessary considerably to increase the number of officers, and the means of guarding against that illicit trade?—I think it certainly would be necessary to increase the number of officers, because, as smuggling increases, the protection of the revenue must be increased in proportion.

Previous to your making your report to the Treasury, in answer to the questions they put to you, did you receive any sub-reports from the officers in the different ports in Scotland?—No, I did not; there was nothing in those queries that led me to make those enquiries; they were on general principles.

Do you think that any number of additional officers would sufficiently secure against smuggling on those coasts?—It would be difficult to answer these questions, unless we knew the extent of smuggling; no doubt it might be met by remedy, but the number of officers must proportion themselves to the increase of smuggling.

(Examined by the Committee.)

Do you think it probable that the trade being so opened in small ships to the out ports, the benefits arising from that trade at those ports to the revenue, could countervail the necessary expense of the increase of officers?—That is a general question to which it is impossible for me to give an answer, unless I could ascertain what the increase of trade was.

The trade being divided, all the out ports being open to the trade, and the trade going partly to one port and partly to another, do you think it probable?—Some of the out ports perhaps might not think it beneficial to them to avail themselves of the privilege extended to them, therefore until I saw how many ports there were that availed themselves, of it, I cannot enter into a comparison of the benefit with the expense.

Did you serve in the excise in Scotland before you were appointed a commissioner?—No, I went from the Bar in England to the excise in Scotland.

You were not in the revenue in Scotland at all, before your appointment as a commissioner?—No.

From your own knowledge, you probably do not possess the means of ascertaining the different modes of smuggling, that have been usual in different parts of Scotland, or the means by which that operation may be carried on?—It may be carried on by an immense variety of means; the practical officers will be the best judges of what those means are.

What part of the river Clyde do you consider the most dangerous?—I have not such a local knowledge of the river Clyde, as to be able distinctly to answer that question.

How do you suppose the opening of the trade to India, to ships of 350 tons burthen, could increase the temptation to smuggle?—If the parties who have the privilege intended to them avail themselves of it, of course, the temptation will be equal to the increase of trade and to the profit arising out of it.

When you talked of smuggling articles into the Highlands, what articles did you particularly allude to?—I alluded to smuggling generally, not to any particular articles; that must depend upon the means the party has of bringing one article in preference to another.

Is it likely that East India commodities could be disposed of to any extent in the Highlands of Scotland?—If they were there certainly.

Should the traders of 350 tons come round by the Orkneys to avoid revenue cruizers, could they not easily find in those islands places of deposit for goods, to be thence smuggled as opportunity should occur into the eastern coast of Scotland?—Certainly, if they once found themselves there, they might find facilities of landing the cargo.

Are there not certain months in the year during which time you consider the passage north about as almost impracticable?—I have not had any opportunity of judging of the navigation of those seas, so as to enable me to ascertain what that time of year may be, those who use those seas can speak to that circumstance.

[The Witness withdrew.

THOMAS

THOMAS SYDENHAM, Esquire.

Was called in, and Examined as follows:

Mr. Impey.] You have been in the military service of the East India Company? —Yes, I have. *Thomas Sydenham, Esq.*

During how many years?—Twelve years.

At which of the presidencies?—Principally at the presidency of Madras.

You were also secretary of legation to the courts of Poonah and Hydrabad?—I was secretary of legation at the court of Hydrabad, acting resident at the court of Poonah, and afterwards resident at the court of Hydrabad.

During how many years were you resident at Hydrabad?—About five years.

Were you acquainted with the Persian and Hindostannee languages?—Yes, I was.

From the circumstance of being acquainted with the languages of the country, and from your residence in India, were you enabled to make accurate observations upon the characters, manners and habits of the Hindoos?—From my knowledge of the Persian and Hindostannee languages, and from the habits of transacting business with the natives of India, I have of course been enabled to form some judgment of the manners and customs of all the natives of India; but more of the Mussulmen than of the Hindoos.

From the observations you have made, do you think that the Mussulmen are a people that are jealous of any violation of, or insult to their opinions or institutions?—Certainly; I do not know any description of men who are more jealous of any violation or insult offered to their habits and prejudices than the Mussulmen, from that character of bigotry and fanaticism, for which they have been distinguished, I believe in every period.

Are you of opinion also, that the Hindoos are a people tenacious of their own modes of acting and thinking, and jealous of any violation of them?—I should suppose more tenacious than perhaps any description of human beings.

In the event of a free trade being established between this country and India, were many Englishmen unacquainted with the language, manners, and prejudices of the natives to penetrate into the interior of the country, do you think it would have any, and what effect upon the peace and happiness of the natives of that country?—If any great number of Europeans, unacquainted with the language and habits of the natives of India, were permitted to roam unrestrained through the interior of the country, I should conceive that the most mischievous consequences would ensue, both to the tranquillity and happiness of the natives themselves, and ultimately to the stability of our government in that country.

Are you then of opinion, that one of the effects of such an influx might be to create discontents among the natives against the British government?—I believe that the principal reason why the natives of India are so well satisfied with the government under which they now live, is the degree of tranquillity and happiness which they enjoy under that government; and if that tranquillity and happiness were violated by the circumstances to which I have alluded in my answer to the previous question, I should certainly suppose that the natural consequence of that would be, to produce a considerable portion of discontent towards the government.

Having resided long in the territories of the Nizam, do you think any ill consequence would follow from such persons, as have been alluded to in the former questions, penetrating into those territories?—I think that mischievous consequences would arise, but of a nature different from those to which I have already alluded; the probable consequence of the introduction of any large number of Europeans into the dominions of the Nizam, would be to indispose the chieftains, and probably the Nizam himself, to the continuance of that alliance, which I conceive to be the basis of our political prosperity in India; the mode in which this would take place would probably be, that such Europeans would be taken into the service, not of the Nizam himself, but of the great jaghirdars, chieftains, and vassals of the Nizam; it would be always easy for the resident to prevent the Nizam from employing any number of Europeans, however small, in his service; but it would be extremely difficult to

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ascertain what Europeans might make their way clandestinely into these states of the different jaghidars, who exercise almost an independent authority and jurisdiction over the estates or jaghires which belong to them; and over whom, as the Nizam scarcely exercises any superior controul or authority, it would be of course proportionably difficult for the resident to use any influence, either in preventing them from receiving those Europeans into their service, or prevailing upon them to dismiss them, after they should have so entered.

Having been so long a time resident at Hydrabad, are you of opinion that the treaties with the Nizam, would not prevent the entertainment of Europeans by the chieftains and jaghirdars whom you have mentioned?—The power which the resident can exercise, under the stipulation of those treaties, is to call upon the Nizam to dismiss from his service any Europeans against whom the British government may have any objection; and as long as the Nizam is disposed to execute all the stipulations of that treaty, of course there would be no difficulty in procuring the dismissal of any Europeans against whom the resident might object; but the case with respect to the jaghirdars is different in many instances; the Nizam can exercise but a very small degree of authority over those jaghirdars, and the resident has no other power over those jaghirdars than that which can be exercised through the paramount sovereign of the state; this exists to such a degree, that in one instance, it was necessary for the resident to threaten a jaghirdar with the presence of a considerable force belonging to the Company, before he could prevail upon him to give up some deserters from one of his Majesty's regiments; of course, this expedient was not resorted to, until the Nizam confessed to the resident that it was not in his power to oblige the jaghirdar to give up those deserters, and therefore authorised the resident to employ the means which he had at his disposal, in compelling the jaghirdar of the Nizam to submit to the authority of his own sovereign; in all such cases, it would be extremely difficult, in some cases impossible, for the resident to procure the dismissal of such Europeans, except by the actual employment of a military force; whenever that expedient was adopted, of course, there could be no difficulty in obliging any of the jaghirdars either to give up Europeans, or to submit to the authority of the Nizam in any point.

Do you think that those inferior chieftains and jaghirdars might entertain Europeans in their service, without its coming to the knowledge of the resident at Hydrabad?—Very probably; I should conceive it is impossible for the resident, however vigilant he may be, to become acquainted with all the circumstances that take place on the estates of jaghirdars and chieftains, who I have already described exercising independent authority over those possessions; the first intelligence which will probably reach the resident of any Europeans being in the service of any particular jaghirdar, would be the improvement of the military force belonging to that jaghirdar; but they may have remained for some time, and may have exercised a very dangerous influence, before the resident should have received any intelligence of their having been there.

From the knowledge which you have of the tastes and habits of the natives of Hindostan, are you of opinion that in the event of a free trade being established between this country and that, there will be any materially increased demand in Hindostan, among the natives, for European produce or manufactures?—I beg to confine my observations to that part of the peninsula which is generally called the Deccan, that portion of territory which lies between the rivers Godavery and the Nerbuddah; the chief part of the population of that country is Hindoo, especially those provinces which are under the Mahratta government; there is a considerable population of Mussulmen in the provinces, under the dominion of the Nizam; there is scarcely any remarkable place throughout the whole of that tract, that I have not visited during the period of my residence, either at Poonah or at Hydrabad; with respect to that part of the population which is Hindoo, I should not conceive, that any change in the system of trade between this country and India, would be likely to produce any increase in the demand for articles of European produce or manufacture; with regard to the Mussulmen part of the population, that portion of it who are agriculturists, have adopted nearly all the habits and customs of the Hindoos; and, with regard to them, the same observation may apply which has already been made respecting the Hindoos at Hydrabad, and some of the great towns in the Deccan; there are many Mussulmen inhabitants, either attached to the court

court or employed in the military service of the Nizam, who are men of considerable private fortunes, and of inhabitants of expense; it is probable in this class of the Mussulmen inhabitants, there may be some considerable increase of demand for the productions of Europe, if by any change in the system of carrying on the trade the prices of those commodities were considerably lowered; but the increase would be inconsiderable, and scarcely sufficient, I should conceive, to merit the attention of the government of this country; for, ten years previously to the conclusion of the last commercial treaty with the Nizam, the average of the imports of European goods did not exceed twenty-four thousand pounds a year; and as late as the year 1809, I could not ascertain that the imports had gone much beyond that sum. *Thomas Sydenham, Esq*

In those parts of Hindostan with which you have been acquainted, have the general mass of the population the means of purchasing European commodities if they were so inclined?—It has appeared to me, that the general mass of the population in every part of India with which I am acquainted, have not the means, even if they had the wish, of purchasing any considerable proportion of European goods; the surplus beyond the supply of their immediate necessities being always consumed in their festivals, marriages, and other religious ceremonies.

Having stated that there are many Mussulmen noblemen of considerable private fortunes at Hydrabad, who might purchase European commodities if they were so inclined; state to the committee in what manner they are accustomed to expend their superfluous wealth?—All the noblemen at the court of Hydrabad are employed in the military service of their sovereign; they have been bred up either as soldiers or as courtiers, and they expend their fortunes either in keeping up as large a retinue of servants and dependents as their fortune will allow, or consume their wealth in the profligacy and corruption of the court at which they reside; many of the noblemen have expended some part of their fortune in fitting up their houses rather in the English mode; but after the novelty had ceased, they generally returned to their former habits, and seemed to repent of the sums which had been expended in the imitation of our habits.

Is not the Nizam himself considered as one of the most wealthy princes in India?—I believe the Nizam to be the wealthiest individual now in India.

In point of fact, does the Nizam expend any considerable amount of his wealth in the purchase of European produce or manufactures?—I did not observe that the Nizam expended any portion of his private wealth in the purchase of any articles of European manufacture, except for such woollens as were necessary to caparison his elephants, camels, and horses, the presents which have been made to the Nizam at several periods, being quite sufficient to supply him with such articles of taste or luxury as he might wish to have.

During the time you were at Hydrabad, did you yourself make considerable presents of European articles to the Nizam?—I had on one occasion an opportunity of making European presents to the Nizam, to a considerable amount; the circumstances which gave rise to those presents being made, were, that a fourth of the second share of the Seringapatam prize-money was to be paid to the Nizam, and the government wished that the share should be paid in articles of European manufacture, rather than in specie; on this occasion I procured from Calcutta, Madras, and Bombay, such articles as I thought would be most to the taste of his Highness; amongst other articles there were a considerable quantity of the finest woollens, two or three services of English china, a complete service of English plate, a service of cut-glass, and in short, every article that was likely to captivate the taste of an Eastern prince; after having made these presents, I had occasion to enquire to what uses they had been applied, and I found that they had been locked up in what is called toshikhana, or royal magazine belonging to the Nizam: On visiting those magazines, I found that they were filled with every article of European manufacture, in the greatest abundance; I passed through several rooms filled from the floor near to the ceiling, with bales of woollen, with cases of plate, glass ware, china ware, clocks, watches, and every other article of European manufacture, both of France and of England; those articles had been given either to the reigning Nizam, his father or his grandfather, by the different governments in India, and different residents both French and English at his court, as far back as the time of Dupleix and Bussy; and some of the articles had even come direct from Louis the XV. and XVI. of

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France; all those articles had been locked up in the royal magazines, had never been used after they had been first seen; and it is probable that they will there continue for an indefinite period. Of the presents which I had occasion to make to his Highness, the only article of which he made any use was a silver tea-pot; and I believe every other part of the considerable presents which I had made to him were shut up in the magazine, with all the other articles that had been there for so long a period; from this circumstance, I conclude, that it is not likely that the present Nizam, at least, will expend any portion of his enormous wealth in the purchase of any articles of European produce or manufacture.

While you were at Hydrabad, a commercial treaty was concluded between the East India Company and the Nizam, for the purpose of facilitating commercial intercourse between the countries?—A commercial treaty was concluded between the Nizam and the Company during the period that I was at Hydrabad as secretary of legation; the principal object of that treaty was, to encourage and facilitate the trade between the Company's provinces and the territories of the Nizam; previously to the conclusion of that treaty, a great number of exorbitant vexatious duties had been imposed upon the trade between the two countries; those duties were collected partly on the frontier, partly on the road between the frontier and the capital, and partly at the capital itself; the objection to those duties was, first, that they were very exorbitant, amounting in some instances to nearly 45 per cent.; that they were uncertain in the amount, as many of them were collected by the jaghirdars of the provinces through which the goods passed, and that the goods themselves were subject to great delays, and the merchants to considerable impositions on the part of the officers belonging to those jaghirdars; by the commercial treaty between the Nizam and the Company, the whole of the frontier and road duties were abolished, and one duty of five per cent. ad valorem was to be collected in future at the capital itself.

Did the commercial treaty that you have just stated, by the reduction of duties and the removal of the vexatious impediments of trade you have mentioned, increase in any considerable degree in the territories of the Nizam, the demand for European commodities?—The trade between the Nizam and those of the Company in articles of European produce and manufacture was so trifling, as scarcely to be affected by the advantages of the commercial treaty; the principal trade which was carried on between those territories was the supply of cotton from the province of Berar, to that part of the Company's territories known by the name of the Northern Circars; some cotton is also sent to the markets at Vellore and Arnee, and other places in that neighbourhood; the merchants who carry the cotton from the Nizam's territories into the Company's territories, return with cargoes of salt and salt fish, with some of the manufactured cloths of the Nothern Circars, and with that kind of muslin manufactured in the neighbourhood of Arnee, called I believe, the Arnee muslins; it was principally for the purpose of giving facility to this trade between the inhabitants of the respective territories, that the treaty was concluded with the Nizam by the Company.

Is it your opinion, that, according to the present system of trade, the mutual wants of the inhabitants of the Nizam's territories, and those of the East India Company, are adequately and fully supplied?—Certainly; when I left India, it appeared to me that all the wants of the inhabitants of the Nizam's territories were fully and adequately supplied; but those wants were chiefly confined to the importation of salt and salt fish, in exchange for the cotton, which was sent to the manufacturing provinces under the Company's dominion.

Are the cities and large towns in the dominions of the Nizam well supplied with European articles, if there should be any demand for them among the natives?—Not only the principal cities and towns, but many of the larger description of villages, throughout the cultivated parts of the Deccan, appeared to me to be abundantly supplied with all such articles of European manufacture as the natives are generally in want of; and they are supplied by a race of men, who purchase those commodities at Bombay, and retail them over the whole of the Deccan.

State what those articles are which are usually consumed by the natives?—Those articles consist principally of woollens, English chintzes, knives, scissars, razors, spectacles, looking-glasses, small prints, and articles of that description, what are called hardware.

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Were there any increased demand among the natives for those articles; could that demand be readily supplied, under the present system, either from the India Company's warehouses, or from other sources?—As the increase, supposing any increase to take place, would probably be small, I should suppose there would be no difficulty whatsoever in supplying those articles to the extent for which any demand might be made for them; and even if the increase should be more considerable than I conceive it likely to become, I should think there could be no difficulty in supplying them, either from the Company's warehouses, or from the private trade carried on by the captains and officers of the Company's ships. I believe that most of those articles are procured at Bombay and Madras, from the public sales at those presidencies, after the ships have left them; the principal part of the investments of the captains of Indiamen are purchased up by the European inhabitants at the presidencies, and the surplus is generally sold at public auction, and bought by small dealers, and carried into the interior of the country. *Thomas Sydenham, Esq.*

Do you know whether the articles, which you have just spoken of as being sold by auction at the presidencies, are usually sold at those auctions at high or at low prices?—Chiefly at very low prices; indeed, on most occasions, I believe, considerably under the prime cost of the articles.

Are you of opinion that in the event of a free trade, there would be any considerable vent for the woollens of this country in the interior parts of India?—In that part of India with which I am most acquainted, namely the Deccan, I do not conceive that any reasonable reduction of price would increase the demand for woollens; the inhabitants of that part of India are obliged to use warm cloathing for two or three months in the year. At Hydrabad, and in the provinces to the north of that capital, the thermometer, during three months in the year, is often as low as 45, 40, and 35 of Fahrenheit; but the inhabitants are enabled to protect themselves against this degree of cold by the common manufactures of those provinces, the lower classes by a woollen, which is called the comely; and the higher classes by shawls and quilted silks, known, I believe, in this country by the name of susee: a few of the noblemen and military men at the court of Hydrabad, clothe themselves in broad cloth; but it appeared to me more as a fashion or a luxury, than as any habitual common use of the woollens, in preference to the other kinds of warm cloathing of which they are in possession.

Can you state to the Committee, the comparative prices of the comely and any coarse woollen manufactures we could introduce into the country, as a substitute for them?—I really am not able to state from recollection the comparative prices between the comely and the coarsest kind of woollens; I should conceive that the comely is much cheaper and more durable than any kind of woollen that we could introduce into India; the comely is considered to be so comfortable and durable a species of cloathing, that most of the King's regiments in India prefer them to the woollen cloaks which their colonels formerly sent out for the use of their regiments; and as this has been done partly because the comely has been found as comfortable, and partly because it is much cheaper than the woollen cloaks sent out by the colonels to their regiments in India, I conclude that it would be impossible to send any kind of woollens, even of the coarsest texture to India, which should answer the purpose of warm cloathing, either so well as the comely, or at so cheap a rate.

State to the Committee the size of the comely, its length or breadth?—I am not able to state precisely the dimensions of the comely, but it appeared to me to answer the purposes of a cloak in walking, and of a blanket at night: I should suppose they might be made about two yards and a half long, though I cannot speak with precision.

Does it appear to you that the more opulent people in India prefer their own woollen manufactures, such as shawls, to ours?—In general I think that they admire our manufactures, and are very happy to receive them as presents; but for most purposes, I think they generally prefer their own woollens, and especially their own stuffed silks, which are softer, lighter, and warmer than our woollens.

(Examined by the Committee.)

Do you know of any danger that has arisen to the government and tranquillity of India, from the admission of Americans to the principal settlements in India?—As

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I have lived very little at any of the Company's presidencies, I am really not much acquainted with what has occurred beyond circumstances of public notoriety; but I have never heard of any danger to the Company's government from the occasional residence of the Americans at those presidencies.

Do you apprehend that any danger could arise to the government and tranquillity of India from granting the same privileges to British subjects that have been granted to Americans, and the subjects of other states in amity with this country.—I am not acquainted with the privileges which have been granted to the Americans; but I do not conceive that any danger is to be apprehended from the residence of Europeans, under proper restraint and control, at any of the Company's presidencies.

Do you know that there has been any intercourse, on the part of the Americans, with the British settlements, further than touching at them in their ships; do you know of their having resided on shore at the principal settlements, or in the interior?—I have never known of any Americans having resided either at the presidencies, or in any other part of India, for any time beyond that which was necessary for the purposes of concluding the business of the voyage on which they came to India.

As you have stated, that Europeans may remain among the jaghirdars without the knowledge of the Nizam, do you conceive such a number could be concealed from him as would occasion any serious danger, either to his authority or to the interests and security of the Company?—In answering this question, I would beg leave to state the following circumstance:—At the period when the French force in the service of the Nizam was dissolved by the last treaty of alliance between his highness and the Company, considerable pains were taken to remove from the Nizam's dominions all the French and other foreign officers who had been serving in those corps; a part of that force was placed under the immediate command of English officers, and employed in the last campaign in the Mysore, seven years after the surrender of Seringapatam. It was reported to me, that some of these corps continued to be exercised in the French manœuvres, and with French words of command; as this naturally excited my attention to the state of the whole corps, I thought proper to recommend to the Nizam, that the corps should be disciplined according to the English system, and receive their words of command in English, in order that they might be enabled to move with the Company's corps forming the subsidiary force. When I had obtained the permission of the Nizam, to carry this measure into effect, I sent an English officer to one of the corps, to make the alteration which I had suggested; but the sepoys refused to receive the English system of discipline, or to be commanded in the English language: the officer attempted to enforce obedience to his orders, and a mutiny took place: this led to the reform of the whole corps; and in the progress of that reform, I detected, and had to send out of the country from twenty to thirty European foreigners and half casts, whose existence in the Nizam's dominions I had before been a perfect stranger to. After that reform I adopted such measures as appeared to me most likely to prevent the recurrence of such a circumstance; and I believe, that with regard to the Nizam's service, it would be very difficult, indeed impossible, for any Europeans to be employed in that service without the knowledge and the sanction of the resident; but the case is different with regard to the jaghirdars; and although I do not conceive, that while the resident exercises a becoming degree of vigilance, and is supported with sufficient authority from the Nizam, that it would be possible for any Europeans in the service of those jaghirdars, to excite disturbances, or to indispose the minds of the jaghirdars sufficiently to become openly hostile and dangerous, still they certainly might lessen the attachment of those jaghirdars to the Nizam, and might indispose their minds towards the alliance with the Company, to such a degree as would at all events be, I cannot say very dangerous, but extremely inconvenient; and in the event of any invasion from an enemy, might be the means of inducing those persons to join the standard of any prince in open hostility against the Nizam and the Company. I think it would be difficult for any large number of Europeans to be concealed for any time in the estates of the jaghirdars, without the knowledge of the resident; but I certainly conceive that a few might be concealed, and for some time exercise a very dangerous influence without the knowledge of the resident. In the event of the Nizam himself being disposed to shake off his connection with the Company, I should then conceive that the residence of a very few Europeans, men of talent, and

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of desperate habits of life in the Nizam's dominions, would be productive of the most mischievous consequences. *Thomas Sydenham, Esq.*

Do you not conceive that in the districts in which you have resided, the natives would prefer British manufactures, equally suited to their own use, if cheaper, than those articles they themselves manufacture?—I believe that if goods of British manufacture could be carried into India cheaper than those which are produced in India, many natives would prefer them; but I really am not prepared to say whether the great bulk of the inhabitants would not prefer their own manufactures to those of any foreign country, even supposing the others could be procured at a cheaper rate and equally suited to their consumption: it must be considered that a great number of the inhabitants are employed in those manufactures, and gain their livelihood by those manufactures; and this consideration alone would induce most people to give the preference to their own manufactures, even if they could procure other articles equally suited to their consumption, at rather a cheaper rate.

Do you think these patriotic motives would operate upon the great mass of the district, to which you allude?—I think those motives would naturally operate in a great degree, as long as the price of the foreign goods was not considerably less than their own manufactures; if the price should fall considerably, I confess, in that case, it is probable that the natives would prefer a thing much cheaper, provided it was equally good.

Is the Committee to understand it to be your opinion, that the natives are at present furnished with woollens manufactured in India, suitable to their use, at a cheaper rate than they can be supplied from Europe with the same articles?—Certainly, I conceive that to be the case, though I am not prepared to state the exact difference in price.

What is the number of principal jaghirdars, under the Nizam's government?—It would be rather difficult to answer that question, because, in fact, every military man who has more than from fifty to a hundred horse in the service of the Nizam, is a jaghirdar.

The number upon the whole, is considerable?—It is. The jaghirdars are of two descriptions; the Hindoo jaghirdars or zemindars, such as the rajah of Shilapore, who possessed those estates from the commencement almost of the first kings of the Deccan, and over whom the Nizam exercises a very uncertain and undefined authority; the other description of jaghirdars, are the military officers in the service of the Nizam, and of those I suppose, that there cannot be less than from forty to fifty principal.

The whole country is, under the management, in a subordinate way, of those jaghirdars, of one description or another?—Almost the whole of the country; with the exception only of church lands, what may be called the crown lands, and small parts of the territory which are held by the old Hindoo zemindars.

[The further examination of this Witness was postponed.

[The Witness withdrew.

Adjourned to To-morrow 11 o'clock.

19.

Lunæ, 3° *die Maij*, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

James Sedgwick, Esq. - - - - p. 307.
Thomas Sydenham, Esq. - - - p. 311.

(No. 8.)

Of Evidence before Select Committee.

Ordered, by The House of Commons, *to be printed,*
4 *May* 1813.

20.

MINUTES of EVIDENCE

TAKEN BEFORE THE SELECT COMMITTEE,

Appointed for the purpose of taking the Examination of such Witnesses, as shall be ordered by The House to attend the Committee of the Whole House, on the Affairs of The *East India* Company; and to report the MINUTES of such Examination, from time to time.

(No. 9.)

Martis, 4° die Maii, 1813.

The Right Hon. JOHN SULLIVAN, in The Chair.

THOMAS SYDENHAM, Esq.

Was again called in, and further examined by the Committee as follows:

Thomas Sydenham, Esq.

YOU stated in your evidence yesterday, that a commercial treaty had been concluded with the Nizam, while you were resident at Hyderabad, were any measures taken by the government of India to avail itself of the encouragement and facility afforded to trade by that treaty, either by sending goods for sale to the market of Hyderabad, or by permitting private European traders to establish themselves at that capital,—and if so, what was the effect of those measures?—After the conclusion of the commercial treaty between the Nizam and the Company, the government of India was disposed to establish a warehouse at Hyderabad; but on enquiry it was found that such a measure would not be productive of any advantage to the public, and in consequence of the opinion of the resident, that plan was laid aside. At the same time, government caused it to be known to some of the houses of agency both at Calcutta and Madras, that they might send up their agents to Hyderabad, for the purpose of supplying the market at Hyderabad and its neighbouring provinces with certain articles of European and Chinese produce and manufactures. In consequence of this notification, the house of Messrs. Colt, Baker and Company, did send up an agent of the name of Richardson to Hyderabad for the purpose of establishing a house of business at that capital, and of selling articles of European and Chinese produce and manufactures: I was at Hyderabad when this agent arrived at that capital, but being shortly after compelled to return to England, I was not present to watch the progress of that establishment: On my return, however, to Hyderabad in about three years after that period, I found that the concern had completely failed; that Messrs. Colt and Baker, the principals, had withdrawn their agent: The business, however, was afterwards carried on by another person of the name of Robinson, who in the course of a few months, found it impossible to sell off to any advantage the goods which he had procured from Madras and Calcutta, and was compelled to

Thomas Sydenham, Esq.

send part of them back to Madras, and to sell the remainder by public auction at very reduced prices; the loss sustained by Mr. Robinson in this transaction was so considerable, that I believe he would have been ruined, if it had not been in my power to procure him a situation under the Nizam's government; as I was anxious to afford every facility and encouragement within my power to Mr. Robinson, and as he stated to me, that he probably would succeed, if a district in the Nizam's dominions were made over to him for the purpose of superintending in person the manufacture of cloths, and other articles, I obtained from his Highness the Nizam, a grant for three years, of the very district which Mr. Robinson pointed out to me as the one most likely to answer his purpose; however, at the end of six or eight months, Mr Robinson, notwithstanding every encouragement and support was afforded to him by the Nizam's government, was anxious to restore the district to the Nizam's authority, and abandoned his speculation altogether. The second instance which I shall mention, is the establishment of a shop for the sale of European goods, in the city of Hyderabad: the house of Hope and Company had, for some time, opened a shop in the cantonment of the Company's subsidiary force; and as some of the natives from the city of Hyderabad resorted to that shop, for the purchase of various European articles, it occurred to Mr. Hope, and to his agent in the cantonment, that it might be advantageous to open a shop within the walls of the city of Hyderabad, so as to enable the inhabitants of that city to have free access whenever they chose to that shop, instead of being obliged, as they had formerly been, to obtain the permission of the Nizam's government to visit the cantonment; as it was my wish to afford every facility in my power to the view of those private traders, I requested, and obtained from the minister of the Nizam's government, permission for Mr. Hope's agent to open a shop in the city of Hyderabad; the minister gave him a house, and convenient magazines for the reception of his goods; gave him a guard to protect the premises, and afforded him every possible degree of encouragement and support; however, in a very short time, Mr. Hope's agent found is impossible to dispose of such a quantity of European goods as would make the concern at all an advantageous one; and the agent himself, in a short time, could sell nothing but wines and spirituous liquors. As the principal object for which the shop was established had completely failed, and as I conceived it would be disreputable to permit an European to keep merely a brandy shop in the city of Hyderabad, where, of course, many disturbances take place from the quarrels of persons in a state of intoxication, I withdrew the license which I had given to Mr. Hope's agent, and he returned to his former shop within the precincts of the British cantonment. These are the results of the only establishments which were attempted at Hyderabad, for the purpose of increasing the sale of Europeans goods.

How are the troops in the service of the Nizam clothed, armed, and equipped, and from what sources are the supplies procured?—All the cavalry of the Nizam clothe themselves according to their own taste and fancy; the regular infantry in his highness's service is now clothed in red British cloth, in order to render their appearance as similar as possible to the Company's troops stationed within his dominions; they are armed from the Company's stores, and they are equipped with accoutrements made either at Musalapatam or at Madras; since the introduction of the red clothing amongst the regular infantry of the Nizam, the principal jaghirdars have also clothed their troops in the same manner, and this indeed is one of the principal demands for our woollens within the dominions of his highness the Nizam.

What number may the regular infantry be in the Nizam's service, so clothed?—From 12 to 15,000, besides 7 or 8,000 in the service of the jaghirdars.

What in your opinion is the general moral character of the Hindoos?—It is really very difficult to give the character of so very large a portion of the human race, who, although they possess many qualities in common, are of course distinguished by strong shades of difference in different parts of India; those shades of difference arising from the climate under which they live; the government to which they are subject; the casts which prevails more in some parts of India than in others; their habits and occupations, and other circumstances, which in all countries produce a difference in the moral character of men; for instance the character of the Mahrattas, most of whom have been nurtured and brought up in the exercise of arms, and the practice of war, and in those habits of depredation, which is the basis of their

political

Thomas Sydenham, Esq.

political character, must of course be very different from the character of the Hindoos in the more peaceable provinces of the south; again, the character of the northern Hindoos, who inhabit the country between the Nerbudda and the Attock, who are almost all of a military tribe; the cast of Rajapootes and Rajwars, who are governed by petty princes, and divided into small independent states, in continual conflict with each other, have a character very different from the Hindoos of the southern provinces, and even from the tribes of the Mahratta nation. To define the moral character of so extensive a nation, within the compass of any answer which it may be in my power to give to the Committee, will be of course extremely difficult; but I think the general character of the Hindoo is submissive, docile, sober, inoffensive, as long as his religious prejudices and habits are not violated; capable of great attachment and loyalty, as long as they are well treated by their governors and masters; quick in apprehension, intelligent, active, generally honest, and performing the duties of charity, benevolence and filial affection, with as much sincerity and regularity as any nation with which I am acquainted.

Are the Hindoo women kept in a state of slavery, degradation or seclusion?—I have never observed that the Hindoo women are kept in a state of slavery, degradation or seclusion; I believe that they are permitted to go abroad whenever they chuse upon their domestic concerns, and frequently for the mere purposes of exercise and amusement; they are to be seen in every town and village of the country, they manage the internal concerns of their families; and it has always struck me, that they are treated with great confidence by their relations, and with respect by strangers. While I was resident at Poonah I had frequently occasion to transact business with the ministers of the Mahratta court, in the private apartments of their dwellings; on most of those occasions I have seen their women, and they have sometimes been present at the transaction of ordinary business between the minister and myself. The only degradation amongst the Hindoo women with which I am acquainted, is the state of the widow after the death of her husband, the widow has the hair of her head shaved, and is obliged to do all the menial offices of the family. I have known many Hindoo women however, in this state, when her children had not been of age, conducting the business of the family, having the management of the estate belonging to the family, employing agents and attornies at the Mahratta court, and in short, doing every thing in the direction and management of the family which women in similar circumstances in Europe do.

Before you filled the high political situation of resident at Hyderabad, had you not served with a native corps?—I had.

Were you not adjutant, and had you not the temporary command of a native corps?—I was adjutant for nearly a twelvemonth, and had the temporary command of a native corps for about five or six months.

Were you at that time acquainted with the Hindostannee and Persian languages?—I was.

According to the present regulations of the service, are not the regimental and general courts martial for the trial of natives composed entirely of native commissioned officers?—They are composed entirely of native commissioned officers.

Would it be advantageous that all courts martial for the trial of natives should be composed partly of European and partly of native commissioned officers?—I certainly think, that many advantages would arise from this plan being adopted: First, because I have always observed that the natives are much better satisfied with any decision proceeding from an European tribunal, than from a tribunal composed entirely of their own countrymen; in many cases, according to the present system, the proceedings of native courts martial, are almost entirely directed and regulated by an European officer; if a regimental court martial by an European adjutant of the regiment; if a general court martial, by an European officer employed as judge advocate; during the period that I was adjutant of a native corps, I found it often necessary to exercise my influence in preventing the native members of the court martial from coming to unjust decisions; they are mostly very illiterate, and perfectly unacquainted with the laws of evidence, and their decision is generally founded upon their knowledge of the character of the prisoner rather than upon the

evidence regarding the crimes before them. In some cases, where the evidence is by no means sufficient to convict the prisoner, I have asked, what could tempt them to find the man guilty, and sentence him to corporal punishment? and I have been answered, It is true the prisoner is not guilty of the crimes now laid to his charge, but he is a man of bad character, a notorious offender, and a slight punishment would perhaps prevent him from committing such crimes as are now laid to his charge: Secondly, I think the adoption of this plan would be advantageous in accustoming the European officers of native corps, to sit upon regimental courts martial; an advantage from which they are debarred by the present regulations of the service; it would make the junior officers of the corps better acquainted with the language, characters, and habits of the men under their command, and would prepare them to sit upon general courts martial, to which they are now very often summoned without the slightest knowledge or experience of that important branch of their duty.

Do you conceive that the Mussulmen are equally contented with the British sovereignty as the Hindoos are?—I should conceive not.

Would discontents to any extent among the Mussulmen produce danger to the British sovereignty, as long as the Hindoos are satisfied with the British government?—I should conceive that considerable danger would arise from any discontent among a very considerable body of the Mussulmen inhabitants of India; at the same time, I do not conceive that the danger would proceed so far as the extinction of our power in India, as long as we possess the attachment of the Hindoos.

Might not such a union be fatal to the British power?—Certainly; if to considerable discontent among one portion of the inhabitants, an equal discontent amongst the other portion be added, so that the whole population of India were discontented, I should conceive that such a union would be fatal to the British interest in India.

Do you apprehend that the late melancholy catastrophe at Vellore affords room to apprehend, that the discontented Mussulmen chiefs might avail themselves of the indiscretion of any persons high in office, on the part of the British government showing disrespect to their usages, that it might produce similar events as those which took place at Vellore, and which might have more extensive consequences?—If it were possible for me to conceive that what is termed the indiscretion of the European authorities in India, could be carried to so desperate a length as to violate the religion, prejudices, and habits of the Hindoos, I should certainly conceive that the Mussulmen chiefs in India would not have much difficulty in exciting disturbances and insurrections, of which the consequences would be much more extensive than those which occurred some years ago at Vellore.

Are you acquainted with the state of the trades and manufactures that are now carried on under British artificers through the means of native labourers, in the different presidencies you are acquainted with?—I am so far acquainted with this subject as to know, that various branches of manufacture and handicraft have been considerably improved at the different presidencies, especially at Calcutta, during the last 15 years; the European artisans at the three presidencies build carriages, make furniture, plate, and all articles in leather, so good, and so much cheaper than similar articles from England, that they supply many of the Europeans and native inhabitants of those presidencies and at the out stations, with articles which were formerly procured from Europe. The iron and steel work has not been carried to that perfection as to supply the place of those articles imported from Europe: The coach builder there, is still, I believe, obliged to have all those articles from England.

Have not the knowledge and practice of those handicrafts in India, considerably diminished the former import of the same articles from Europe?—I am not able to speak so much from my own observation, as from what I have heard from the captains of the Company's ships, and from them I have heard, that the import into India of such articles, has diminished considerably within the last few years; and this diminution is generally ascribed to the degree of perfection with which similar articles are now manufactured in India.

Having given an opinion of the ingenuity of the natives, how easily they learn any thing that they are shown, and of their sobriety, and their activity, do you or not think it probable, that those handicraft arts which they have been instructed in by

British

British artificers, will, before a long time passes, be exercised by natives themselves, instead of being employed as journeymen, that they will set up in trade for themselves?—I think it reasonable to suppose, that in the course of time, those who are now employed as journeymen will soon become masters. *Thomas Sydenham, Esq.*

[The Witness was directed to withdraw.

JOHN WOOLMORE, Esq.

Was called in, and Examined as follows:

Mr. Grant.] Were you ever engaged in the coasting or country trade of India?—I was. *John Woolmore, Esq.*

At what time?—From the beginning of 1782 to the latter end of 1787.

Were you ever employed in the marine service of the East India Company?—Yes.

Mention in what capacity?—Through every gradation of service, from a boy to the command.

Since your retirement from that service, have you been concerned in East India shipping?—Yes.

Have you been concerned in East India shipping to any great extent?—I have been principal owner of seven East Indiamen.

During your employment in the coasting trade of India, had you ample opportunities of exploring the commercial opportunities afforded by the ports and markets of India in general?—I think I had.

State in what line of trade you were employed in India?—I had a third of both the ship and cargo, in navigating from Bengal to the coast of Coromandel, during the war in 1781, 1782, and 1783; after that, in a trade from Bengal to the Malabar coast, to Bombay, from Bengal to the Malay coast, west of Sumatra to Batavia, round by Borneo to China, from China back to Bengal, from Bengal through the Straits of Malacca, to those parts of the Malay coast and China, ultimately back again to Bengal. I have been to the western part of the Archipelago, as far as to the east end of Java, and then crossed to the south part of Borneo, and from the south part of Borneo along the west coast, crossing again to the Malay Peninsula, and, then to China.

Were you some time in the Company's armed marine?—Never in the Bombay marine; in the Company's general service from Europe to India, and back; but not in the Bombay marine; during the time I have spoken of, I was the commander of a private ship in India, belonging to myself and other gentlemen.

Is that what they call a country ship?—Yes.

During the time that you had the command of that country ship, together with those opportunities which you had while you commanded one of the regular ships in the Company's service, you visited and explored every part of India?—The greatest part of my visiting them was in the country service; voyages to India were more direct.

The course you have been describing, was great part of it while you commanded a country ship?—Entirely so.

Did this afford you very extensive opportunities of judging of the general trade of India?—I conceive it did; of the trade of all those ports to which I navigated, certainly.

Did it afford you considerable opportunities of judging of the general temper and habits of the natives?—I think it did, as far as a seafaring man who trades upon that coast is capable of judging.

Had you considerable intercourse with them in different parts?—Yes, I had.

You are a ship owner now?—I was a ship owner till within these last three years; I am not now; I was principal owner, till the last three years, of seven East India Company's ships; I held more than half of each of them.

John Woolmore, Esq.

During the time that you were thus employed in the marine service of the Company, or captain on your own account, was it not your interest to explore almost every port, and embrace every opportunity of pushing European articles into India?—My object, as an owner of a country ship, and as captain of her, was entirely upon a system of trade for my own private benefit, and that of those with whom I was concerned; and, as far as my abilities and industry were capable, I certainly took every possible means within my power of ascertaining every kind of article by which I could profit at the ports to which I navigated; and those which I did not navigate, that I could be well informed of by individuals in a similar trade to myself.

State to the Committee what articles of British manufacture you found it possible to vend for the purposes of native consumption?—I must observe to the Committee a circumstance attaching to myself, that I have no documents, and therefore it is completely from my recollection I speak; for all the documents I had of great consequence to myself, were completely lost by a change of house, which I did not know for a considerable time, and could never recover them: The principal articles in the East India coasting trade to the eastern islands, consisted of a small quantity of iron, a small quantity of steel, I may say a general small assortment of cutlery; I think I had a little gold thread for the Malays to work into their cloths, and some few pieces of fancy cloths, merely for experiment; those I think coloured on both sides, blue and white, and blue and red, or both.

During that time, were the natives such as you are now referring to, fully and amply supplied with such European commodities as they might have occasion for?—They appeared to me not generally to want European commodities; iron, I did not sell the whole which I had, which was a very small quantity; the finer cutlery I gave away to the superior women, such as scissars and knives and things of that kind, not being generally saleable; the common Lascar knives and some brass wire were at that time the only articles that were generally saleable upon the west coast of Borneo or the coast of Malay, during the four years I navigated there; some of the iron I know I carried to China; with respect to the steel, I perfectly recollect the rajah of Succadana, on the western coast of Borneo, telling me, that the steel of Banjarmasseen was considerably better than that which came from Europe, and which I had purchased at Bengal; the general carpenters utensils which are used on the coast of Malay are principally of Chinese manufacture.

Did it appear to you that there was a capability of increasing the export of British manufactures to those ports, beyond what it was in the power of the ordinary country ships to supply?—Certainly I think not; I do not at this moment, with all the information that I conceive I possess myself, as well as that which I have collected from cotemporaries that have been in that country, who were in the service with me, know any amount of cargo that I could take from this country going to the eastern islands, exclusive of money that I could really produce any thing for on that coast.

If now you were about to freight a vessel to India, except money, you would not adventure any European commodities to those ports?—If I was going myself to that coast now, from this country, there is not three thousand pounds worth of articles that I could take there, in my idea, to produce any return whatever, exclusive of money.

As far as your experience has gone, was every endeavour made to export every article of European manufacture to those ports?—My navigation was from India, every article of European produce that I could possibly conceive could produce me a profit upon those coasts, I certainly did take from that coast; I took many things upon trial, because I had an inclination so to do; and I had a third of the ship and cargo, the other two thirds were held by two gentlemen, whose constant observation to me was, to try by every means in my power to see what articles of trade could yield profit, whether from India or from Europe.

Did you make repeated voyages to those ports?—I was four years in that trade; I made four voyages from 1783 to 1787; I sailed from Bengal one year in April, I returned again in January; the next year I sailed about the same time again, and returned in December; the voyages were all similar as to their close; I was more or less employed according to the sale of my cargo on that coast.

Of what might your latter cargoes have consisted?—The last cargo consisted of salt-petre, a very large quantity of opium, say 800 chests, I think two lacks of rupees

rupees in specie, a small quantity of iron, a small quantity of steel, some brimstone for making powder, and two thousand pounds worth (out of a cargo of sixty, seventy, or eighty thousand pounds) of assorted piece goods. *John Woolmore, Esq.*

The production of India?—Yes; India manufactures entirely.

That was an out-line of the cargo?—That was the great leading feature of the cargo, except some trifling cutlery, as I have observed before.

After your first voyage of experiment to those seas, did you find the vend for British manufactures progressively increase, or otherwise?—It rather decreased than otherwise in the articles I am speaking of, iron and steel and cutlery, because it did not produce any material profit.

Do you know whether other gentlemen made similar experiments in those seas?—Mr. Brewer, who is secretary of the Bengal government, was a great cotemporary of mine at the latter part of my time, in the trade of the eastern islands; I do not know what his cargoes were; but I believe very similar to my own; indeed all cargoes to the eastern islands are very similar; the great article is opium.

As far as your knowledge, as well as experience extended, did it appear to you that any increasing market was open in those seas for British manufactures, or that the adventures which took place, furnished them with more than enough for their purposes?—As far as respects myself, the adventures furnished them with more than was taken from me, I do not conceive that there was any opening for the general export of British manufactures, as far as cloths go; I never saw a Malay make use of a woollen; the few pieces of cloth that I took there I gave away; they were not saleable; there were no purchasers for any profit, and I presented several to the superior natives with whom I traded; one I remember sending as a present to a Malay rajah, who ordered me off the coast because I did not come and trade with him.

Which of the voyages was it that you introduced these pieces of woollen cloth by way of experiment?—It was the last voyage that I took the woollen cloths.

Do you know whether this introduction induced any further demand for those articles?—I never heard of any, while I was in India.

Did you hear of any during your subsequent situation as commander of a Company's ship, or owner of ships?—I touched on the Malay coast in an Indian ship, through the Straits of Banca, and part of the island of Banca; and there I gave some few pieces of kerseymere that I had to two or three Malay girls I happened accidentally to meet with, whom I had known on another part of the coast before, but I did not sell any; I advanced money for tin, to a Malay trader that was collecting it.

Have you reason to think that those pieces of woollen, which you had thus introduced, and given gratuitously for that purpose, had induced any taste or demand for the thing?—I never heard of any since; I had not any idea at the time that it would, never having seen them worn; I merely gave them as presents to individuals.

You purchased block-tin at Banca?—I advanced money for tin, to a Malay trader that was collecting it, at the rate of 12 dollars per pecul, taking the tin to China, selling it, and being paid for my trouble.

Does not Banca abound with good tin?—I should think so; great plenty has been found there; most of the tin I have collected on the different coasts of Malay, has originally come from Banca.

Supposing yourself a regular merchant in India, and wanting an article of tin, would you send to Banca for it, or obtain it from this country?—Certainly I should send to Banca.

Do you regard the tin of Banca, as being as good as that produced by the mines of this country?—I am not aware what the Chinese think of our tin, as compared with the Banca tin. I carried out, I believe, the first tin from Cornwall in an East India ship to China; at that time they preferred the Banca tin; at that time, 1788, it was more malleable than the Cornwal tin; it is certainly infinitely cheaper.

Looking to the original cost of the article, and to the respective charges of merchandize, is there a material difference in the price?—I do not exactly know the price

John Wastwore, Esq.

price of British tin at this moment; but I knew the price of the tin at Banca at that time very well, and I can calculate it at a moment; the Banca tin was from forty to fifty-one pounds a ton; fifty-one pounds I considered a high price; I have bought tin with money at twelve dollars a pecul at Rhio; I have exchanged goods for it at the ports of Rhio, and at the port of Borneo, at Salengur in the Straits of Malacca, at Trengenna, and on the west coast of Malay; I received tin at those places, after selling my goods generally at from fourteen, never exceeding sixteen dollars a pecul; I have sold my opium and my piece goods, and have taken in exchange a return of tin, pepper, and gold dust, at different prices, valuing tin at fifteen and sixteen dollars a pecul; I have purchased tin specifically with money at twelve dollars a pecul.

At those different places?—No, not at all those places; only at Rhio, at the island of Bintang, the pecul is 133 English pounds and a third, reckoning about thirteen peculs to a ton.

About what would English tin have cost you at that time in India?—I think the price was, when I went to India next after that, from 70 *l.* to 75 *l.* a ton; but never having bought any myself, I speak only from a recollection of the invoice.

What would each be per ton?—I make the Banca 68 *l.* per ton, and the English from 70 *l.* to 75 *l.* that is taking the Banca at the price at which I exchanged my goods.

What would it be at the money price?—From 52 *l.* to 53 *l.* per ton.

If the East India Company had not been desirous of exporting British tin, or had no influence or contract so to do, could they not have obtained the article much cheaper at Banca?—I should suppose they could.

Taking money both ways by that difference you have stated?—Yes, I must observe, though that the trade in tin at that time with the English was all a smuggling trade, all the tin that Banca produced was engaged by the rajah to the Dutch government, therefore it was only what he cheated the Dutch of in his deliveries that we were enabled to get, and that through a people called Liots; men who have been on a pilgrimage to Mecca, and who carried on the trade with us, we not dealing directly with the principal; these people carried on the trade there with both parties; they were an intermediate party; the quantity consequently depended upon the exertions of the Dutch officers, in taking care to prevent smuggling.

Supposing the British government to become as favoured as the Dutch, have you any doubt of their being enabled to obtain as considerable a quantity of tin as they would require?—I have no doubt that they would obtain a very great quantity, but whether it would consist of so much as they required for their China trade, I cannot say; I could give you an idea of the quantity of tin smuggled in the way I have spoken of, which British ships carried to China.

Is it a place that abounds with tin?—I really cannot tell the quantity that Banca produces; I have no means of exactly knowing.

The Company at present do not carry Banca tin to China?—They do not I believe.

During the time that you were a commander of one of the Company's ships, taking the adventures of yourself and your officers as well as the general export, at that time, was it perfectly sufficient for the wants of India in respect of East India articles?—I was a commander specifically for China, of a ship from this country.

Did you in any other capacity go from this country to India?—As an officer I went several times to India.

Did it appear to you whether or not there was a full and ample supply of European articles, to the extent of what was required?—I do not think at that period there was.

What period do you refer to?—I refer to the years 1766, 1768, 1770, 1778, 1779 and 1780.

According to your knowledge and experience, has there been since that period a sufficient supply?—The only means that I have of knowing, since I quitted the India service, is by being the private agent of the commanders who had been in my employ;

employ; they had for the last five or six years decreased their usual investments, from 8,000*l.* to 2,000*l.* that would lead me to suppose that India was plentifully supplied. *John Woolmore, Esq.*

These gentlemen have the advantage of exporting their adventures freight free, have they not?—Yes, they have.

Generally acting as their own supracargoes?—Yes.

Does not it make a material difference in the price of an article, being free from those charges?—It must do.

Is it a considerable saving?—As far as the price of freight goes, certainly.

Notwithstanding that, your commanders and officers, I understand you to say, have not lately found the exporting European goods a profitable speculation?—The last commander that I had (his ship is now unfortunately burnt in Calcutta) had reduced from his first voyage under my patronage, from 8,000*l.*: I stated in the Committee of the House of Lords 2,000*l.*; but on looking over the accounts, I do not find it to amount to so much as that.

Were you understood rightly in supposing that the principal British manufactures that you took to the eastern islands in your more recent voyages consisted of coarse cutlery?—The only European articles of British manufactures was iron (if it was British iron) steel and a very small quantity of fine cutlery; certainly the greater quantity was coarse cutlery, consisting mostly of Lascar knives, and a very small quantity of wire.

Did you find those equal to the demand?—Perfectly, at the ports that I was at.

Looking to the great difference in the price of labour between India and this country, do you think it likely we could manufacture those articles which the natives wear or otherwise consume, cheaper than they do themselves?—I really do not know; the people in the eastern islands prefer the cloths manufactured by themselves; I speak of the Malays, they wear their own cloths in preference; they do wear our coarse cloths that are made in India, but in no great quantity; I can only speak as to the relative proportion of my own cargo; in a cargo of 70*l.* or 80,000*l.* consisting of opium, money and piece goods, the piece goods were only to the amount of 2,000*l.*

And they were of India manufacture?—Entirely; consisting of coarse cloths of various kinds; one part I know were handkerchiefs that the Malays wear round their heads, coarse white cloths that the women wear as badjees, to support their necks; but their principal clothing is their own manufacture in their different islands; and it is of a very strong texture.

Such articles as they do wear, do you apprehend that we could manufacture them and send them out as cheap as they obtain them from their own, or from Indian manufacture?—They could obtain them I believe as cheap, but they could not obtain them so good, as far as abstract price goes; but their preference is to their own cloths over our Indian cloths; it is only the cheapness of our Indian cloths that induces them to take them at all; how far there is a difference in the price of the Indian cloths and our cloths, I cannot tell.

Supposing some degree of illicit trade to have been carried on by officers of the Company's ships, what effect do you apprehend that paying them stipends instead of allowing them to trade, would have upon the revenue?—That is a question I have never looked at; but as far as the idea strikes me at this moment, if a man is inclined to smuggle, I do not conceive an alteration in the mode of remunerating him would prevent it. I am looking to remuneration being in proportion to his advantages, now: the only practical fact that I can bring to my recollection as to the operation it would have upon men's minds, is this: I think the East India Company were in the habit of paying their commanders and officers of their packets, instead of permitting them to trade; and I have some faint idea in my mind, that a captain of one of their packets was dismissed for trading against that regulation; it was not smuggling homeward, it was trading outward.

He traded against their regulation?—Yes, that they paid for not trading; a circumstance happened to myself the last voyage to the coast of Malay. My officers were paid very liberally, in lieu of having any trade whatever; I was

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extremely teased, and I did allow them some small adventures in articles that I called chandler's-shop articles, that I did not exactly trade in myself; yet they exceeded my allowance so greatly, that they were completely unsaleable. I had myself, never one iota of cargo distinct from the concern in which I was.

Notwithstanding you allowed your officers stipends, upon condition they should not trade, you found it impossible to prevent it?—Certainly I found it impossible to prevent their getting the things on board; but I completely prevented their getting them on shore, without my knowledge; nor could they be sold, nor were they sold on the coast of Malay, there not being a vent for the quantity they had; they were afterwards exchanged by myself at China to the chief officers of an Europe ship, for European articles to carry to Bengal; for, as I dismissed the men, I did not choose to punish them beyond it.

The officers in the Company's maritime service are universally more or less traders, are they not?—They are, I consider. Every youth I have brought up in the Company's service from a boy, I have endeavoured to instil into him that his object in the India service is principally trade; and I have never sent a youth under my patronage to sea in his first voyage, that I have not supplied him with from forty to fifty pounds of trifling European articles, and given him instructions how to conduct himself with them, and to change them at the intermediate port, so as to give him ideas of trade.

Do you attribute any great proportion of the export trade to India to the zeal and interest with which commanders and Officers have thus prosecuted their private adventures?—I think that the officers and commanders of East Indiamen carry out as many goods as they possibly conceive there is a market for.

Has that been looking to the last ten or twelve years, a considerable portion of the exports to India?—I really do not know what proportion it has borne to the general exports to India.

Do you believe it to be considerable?—The tonnage is very considerable; and the number of ships is very considerably increased.

Supposing that an officer instead of having his attention employed about his own, mercantile adventure had his capital disengaged, do you think it is likely that his means or inclination to smuggle would be lessened thereby?—I should not think his means would be, certainly.

If his attention was undivided, and his capital disengaged, would not his means and his motives for smuggling, be in your opinion, greater?—His means might be greater perhaps, but I am looking at smuggling in a very different point of view, perhaps, from that in which the counsel does: I look upon a man in the command of an East Indiaman that smuggles, as either a madman, or a very distressed man, who only would relieve himself as a gambler would, by the throwing of the die; such is the idea I have of a captain smuggling; and therefore, if the penalties attached to their situation, as I look at it now, I do not see how a different mode of remunerating them would alter the propensity to smuggling; I do not think that the officers can smuggle in any material degree to affect the revenue, without the captain either being concerned in it, or giving permission to do it; and, as I said before, I should think the commander of an Indiaman either a madman or an extremely distressed man; and it is only in those cases, I believe, that they smuggle at all.

Paying a stipend instead of trading, would make no difference in your opinion as to the safety of the revenue?—Not in my idea.

You have entirely ceased being a ship owner?—Yes.

Nor are your a merchant now?—No.

Have you any personal interest whatever, whether the trade to India is open or not?—I do not think there is an individual in this country who has less interest in the opening of the trade than I have, as far as I can judge of my own feelings.

(*Examined by the Committee.*)

Have you any interest in the trade continuing as it is at present?—I have no interest in the Company beyond the stock that I possess in it as a private individual; I believe

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I believe there is not an individual existing who has less interest in the trade one way or another; I am not a ship-owner or a merchant; I do not intend to be while the shipping is carried on as it is; if it were otherwise, I might be; but I cannot make common interest of my money, and therefore I live upon what I have got.

Having mentioned that your purchases of tin to the eastward were confined to such quantities as the rajah would cheat the Dutch government of in their contracts, it is presumed the Committee is to infer that the Dutch government made a monopoly of the tin belonging to the rajahs under their influence?—As much as ever they could.

Have you heard that this monopoly is continued by the English government?—No, I have not heard any thing upon the subject, good, bad or indifferent.

Have you ever been at Palimbam?—I have been at the mouth of Palimbam river, but never up at Palimbam itself.

Do you know whether the rajah of that place had a contract with the Dutch government for the supply of tin?—I have understood he had, and a part of the tin I got at Rhio, I have great reason to believe, came from Palimbam.

Have you heard that the rajah of Palimbam wished to decline continuing this contract for tin with the English government?—Since we had possession of Batavia I have not read one iota about it; it has not been the subject of conversation with me.

Have you heard of the rajah of Palimbam's capital having been destroyed?—I have not.

Have you heard that eastern tin has become very scarce of late, and consequently that the price has risen considerably?—I have not; I have heard nothing, in fact, on the subject.

Is it not usual for the commanders and officers of the Company's ships to sell their goods by the invoice in India?—When I was in the service, there were two modes of selling investments: the one was by invoice, the other by retail, and a third sometimes by public auction.

In framing the invoices upon which the investments are disposed of, is it usual to deduct the drawbacks, or to make allowance for discounts?—I have heard of salt water invoices (for that is the term) being made; I declare before this Committee, that I never in my life did such a thing.

Are not such practices usual?—I have heard of such things, but I have always understood and thought that they would carry with them their own punishment; because the persons who are in the habit of purchasing our investments in India are perfectly well acquainted with the general prices of such articles in this country; I have been shown in this country, when I was commander of an Indiaman, manufactures deteriorated here with the same appearance at a cheaper price, but I never took such a thing, because I never considered it my interest to do so.

Is it not usual for the commanders and officers to make purchases of goods for their investments here, at a credit of one year and sometimes two?—Yes, I believe it is; as to the individuals with whose concerns I have had the management, I have never known them to exceed eighteen months credit.

Does not that mode of purchase make a most material difference in the price of the articles?—There are invariably different prices; when I purchase lead for money, or any article for money, there is a specific price upon it; if I purchase it at six months credit, there is a specific price; this was the case when I was in the habit of trade; a twelvemonth's credit was at a different price; I remember, for instance, lead that I purchased was 18 *d.* per cwt. more from the credit of I think nine months or six months than the ready-money price; the credit price always bore a greater proportion of interest than the real interest of the money.

No deduction is made from the invoice in such cases whether the goods are purchased at a credit of from twelve to eighteen months, is there?—I can only answer that question by what I have done myself, not knowing how others transact their business; when I sold by the invoice to a merchant, I put every thing before him as it stood, and he gave me 100 per cent. or 20, or 30, or 40; in one instance the

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charges were higher than the merchants thought they should have been; and they deducted so much, in consequence; they were higher perhaps from my inattention, or the exaction of the individuals with whom I dealt.

Have you ever made any deduction, or is it usual to make any, from the invoice, on the score of such increased price, in consequence of the long credit?—I can only answer the question as I have done personally, I really do not know what others have done; when I sold by invoice, I have bona fide put before the persons who purchased it, who were Williams and Taylor, at Bengal, when I was there, exactly the invoices as they were sent to me.

Is it usual to make any deduction on the score of interest from the increased price, in consequence of the goods being purchased at a credit, instead of being paid for in ready money?—I can only answer that personally, not knowing what other persons have done; in the early stages, my mode of purchasing the goods, was to give the merchant half credit and half money; the latter part of my transactions as a captain, I had money for every purpose, and every individual thing was purchased by money, consequently, so far the investments that I sold at China do not apply to the question, because they were not sold by invoice; my investments as an officer, to which it applies personally, I declare most sacredly, the whole case appeared in my books; the bills of parcels from the individuals were put before them, with every iota of discount and charge of merchandize, and every expense that took place; I never conceived it possible that I could gain any thing by any other mode; because I considered, from the early part of my life, that the most direct and honourable and lucrative mode was to be explicit upon all occasions.

Then is the Committee to understand, that the advance of 100 per cent. which you have mentioned upon your invoice, or whatever it might be, was calculated upon the rates charged by the persons who sold you the goods here?—I really do not recollect at this moment, whether it was 100 per cent. that I received, or 120, there being some deduction for the charge of merchandize; I have mentioned my agreement; for my investment was with the gentlemen at 120 per cent. or 100 per cent.; I laid my invoice book before them, and whether it was upon the gross amount, or whether it was upon the abstract, taking the charges and discounts from it or not, I cannot possibly at this moment say.

Do you know what discount is usually allowed for paying in ready money, or what is the difference in price between the ready money rate, and goods purchased at a credit of 12 or 18 months?—I really do not know; but at the time that I was a merchant, I found, as I mentioned before, eighteen-pence per cwt. difference in the purchase of lead, that I calculated to bear a proportion of 7½ per cent. to five,—that if I took credit, I paid 7½ per cent. instead of five for that credit; that I paid upon the average, 2½ per cent. depending upon the time of credit, and as the credit time increases, so the credit price I conceive, would increase also: I have heard of discounts to the amount of 10 per cent. being allowed by ship-builders to ship-owners, but I never met with such a thing in my life; never in any instance did I get it; the individuals never felt themselves warranted in the prices that they have charged me, in allowing me to do it; I have certainly tried it, saying I have heard of such things, but I never had it allowed.

Do you, in speaking of salt-water invoices, allude to those invoices which have not the discount and drawback deducted from them, or to invoices made out at false prices?—The true character I think of a salt-water invoice is, that in which a greater price is charged for the goods than was actually paid for the goods.

Without its appearing upon the invoice?—Of course; I conceive it to be the copy of an invoice with additional prices put to it, made at sea.

Do you not know that it is the practice for the Company so to make out their invoices of exports, by adding a 10 per cent. to their invoices which does not appear?—I never heard of such a thing in all my life, nor I never heard it surmised; it is the first instance in which I ever heard of such a thing.

Have you ever had occasion to settle with the honourable Company, either through their Government abroad, or their Directors at home, for short deliveries of goods?—I have certainly in both cases; but in a very small degree; indeed I never looked to the invoice, the officers in the department, to which the goods applied, gave

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gave me an account of them, with a charge of thirty per cent. (I think that is our agreement as carriers) upon that price, whatever price they charged me; I had so little idea of there being any addition beyond the real price they paid for them, that I never looked to it; I know, in China, that their bale goods have generally passed from the ships, and from myself, when the supercargoes have not been at Canton, to the Chinese merchants, without any inspection or look whatever: I have delivered cargoes personally in China of my own, without either weight or measure, merely as I had received them, upon the faith of having done so; the pieces of lead, of course, are numbered, but their bale goods I have delivered myself to the merchants respectively, according to their order, without any examination whatever, except as to appearance, whether they were damp or wet.

What is the alteration that took place in the management of the Company's shipping, which determined you to give up all connection with it?—The cheapness of the freight, and the mode in which they are principally supported; namely, I consider them owned chiefly by the patronage.

What do you mean by owned chiefly by the patronage?—The competition has brought freights so very low, that in respect of the individuals who have been brought up in the service, who are looking to commands, their friends are generally obliged to get a certain number of owners to enable themselves to be employed; as for instance, myself, if I had a youth that I wished to get the command of an Indiaman; for instead of giving him 5 or 6,000 *l.* and allowing him to run about, I sacrifice that money in tendering a cheap ship to the East India Company, specifically for the patronage of that command.

Are you speaking of the extra ships now, or of ships generally?—Of the ships in the general regular service.

Is the Committee to understand, that in point of fact, the rate of freight paid by the East India Company, has been cheaper than could be afforded by the ship owner, with a reasonable and proper view to his own profit?—Certainly; I consider the abstract point of freight of the East India Company, both in their extra ships and in their regular ships, under the circumstances in which they are sailed, as cheaper than any private individual can get freight, under similar circumstances.

Are you speaking here generally, as to the freight of a ship going to India, or the freight of a ship going under the particular circumstances attaching to all ships sailed under the East India Company?—If I comprehend the question, I mean to say, that I could not send a ship to sea under the same circumstances as the East India Company do, by myself, so cheaply as the East India Company get their freight.

What are those circumstances?—Goodness of ship, goodness of outfit, being properly commanded, officered, and manned.

Are those the only circumstances to which you allude?—I do not know any others.

Any thing as to the nature of the voyage or the delay, sailing at proper times, and so on?—I look exactly to the same circumstances applying in both cases; but if the questions have a reference to my examination four years ago, the circumstances are not exactly in point at this moment, as they were then; the East India Company at that time, did not appear to me, to give a facility to the movements of extra ships which they have done since.

Explain the difference of the circumstances to which you are now alluding between the present period and that?—The Company at that time seemed to divert the ships that they had in the extra employ, out of the implied condition under which I thought I built them; that is, instead of being sent direct, they were sent circuitously upon services that did not appear to me exactly consistent with the implied ideas that I had set out with them that is, they were diverted on several occasions from that immediate carrying service, directly backwards and forwards, which I think they certainly have since remedied but at that time; I did not think any British ship owner, except under similar circumstances to myself, could have supplied ships cheaper than I supplied them; I was not looking to profit as a ship owner; I was looking not to the exceeding five per cent. for my money, I was looking to great pleasure in active industry, it affording as much delight to me to manage ships, and to have to do

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with them, as any foxhunter can have in the chase, so far I think it impossible for an individual to have given the Company cheaper ships for extra ships, than I had given under those circumstances; I cannot give them now from circumstances being different; I cannot afford so much below the five per cent.; I cannot find a mode of making any interest whatever for my money, and I cannot exist without it.

Supposing the trade to India to have been opened to all merchants with a license to trade upon their own account, between this country and our settlements in India, what would have been the terms in the rate of freight at which as an individual merchant you could have fitted out a ship, and the rate of freight at which you have supplied ships to the East India Company?—I do not see how it was possible for me, as a ship owner, to have fitted out any ships strictly speaking, cheaper under similar circumstances than I did.

Is not their outfit superfluous; might not private merchants go with ships less expensive?—As a private merchant I might have carried those ships out in a certain degree cheaper than I could through the regulations of the East India Company; I do not think the rate of freight would have been cheaper than that at which I supplied the ships, because I supplied them under an implied idea that that system would have been carried into execution; when I am speaking of the expense attached to those ships, arising out of the system, there were some which I did not expect would have been, and which I had been, and the persons with whom I was connected in bringing forward those ships, had been given to understand should not be so applied; I conceived that when an extra ship such as those, was going directly to India, making the voyage in ten or twelve months, it was not necessary for that ship to go into a dock to be pulled to pieces to be examined for defects which never could exist, if she was a good ship at first, and which I call unnecessary; but it did not apply in my case, because I tendered those ships under the implied idea that they would be superior West Indiamen, that they would not have been pulled to pieces, having in my head exactly the plan that they would have gone out and made a certain number of voyages in a specific time, that they would have come home at that time; that they would not have been pulled to pieces, though I would have looked at them; in the room of which they were put into dock, their masts were taken out and they were stripped, and an expense incurred of two or 3,000 *l.* for what I did conceive no material benefit, under such circumstances that would not have applied to have reduced the freight, because I tendered the ship under that implied idea.

The rate of freight at which you supplied the East India Company with the extra shipping in which you were concerned, was not greater than it would have been, if, as an individual merchant you had been fitting out a ship good enough to go to India and back again?—The body of the ship, the principal part of the ship would have been exactly the same, the masts and rigging would have been the same, the anchors and cables would have been as good; for I hold it not economical to save in those respects, I do not think she would have been a bit worse, it would only have been altered in respect of docking and repairing when I considered necessary.

Then, for the purposes of mere trade to India and back again, the ships you supplied were, in your judgment, supplied to the Company at as cheap a rate as could have been afforded by an individual embarking in a similar trade?—I believe fully so.

Were the Company's regulations, as to the ships sailing, such as you expected they should have been?— Not exactly; there were some particular personal hardships that I felt at that time: the first ship that I had was the Sir William Bensley; I wished to have got her out in time, to have saved the ship falling in with the north east monsoon; she was diverted from her purpose, by being ordered to the Cape, either to carry soldiers there, or to carry soldiers from the Cape; I am not clear which at this distance of time, which at that period prevented her getting, as I conceived she would, to Bengal during the continuance of the south west monsoon, and I believe it prevented her getting there by five or six weeks so early as she should have done; this was, consequently, an additional expense of wages and provisions upon me. My evidence before the Committee, four years ago, was perfectly correct, and I should wish that it be taken in all cases in which it may deviate from this.

In your examination before the Committee in 1809, in answer to a question, "Supposing you, as a merchant or as a ship-owner, looking to your own interest and

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and your own profit only, and trading to and from India, would you employ a ship, which you have described as superior, a West Indiaman, or would you build, and employ ships like the extra ships of the East India Company," you said, " The superior class of West Indiamen, and the East India Company's extra ships, I consider to be the same as to the ship; but the extravagant outfit attached to those ships, their being docked when they come home, frequently unnecessarily, in my opinion, is one of the great causes of the expense of their freight, indeed it is the principal cause of it; and I consider that the expense of freight of those ships is occasioned, first, by the foregoing causes; secondly, by the attachment to regulation; and, thirdly, by the cargoes in India not being properly compressed, so as that they can bring a sufficiency of tonnage home;" how do you reconcile the expression of " extravagant outfit" with your evidence to-day?—I consider that the East India Company's extra shipping had, at that time, more cables than perhaps were necessary, a quantity of sails more than was necessary, and a quantity of provisions, by their regulations applying to six months, or seven or eight months, which I did not conceive necessary beyond five or six, depending upon the season of the year in which she was going; they apply the quantities of provisions in all cases the same, whether a man goes out with a passage of three months to India, or with a passage of six, the quantities are obliged, by the Company's regulations, to be the same; that I apply to extravagant outfits, and they amount to an enormous sum of money when put together. I do not mean to go exactly into the whole of these particulars, though the fundamental part would be the same.

Are those regulations now what they were when you gave this evidence, four years ago?—They were when I quitted the situation of managing owner of shipping; I do not know whether they are now, but I believe they are; I never heard of any alteration.

Are the docking regulations the same?—I believe they are.

Do you not consider all those circumstances as having a tendency to enhance the expense of a private ship fitted out, without regard to those regulations?—There is no doubt it enhances it.

What do you apprehend, adverting to all those regulations, would be the difference that they would make in the freight between a ship bound by those regulations, and a ship going on your own account?—I consider the difference would arise between that that I should make as a mercantile man and that that I made for my pleasure; as a mercantile man, that I should make in my concern from eight to ten per cent.; I tendered these ships with a view to making five per cent.; it would make a difference perhaps of three pounds per ton.

Supposing you had been to tender a ship bound by the regulations, and a ship not bound, what difference should you make?—I should make about 3 *l.* per ton difference between the two cases; as a general ship owner, I should not have done this; but I tendered my ship as low as I could from particular circumstances.

Those regulations having continued the same, what is the alteration which has taken place within these last four years, that makes you no longer able to tender ships on the same freight?—Ships are tendered cheaper now than they were at that day; the freights of the Company are cheaper than they were four years ago; and the expences I conceive to be higher.

From what circumstance is the price higher?—It arises generally: I built those ships at 16 *l.* per ton, one of them, and the other somewhat more; I built a West Indiaman for a relation of my own two or three years ago, which cost me 24 *l.* per ton, as a West Indiaman.

Putting aside the motives which induce the owners to make a tender, is the rate of freight paid by the Company to the extra ship, higher or lower than could be afforded by the individual merchant, if trading on his own separate account?—I think lower in the abstract point of freight; but the case, in which I believe the simple question applied, with some elucidation to it, in my examination four years ago, was this circumstance; that it was not the abstract price of freight that I conceived the merchant to be so particularly interested in; whether it was 1 *l.* or 2 *l.* per ton dearer or not, but having it in his power to do as he pleased, and to sail when he pleased; a man sailing earlier and getting 50 *l.* per cent. upon his goods, in comparison with coming

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a month afterwards, and having only 10*l.* per cent., would more than counterbalance the difference in the price of freight.

Supposing the ships were paid at the rate you have mentioned by the East India Company, to sail at convenient times for the purposes of the merchant; could that merchant export his goods to India at a cheaper rate than that which the Company now provide, taking all circumstances together?—I do not think they could, generally speaking: the objection upon my mind is always this; that wherever a merchant has it not in his power to fill his own ship, and so controul her, that in all cases of hired tonnage, the East India Company's extra tonnage would be cheaper to him; I mean the merchant and manufacturer, who is exporting fifty tons, ten tons, forty tons, who cannot fill a ship and control her himself; if the East India Company carry on the system that they have done latterly, sending them regularly in their seasons, giving the facilities they have done, it would be the cheapest freight, and I think the most correct altogether, that a manufacturer or a merchant of this country could have to export his goods to India; wherever an individual can load his own ship, and control her; I mean to state that there is a difference; I do not look upon the abstract price of freight to be comparable to the other advantages.

The only difference you mean to point out, is, where an individual can supply the entire cargo for a whole ship?—Where he can have the controul of her.

To what, in your opinion, is to be attributed the unwillingness of the private merchants to avail themselves of the freight offered them by the Company, upon terms so much under what they could supply themselves at?—I really cannot tell what has been the cause of the merchants not doing it; the only cause I can imagine, is merely that the individual has not the power of sending it when and how he pleases; in point of abstract freight, it is lower; but I really do not know the fact, that the merchants were unwilling to avail themselves of the freight offered them by the Company.

Have you ever heard of such unwillingness, and of complaints being made?—I have heard of complaints four or five years ago, by my business leading me into the office for the shipping department; I have heard men making a great noise, and complaining that they could not get freight; but I have not heard of it these four or five years; I did not know that there was any difficulty.

Have you never heard of any complaints being made against the system of the extra shipping?—I never heard any complaints but what I have heard individuals make four or five years ago; complaints that they could not get the ships away when they pleased, but I have not heard that these last four or five years.

Your habits have not been to go to the office the last three or four years?—My habits have not been to go there, and the Company's extra shipping have been more attended to than they were at that time, therefore I did not conceive there was a case of the kind existing; a country captain, a contemporary of mine, whom I fell in accidentally with the other day, a fortnight or three weeks ago, said he had just come from India, that he was going out again, but that he could not get private freight.

Upon an Indian built ship?—Yes; it was Captain Henderson; I do not know the ship's name.

Did he mention the cause why he could not get freight?—He said that there was no freight; that nobody offered to give him freight; that he put up for freight, but that nobody offered it, and that he should lie over for six or seven months in consequence of it.

Having alluded to a different system being introduced within the last three or four years, with regard to the extra shipping, do you allude to their more regular dispatch from this country and from India at stated periods?—I allude to their more regular dispatch, and their not being diverted to any other purposes; there appears to me to have been lately a great number of them, to what there were, and none of them going in the months of July or September, but going in the first dispatch of December, which was not the case at the time I allude to; they have gone in proportionable numbers in the months of December, January, February, March and April; I stated a case in point in my former examination; I had a ship lay at home from July to the month of May, before she went out again, and they have appeared lately to arrive

regularly

regularly from India with the other ships; how they have been dispatched I cannot say. *John Woolmore, Esq*

Are you not aware of many of the extra ships having been employed upon the late expeditions against the Mauritius and Java, and that some of them were detained upon those services in India, for a period of nearly two years?—Yes, there were some of them, one in particular that I knew of, the Huddart, was detained.

Do you consider that this can be called the regular dispatch of an extra ship from India to this country, for the purpose of the trade of the private merchants?—I hardly know how to answer that question, without saying that I should have conceived that the government of India had no freight to send those ships home with; I conceive circumstances in India may apply similar to those here, that the East India Company, in their extra ships, frequently send part of their own cargoes to fill up the ships to dispatch them, when there is not private trade to fill them. It happened in the instance of my own ship, that the Company put in parts of cargoes and stores, and different things of their own, to dispatch a ship only partly loaded with private freight; the Huddart was employed, but whether it was from that cause I cannot tell; I have known water put into the hold of a ship, in consequence of the Company themselves not having full cargoes to dispatch her home, which may have been the case at this time.

Have not you heard of several India built ships having brought home cargoes lately, and which sailed from India during and about the same time that the Huddart did, and those ships to which you have just alluded?—I know that since the Huddart went out, country ships have arrived with cargoes.

Do you therefore consider that there could have been any want of freight in India for the extra ships, at the time that you allude to?—Yes, I do, because I conceive those country ships to have been loaded home, upon a similar system, which I apply to an individual of this country who can load his own ship; and therefore the case does not exactly apply to freight that may be applied for through the East India Company's shipping.

Are you not aware that the Company's government in India, decline granting permission to India built ships to come to this country with cargoes, when they have extra ships at the presidencies ready to receive those goods?—I did not know that they did do so; the impression upon my mind has always been, that since Lord Wellesley's plan of allowing the merchants to export their own goods home in country ships, that has been constantly resorted to in similar circumstances.

Have you ever heard of an instance of one of the Company's governments in India compelling a private merchant to find a cargo for an extra ship, before they would permit him to send home one of his own ships with a cargo on his own account?—I never heard of such a circumstance; I have always considered that my Lord Wellesley's system had been in operation.

Inform the Committee about what quantity of tin means were found to smuggle from Banca, while it lay under the Dutch coercion?—I should think the last year, that I had an opportunity of forming any judgment, nearly 500 tons.

Can you give any probable opinion of what might be the quantity which might be got from Banca, the Dutch coercion being removed?—Looking at what the Dutch ships brought to China, with what the country ships in the trade in which I was, and the Chinese junks, which collected it from the same source, I should think that there went to China altogether, about twelve, thirteen, or fourteen hundred tons of tin from the different sources; and I should think the greater quantity came from Palimbam and Banca: there are places in which small quantities of tin on the Malay coast are got, which do not come from Banca, called Perhaing.

What quantity do you conceive might be now obtained from Banca?—I can form an opinion only from what the Chinese junks collected; what we collected, and what the Dutch government collected; which may be from 1,000 to 1,200 tons, or more.

Are you acquainted with the fact, whether copper may not be got from Japan cheaper than it can be imported from England?—I really do not know; I know nothing of the Japan trade; I have seen Japan copper, but I do not know any thing about its price.

John Woodbridge, Esq

Are you acquainted with the state of the manufactures by British artificers, through native labourers, at the different presidencies?—Generally, I am not; I know some little of them.

From your knowledge of the Chinese seas, do you or do you not think that cargoes of tea may be got through Chinese junks, if any considerable number of vessels from Great Britain go into those seas?—I think any quantity of teas might be got in any part of the Eastern islands, provided the individual merchants from this country sent orders to agents that are in China; or through any agent that he may send orders to, he may get teas in Chinese junks down to any part of the Malay coast.

Smuggled?—No, taken in as a regular cargo by the Chinese junks.

Might not establishments proper for preparing such cargoes be made in safe places in those seas, if the parties were so disposed?—I do not know what places are referred to, tea may be had through country ships from China.

If numerous vessels of 350 tons be admitted into those seas, and if disappointments should occur to the commanders of those vessels, do you or do you not think it possible that amongst the number of vessels that go there some might endeavour to execute such an enterprize as making establishments in some parts of those seas for the purpose of procuring tea, there being no control of revenue establishment in those seas?—I hardly think they could form any such establishments there without the knowledge of the government in India or of the supercargoes in China.

What control can be had over ships going to places where there is no control?—I conceive our navy has the complete control of those seas while we have Batavia, and that it is impossible for any establishment to be formed in any of those islands without the knowledge of the different governments of India and China; but it is not necessary for the purpose of procuring tea that there should be any establishment, they may get it from country ships or through Chinese junks, but previous orders must be conveyed to China for that purpose; it is not a trade generally carried on by the Chinese junks to those places.

Would you have continued in the shipping trade, if the present mode of dispatching ships obtained?—No.

As you have stated that considerable delays used to take place in the dispatch of the extra ships, are you aware that this arose from political purposes and had in view great national advantages?—I really do not know.

Can you state what is the rate per ton now paid on the regular ships of the East India Company?—I cannot from my own knowledge at this moment; I have a general idea upon the regular China ships, I should think about five or six and thirty pounds a ton.

Including every charge?—There are different modes in which the freight is paid, some including insurance and some not including insurance.

What are the rates contained in the printed accounts annexed to the Third or Fourth Report of the Select Committee?—I really cannot speak to my own knowledge, not having ships now; but according to the idea I have collected, not having seen the printed accounts, I should think, allowing the peace freight to be about 16*l.* or 16*l.* 10*s.* per ton, the contingencies allowed for the East India Company are about 18*l.* that is, 34*l.* or 34*l.* 10*s.* that is exclusive of the allowance for extra wages, what is called allowance for returning Lascars, and for a part of the insurance: I cannot speak positively, but I should think it is about that, I speak of the China ships; for the China ships, for the regular class of Bengal ships I should add 3*l.* per ton or 3*l.* 10*s.* per ton more; I think there is that difference in their price in the peace freight.

In the account alluded to, the freight is stated on the average at upwards of 40*l.* per ton; do not you know that it would amount at least to that sum, including all the charges that you have omitted in your former answer?—I should think it would, I can give a general idea; I should think it would come to about four pounds a ton in addition; the last ship I had in the Company's service, a regular ship for Bengal, came to 42*l.* a ton, I think, including the insurance.

Can you state what is the rate of freight upon the extra shipping, calculated upon similar principles?—I can only judge from recollection of what I saw stuck up at the coffee-house;

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coffee-house; as to the rates of freight, I think the extra ships were tendered at from 26 *l.* for the whole, up to two and three and thirty; I think the last tenders were as low as twenty-six, and that the Company did not take any higher than twenty-nine on the last occasion; and that on the occasion before, they went as high as thirty-two.

Have they ever been as high as thirty-four to your knowlege?—Oh yes; above that; five or six and thirty, but my own were much less at that time; the last regular ship I had was from two-and-forty to three-and-forty; it did not exceed three-and-forty, including the whole of the allowances made for extra wages, war insurance, and the usual allowance for Lascars, which the Company take upon themselves.

Do you know that private merchants can send their ships to sea for an Indian voyage, fitted in such a way as they deem perfectly safe, for about eighteen or twenty pounds per ton, at present?—No, I do not; I should not think it possible, consistently with my ideas of propriety of sailing; I can only speak to that.

Not from any port in this kingdom?—I should think not, according to my ideas of the price of building, taking the question to relate to a voyage to India and back again.

The voyage alluded to, is such as you have described in a former part of your evidence, of the probable duration of about twelve or thirteen months?—I should not think, consistently with my ideas of the propriety of fitting, and the substantiality of a ship going to India, that there is any port in the kingdom that could really send a ship to sea, with the present prices of building and stores, for that sum.

Have you ever been employed in building or fitting out ships at any other port, except that of India?—No, I have not. I bought a Liverpool ship once, but I have had no experience of the outfit of ships at the general ports of the kingdom; I only judge from the prices which I have enquired of, respecting cordage in particular, and I did not find the prices at South Shields at that time, at Liverpool, and I think I applied at Greenock, were such as would warrant my saying that I thought I could fit out a ship so cheap; it is only by that comparison I can judge. I was in difficulty to get cordage in London, I wrote to Shields; I had, during my employment of ships, a great quantity of cordage from South Shields, from Mr. Walker: the prices, after being delivered to me in London, and the difference of prices here, I think amounted to two or three pounds a ton, not more; that to an 800-ton ship, would be 150 *l.*

Then the Committee is to understand you have no practical knowledge of the expenses of building and fitting out ships at the out ports?—None. I since recollect building a ship at Ipswich, at about 2 *l.* 10 *s.* cheaper than London.

When you commanded a country ship in India, at what rate per ton could you have tendered that ship to government for a voyage to Europe and back again?—Upon my word, I cannot tell at this moment what I could have tendered her for: in the first place, I should not have tendered the ship I had, for any such object.

Can you state what the Transport Board pay for the transports taken up for His Majesty's service?—Only from the public papers that I see; the last advertisement, I think I saw, was, that the Transport Board was ready to give 25 *s.* per ton per month.

Are those ships as well fitted for sea as they ought to be?—If I may judge from having been in the Transport service in the American war for three years, I should say certainly not, compared with the fitting I should actually give them to go to India with.

Do they not constantly perform voyages to the eastward of the Cape of Good Hope, ships taken up at this rate?—I believe there were transports sent out, but I do not know how far the transports have been to the eastward of the Cape of Good Hope.

Do not His Majesty's government send out transports, not only to the Cape, but to the Mauritius, and to Ceylon?—I have not known of any; it is probable they may.

Have you not heard of any sent out to carry stores to the navy?—I have seen store ships announced to be going out to the Cape, and to the Mauritius; but whether they were hired transports, or men of war fitted for that purpose, I cannot say.

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You say those transports have been tendered to government at the rate of 25*s.* per month, per ton; supposing a voyage to be performed to India, and back again, in the course of twelve months, what would this average for the whole voyage?—If the ship was of 1,000 tons she would earn 12,500*l.* a year; the price she earns must depend upon her rated tonnage.

How much will that average per ton for the whole voyage, supposing it to be for twelve months, and no longer?—For a ship of 500 tons, about 15*l.* per ton.

Do you not suppose that those ships are tendered to government, at a rate which insures an adequate profit to the owners?—I should suppose they were in the owners idea, or they would not tender them.

Do not you, as a sailor and as an underwriter, consider the principal risk of the voyage between Madras and London, to be in that portion of the voyage contained between the Lizard and Gravesend?—I have, as a sailor, always considered it upon my mind, as the most difficult; I have been always the most anxious, as the captain of a ship, between coming to Scilly and coming to London; and I have insured my ship specifically from London, clear of the Channel, and I have insured her clear in the Channel, when I have not insured her between the two extremes of Scilly and Madras.

You consider that portion of the voyage as subject to the greatest risk?—I have considered it so, certainly.

Is there not a greater danger from the enemy, during war, in that part of the voyage?—I applied it to sea-risk in my first answer; I should consider as to the enemy, that the risk would be greater, strictly speaking, with an East Indiaman, between coming from Madras and coming into the Channel, before I got to Scilly, than after I got there; the reason of my idea is, that I conceive our cruizers are so much in the Channel, when they are not to be met with off the Western Islands.

Do you consider the revenue most endangered in that portion of the voyage, after making the land, between the Lizard and Gravesend?—As far as my own observations can go, I have always considered that the easiest mode of smuggling was between Scilly and quitting the Downs.

If a port situate at the entrance of the Channel could be found suitable in all other respects of accommodation for the care and sale of India goods, would not such a port be eligible?—I should not immediately think it would for an export trade, it would be eligible as far as the interior of that country required its goods; I should not think it would be so eligible for the Continental trade, as London or Liverpool.

If it should be decided, that the export and import trade is laid open, would not a port situate as Plymouth is, be considered to be in a desirable situation?—If I am to compare it with others, perhaps, I should not think it is so; I should not think it is, compared with Liverpool, for this reason, that the export to the Continent, it appears to me, would be easier from Liverpool, and more connected with the Continent, than coming through the British Channel, and going through our Eastern Channel, I think there would be that difference; the difference in my mind, I should say, arises from that cause.

The question applies to its geographical situation?—For the convenience of the ships entering from India, certainly it is more convenient than any of the others, as far as its navigation goes; it is easier of access than either Liverpool or any other port that I know in England.

Do not you consider, that the revenue would be better secured in that situation, than any other?—I really cannot answer that question, as it must depend entirely upon the system adopted.

Having commanded ships to and from India, in your opinion, would not a ship arriving at such a port, situated as that is, put the revenue to less danger than any other, as it is geographically placed?—As far as the convenience of situation goes, I consider it a quicker navigation after it arrives in the Channel, than it is to Liverpool, or any port to the northward, as far as the navigation goes; it is easier to be remedied than the other places; but as to its locality upon the land, I cannot answer to that at all.

[The Witness withdrew.

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[THE following Extracts were read from the papers returned by order of this Committee, by the Commissioners of Customs.]

QUERIES transmitted to the Commissioners of the Customs, in a letter from George Harrison, Esq. dated the 28th July 1812.

Queries transmitted to the Commissioners of the Customs.

1st.—HAS the Board of Customs reason to suspect that smuggling of teas, or of East India goods, has taken place to any considerable extent in the course of the last five years? If so, in what ports or places has it existed, and in what manner has it been carried on?

2d.—WHAT seizures of such goods have been made in each year, and where?

3d.—IN the event of the import trade from India and the China seas being opened to the out ports, would the danger of smuggling be increased, and in what degree?

4th.—HOW far might such danger be increased by the restoration of peace?

5th.—CAN any measures be devised to prevent such danger; and what are those measures?

6th.—TO which of the out ports could such trade be opened, with the greatest security to the revenue, and under what regulations; and would it be advisable to restrict the tonnage of ships trading to the East Indies and the China seas?

7th.—CAN the warehousing of East India goods be permitted in any of the out ports, and which, with safety to the revenue; and what articles can be so warehoused in each port; and under what regulations?

8th.—Can the ad valorem duty on certain East India goods be secured in the out ports, and under what regulations; or must it be commuted for a rated duty? If so, what should such duty be on each article?

9th.—WOULD any, and what additional establishment of officers be necessary in any of the above cases; and what would be the additional expense of such establishment.

RETURN of the principal Officers in the East India department.

RETURN of the Surveyor of the King's warehouse and his Assistant.

RETURN of the Surveyor of Sloops.

ANSWERS of the principal East India Officers.

Honourable Sirs,

Answers of the principal East India Officers.

IN conformity to the annexed directions of the Honourable Board, we have considered the several questions therein contained, with the attention that so important a subject requires, and respectfully submit the following observations.

No. 1.—Upon this question we have to observe, that we have no opportunity of witnessing transactions of this nature; but the smuggling of tea and East India goods, particularly shawls, fine muslins, and calicoes, silk handkerchiefs, raw silk, china and lacquered ware, and articles used as ornaments, &c. are circumstances of so much notoriety, that we have not the least doubt of its being carried on to a very serious extent, to the great injury of the revenue and of the manufactures of the country. The ports or places where this practice exists to the greatest extent, it is difficult to state; but, according to the information we have received upon the subject, the smuggling from East India ships takes place at the Land's End while the ships are passing through the Downs, and at the entrance of the River Thames, and until the ships have got into the East India Docks. The way in which smuggling is carried on, we understand, is frequently by the means of persons who in boats are in the habit of boarding East India ships upon their first arrival, under the pretence of supplying fresh provisions and vegetables. We have likewise been informed, that

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the revenue officers, who are placed on board these ships to guard the interests of the Crown, absolutely become the instruments of this nefarious traffic; and when it is considered the extent to which it has been carried, it seems impossible that it could have been effected without the connivance or aid of these persons. It may also be proper to observe, that the smuggling of East India goods has not only been from the ships importing these goods, but also takes place from vessels on which they have been shipped for exportation; a circumstance deserving of consideration, and should be guarded against in any regulations that may be adopted concerning the exportation of such goods from an out port.

No. 2.—We have no means of ascertaining either the quantity or amount of East India goods seized in each year, or where the same have been made.

No. 3.—In answer to this question, we have to observe, that the danger of smuggling would, in our opinion, be considerably increased, and in proportion as the means of discovery would be lessened, from the low establishment of officers employed in guarding ships at out ports, when compared to that of London, the illicit trader would from that circumstance have fewer obstacles to encounter in his attempts to defraud the revenue, and smuggling, we have no doubt, would be effected to a considerable extent in respect to a variety of articles of general demand in this country, but particularly tea, pepper, shawls, fine muslins and calicoes, spices, valuable drugs, china, lacquered ware, cornelians, silk handkerchiefs, china silk, crape, ornamental articles, &c. manufactured in China or India.

No. 4.—A time of peace has always been considered, and we believe very truly, the most favourable season for smuggling, as vessels employed in that trade can pass more freely upon the seas without interruption, and are less liable to be searched and detected by his Majesty's ships, than in time of war.

No. 5.—We are of opinion, that smuggling from ships importing East India goods, might be checked in a very great degree, by an extension and a rigid enforcement of the Manifest Act. The Company's cargo, private trade, and all articles liable to duty, whether brought as merchandize, for presents or for private use, or otherwise, should be manifested at the port or place of lading; not only should the packages be accurately described, but the articles should also be fully specified, with the quantity contained in each package, and name of the articles shipped in foreign parts: This regulation, after due and sufficient notice being given, we are of opinion should be insisted upon, and in no case allowed to be departed from, but made absolute upon the commanders of East India ships, and also upon the first and second mates, by making all and each of them liable to severe penalties in case of goods being found on board of ships not manifested, or proved to have been smuggled from any East India ship. The existing regulations, it must be obvious, are inadequate to the purpose of preventing the illegal landing of East India goods in this country, and the penalties to which persons are now liable are either evaded, or they bear no proportion to the advantages which are derived from smuggling; it being well known that few ships arrive from India, that have not on board a considerable quantity of goods not manifested, for the express purpose of being smuggled; and should no opportunity offer to run the goods on shore, they are frequently thrown overboard at the entrance of the River, where they are seen floating after the arrival of a fleet. This question has also led us to consider the advantages that officers who guard East India ships receive, in detecting smuggling, and in the seizure of goods caught in the act of being run; and although they are entitled to a moiety of the proceeds of seizures, yet we find, the period which elapses before they receive any benefit therefrom, under the present system, is so distant, being frequently upwards of twelve or fifteen months, that we are fearful it does not produce that exertion and zeal for the service which is requisite for the protection of the revenue, and that inferior officers, from that cause, are tempted, form an immediate benefit, to forego their duty, and connive at fraudulent acts; but if the period for the payment of officers shares of seizure was reduced to three or four months, we have no doubt but that considerable benefit would result to the service.

No. 6.—After the most mature consideration of this question, we are of opinion, that the trade with India should only be opened to a few of the largest of the out ports, viz. Liverpool, Bristol, Hull and Lancaster, and that the articles allowed to be imported at those ports should be limited to those of a particular description, which will be found stated, as the least objectionable in our answer to the next question,

question, No. 7; and those goods should be made subject to the same regulations, as far as the same can be assimilated, to the regulations observed by the East India Company in the landing, examining, sale and delivery, as well as being subject to the same duties. We are also of opinion, that it would be advisable to restrict the tonnage of shipping trading to the East Indies from out ports, to vessels of not less than 400 or 500 tons burthen; as smuggling from ships of this description cannot be so easily effected, and is attended with greater risk than from vessels of less tonnage.

Answers of the principal East India Officers.

No. 7.—We are of opinion, that such description of East India goods as may be deemed fit and proper to be imported at particular ports, might be with equal safety permitted to be warehoused; but in determining at what ports, and upon the articles that should be allowed to be imported, there requires much consideration, and is a subject of great importance to the revenue. It appears to us first proper to consider, should any articles subject to ad valorem duties be sold at an out port, whether there would be such a demand for them, as would produce an equal price to what similar goods are sold for in London, at the sales of the East India Company, otherwise the proper ad valorem duties would not be secured to the Crown; and in order to make advantageous sales of goods, there must not only be a demand for the goods, but also a sufficient number of buyers of the articles, to create an open and fair competition among the purchasers; for should that not be the case, it is easy to foresee the prejudicial consequences to the revenue that must inevitably ensue, goods would be sold probably for half their original cost, the duties upon them would be in the same proportion unproductive, and the value of similar goods, at other places, considerably reduced, to the great injury of the revenue. We must also observe, that the same loss to the revenue would result from a combination among the purchasers, by which a public sale might be made a nominal one, to defraud the revenue, and the goods in reality sold at an advanced price by private contract. The articles to which there appears to us to be very considerable objection, to their being allowed to be imported at an out port are the following, viz. tea, which is the principal article of import by the Company; the country derives a revenue of upwards of 3,000,000 *l.* annually; the duty of customs and of excise thereon is 96 per cent. upon the sale price; it therefore appears to be an article that holds out the greatest temptation to smuggle, and if it was not for the constant care and attention which the East India Company pay to supplying the market with only a sufficient quantity for the consumption of the country, the price would be considerably reduced and the revenue very much lessened; and if the trade in this article was opened to out ports, we are apprehensive that it would be very difficult to arrange the importations of it, so that the public might be regularly supplied with the different sorts in demand. Pepper is an article the original cost of which in India is very low, and from the custom duty being very high (which is rated at equal to an ad valorem duty of 350 *l.* per cent. on its value) makes it very probable, if allowed to be imported at an out port, that the illicit trader would smuggle it to a very great extent, and there is already of this article, in the Company's warehouses, a sufficient quantity to supply Europe for many years. Salt Petre is also an article which it appears to us, should remain under the present regulations and restrictions of importation, in order that Government may always command an ample supply, and the enemies of the country be prevented as much as possible from obtaining it in time of war. Fine muslins and calicoes, plain, flowered or stitched; nankeen cloths; shawls; china, lacquered ware; manufactures of ivory, cornelian and agate, are articles subject to ad valorem duties, and upon which a considerable revenue is derived; but the quantity in demand by the public, is not, in our opinion, such as would admit of a divided trade to India, with any considerable advantage to individuals; and if these articles were clandestinely introduced into this country, they would not only occasion great loss to the revenue, but would operate very injuriously to the British manufactures, which are now protected by the duties to which the same are liable when sold under the regulations of the East India Company. Silk handkerchiefs; China silk, crape, manufactures of silk; chintz; printed or dyed calicoes, are also articles which, if fraudulently introduced into this country, would greatly injure its manufactures. Our next consideration has led us to examine what articles there might be the least objection to allowing to be imported at the most considerable out ports, as alluded to in our observations to question No. 6. and in which an extensive trade might be carried on by individuals, in the event of the trade being opened: the following articles appear to us to be of that description, viz. coarse muslins and calicoes; coarse prohibited

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piece goods of coloured cotton, whose real value does not exceed 1*s.* 6*d.* per yard (exclusive of the duties), and such as are usually exported to the Continent, the West Indies, America and her dependencies, and to Africa; raw silk, coffee, indigo, cotton wool, sugar, mace, nutmegs, cloves, cinnamon, cassia, cassia beads, hemp, hides, skins, ginger, galls, gums, madder root, red and yellow sanders, seedlack, sticklack, shillack, turmerick, senna, teakwood, mother of pearl shells, sago, rice, opium, barilla, camphire, and articles of a similar description; being such as are subject to low duties, or mostly in demand for exportation, or similar to articles already allowed to be imported at out ports from other places than the East Indies.

No. 8.—We are of opinion, that the ad valorem duties could not be secured at an out port upon a variety of goods to which we have particularly alluded in our aforegoing observations, and it does not appear to us that the same would be commuted, considering the nature of the articles, for a rated duty, and particularly as the East India Company must, of necessity, make public sale of the goods imported by them.

No. 9.—In the event of the trade to India being opened to the merchants of London, some addition to the offices of the inspector and surveyor of East India goods would probably be necessary, but what additional aid will be requisite must depend upon the extent to which the trade is opened; and such ports as the trade may be extended to will, according to our opinion, require competent officers to see that the goods are regularly brought to sale under their proper names, and that the proper duties thereon are duly collected; but what the additional expense would be of such new establishment, we conceive, at this time, it is impossible for any officer to state, with any degree of correctness.

In submitting the aforegoing observations to the Honourable Board, we beg to be understood as having only given an outline of our opinion; being well aware that the subject is interwoven with many political considerations, besides the question of revenue; but whenever we may be acquainted with the views of the Legislature, we shall be prepared to enter more minutely into the detail of the several points that may hereafter come under discussion.

Which is humbly submitted,

East India Office, 16th September, 1812. (Signed) *F. A. Barnard*, Inspector. *G. Barnard*, Surveyor.

Answers of the Surveyor of His Majesty's Warehouse and his Assistant.

Honourable Sirs,

Surveyor of His Majesty's Warehouse, and Assistant.

HAVING fully and maturely considered the questions submitted by the President of the Board of Commissioners for the affairs of India to the consideration of the Lords Commissioners of the Treasury, we have to observe,

First.—We have not any reason to suspect that smuggling of teas has taken place to any considerable extent in the course of the last five years, but we suspect that smuggling of East India goods, such as bandannas and silks, together with camels hair shawls and muslins, has taken place to a considerable extent in the course of the last five years; though we cannot point out at what particular ports or places it has existed, or in what manner it has been carried on.

Second.—An account of the seizures of such East India goods as the law directs, shall be sent to London to be sold, may be made out in the department of the warehouse-keeper; but it will take up a length of time, and must be done by extra clerks for the purpose.

Third and fourth.—In the event of the import trade from India and the China seas being opened to the out ports the danger of smuggling would undoubtedly be increased; but in what degree it is impossible for us to conjecture, because so much would depend on the situation of the ports to be opened; and that such danger would be increased by the restoration of peace there can be no doubt, because the ships would not

not arrive in fleets as they do in time of war, and a single ship can more easily evade observation. Surveyor of His Majesty's Warehouse, and Assistant.

Fifth.—We do not know of any measures that can be devised to prevent such danger, other than the laws and regulations already in force.

Sixth.—It is not possible to say, with any degree of precision, to which of the out ports such trade could be opened with the greatest security; though we should consider that the ports of the Channel from Falmouth to Portsmouth, afford greater security than the ports to the North or Bristol, as they could be guarded more easily and do not offer so great an opening to smuggling on the opposite shore; a restriction as to the tonnage of the ships would be necessary, but we do not feel competent to give an opinion as to what other regulations might be advisable.

Seventh.—The warehousing of East India goods would certainly be permitted at the out ports in the same manner and to the same articles as are now warehoused in London; but until it shall be determined which of the out ports shall be opened, we cannot form an opinion at which it can be done with the greatest safety; the regulations of the general warehousing system would be advisable.

Eighth.—The ad valorem duty on certain East India goods could be secured in the out ports under the same regulations as it is secured in London; but there is every reason to suspect that the goods will never fetch a price at the out ports equal to what they would in London, and therefore a rated duty may become necessary, but we cannot give an opinion as to what such duty should be.

Ninth.—It is probable that no considerable additional establishment of officers would be necessary; because if the trade to the port of London should diminish in any considerable degree, the establishment of officers might be reduced in a proportionate degree and added to the out ports, so as to prevent any great additional expense.

respectfully submitted.

King's warehouse,
17 September 1812.

(Signed) *P. Lock.*
R. Eeales.

Answer of the Surveyor for Sloops, &c.

Honourable Sirs,

In the event of the import trade from India and the China seas being opened to the out ports, I am of opinion smuggling will be increased to a very great degree. Surveyor for Sloops, &c.

And that it will be still further increased in the event of a peace.

In peace, vessels from India may be induced to loiter about in the mouth of the Channel, for the purpose of communicating with small vessels and smuggling, which, in war, they would be afraid to do on account of the privateers, or having their men impressed; in war time they will also arrive in convoys, when resort may be had to an additional temporary water-guard, which in peace must be constantly kept up, as vessels would be arriving at all seasons.

Submitted.

September 5, 1812. (Signed) *J. M. Seppings.*

RETURNS from Principal Officers at various Out Ports.

DOVER.

Honourable Sirs, Custom House, August 10, 1812.

In pursuance of your Honours order of inquiry, of the 7th instant, on the queries suggested by the Earl of Buckinghamshire, on the subject of the trade with India: Returns from principal Officers at various Out Ports. (Dover.)

1st.—We have no reason to think that smuggling of teas or East India goods has taken place, to any considerable extent, in the course of the last five years; the

Returns from principal Officers at various Out Ports.

smuggling effected has been, we think, between the Isle of Wight and the Nore, and in fast-rowing boats; but the East India ships have been so closely guarded (particularly of late) that we have heard of considerable quantities of tea (which, from not being entered in the ship's manifest, could not be admitted to entry) having been thrown overboard between the North Foreland and Gravesend.

2d.—An account is respectfully transmitted.

3d.—We are of opinion, that if the import trade from India and the China seas should be opened to the out ports, that smuggling would be increased in a degree beyond calculation. Ships now go direct to the river, but if Liverpool, Bristol, Hull, and Leith, were open for East India ships, there would be smuggling upon every part of the coast of England; whereas it is now confined to the coast of the Channel: and as ships, three times out of four, come into the Downs with strong westwardly winds, and make Dover or Deal almost the first place with which they communicate, there is frequently but little time afforded for unshipping any quantity of goods.

4th.—The danger would certainly be increased by the restoration of peace; ships, in time of war, come up in convoys, and incur the risk of capture by loitering on their passage; but in peace, they would sail singly, and find many opportunities of hovering on the coast for the purpose of smuggling.

5th.—We are not able to devise any measure to avert the danger of smuggling by the opening of the out ports to the East India trade.

6th. As to the ports which it would be advisable to throw open for the East India trade, and under what regulations, we do not feel ourselves competent to offer our opinion; but we think no ship trading to the East Indies or the China seas, should be less than four hundred tons.

7th. To this query we do not feel ourselves competent to answer.

8th.—To this also, we are not able to offer an opinion.

9th.—The expenses of an establishment to afford any check to the mischiefs that would arise by the throwing open the East India trade, so far as the safety of the revenue is concerned by the prevention of smuggling, must be very considerable, but to what amount we are not able to calculate.

We are, &c.

(Signed) { *B. J. Stow*, Coll^r.
{ *B. G. Sampson*, Comp^r.

COWES.

Honourable Sirs, Custom House, 28th August 1812.

(Cowes.) In obedience to your commands of the 7th instant, on the queries contained in Mr. Harrison's letter of the 28th July last, on the subject of the India and China trade,

We respectfully submit our belief, That the smuggling of teas and East India goods, has considerably increased in the last five years; and that the places in which such smuggling has successfully been practised, are between the Start Point, on the first appearance of the homeward fleets on the coast of England, and their ultimate destination the docks in London river, accomplished by the communication of small vessels and boats from the shore, on pretences of piloting and landing passengers.

To defeat such illicit practices, we know of no measure so probable as an amendment of the Manifest Act (viz. 26th Geo. III. chap. 40.) that should enact, That all chests, cases, bales or packages shipped in India or China, should be marked by the revenue export officer with a particular mark and progressive number, and that a manifest of the contents of the cargo of every ship, describing such marks and numbers, should be drawn out by the collector or chief revenue officers in India or China, and by them transmitted under seal of office to your Honours.

That no package, be its contents of whatever nature, muslins, shawls, silks, teas or other commodities, shall be allowed to be received on board any ship in India or China,

China bound to Europe, but of a defined size or weight, similar to tobacco packages, under the regulations of the 29th of the King, chap. 68., and that all private trade, articles, and presents of small packages, shall be packed in large cases or bales of defined dimensions and sizes properly secured: that the whole of a ship's cargo, or lading of East India or China produce, shall be stowed in the hold and between decks; and if any package or bale, contrary to such suggested rule, should (after its being passed into law) be found or discovered in the captain's cabin, or any part above the ship's deck, by any officer of the revenue who may board such ship on her homeward arrival in the Channel, all and every such package, bale, &c. may be seized as forfeited. Returns from principal Officers at various Out Ports.

On the meditated extension of the import trade from India and the China seas to certain out ports, We are humbly of opinion, such privilege should only be granted to Liverpool, Bristol and other ports of important rank, and then only on condition that the merchants do establish wet docks and warehouses surrounded by high walls similar to the construction of the wet docks in London; our own experience confirming to us, that ships, cargoes when discharging on open quays, are always liable to plunder, and that the confidence we place in tidewaiters is too often abused, which is respectfully submitted by,

Honourable Sirs,
Your most obedient servants,

Jn°. Ward,
T. Chapman.

FOWEY.

Honourable Sirs, Custom House, 21st August 1812.

Pursuant to your letter of the 7th instant, we transmit our answers to sundry queries therein transmitted, (Fowey.)

We are, &c.

Jn°. Kimber, Collector.
J. W. Couche, Contractor.

1.—No smuggling of such goods has to our knowledge taken place at this port, within the last five years.

2.—There has been none made at this port for sixteen years.

3.—We think there would be no danger of smuggling being increased.

4.—We do not think the danger would be increased.

5.—We think no additional measure requisite.

6. 7. 8. & 9.—We do not think ourselves competent to answer those questions.

FALMOUTH.

Honourable Sirs, Custom House, 31st August 1812.

In obedience to your directions signified by Mr. Delavand's minute of the 7th instant, we beg to send answers to the several queries, suggested by the Earl of Buckinghamshire, and transmitted in Mr. Harrison's letter of the 28th July 1812, viz. (Falmouth.)

1st—It must be known by return of the seizures made from India ships, that a considerable degree of smuggling has been carried on during the last five years; while practical experience has confirmed us in an opinion, the extent of it is hardly to be conceived, as it is carried on during the whole progress up the Channel, and completed after entering the river; it is performed by cutters and boats of all descriptions, sanctioned by licenses and other facilities arising from mistaken laws.

2nd—This can only be known by the Board; the following only have been seized at this port, all in the year 1811:—27 yards muslin, 20 cotton handkerchiefs, 10 yards silk, and 5lbs tea.

3rd—We think it would be hazardous to open the trade from India to all the out ports, without restrictions peculiarly adapted; the danger of smuggling increasing, in our opinion, in a given ratio proportionate to the extent of communication.

4th—Answered

Returns from principal Officers at various Out Ports.

4th—Answered by the latter observation.

5th—The establishing one port advantageously situated to receive, and equally adapted to protect, by a close regulated system of warehousing, every article of commerce.

6th—The map of the English Channel will speak more forcibly than any language we can make use of, as to the first part of the question; and we are confident regulations might be formed equal to the trust: as to the tonnage of the shipping to be employed in this trade, we consider that of inferior moment, under the head of regulations.

7th—Falmouth opens to every impartial mind unbounded prospects of national wealth, in point of facility of access, and safety to the revenue, where every article of foreign commerce may be warehoused as a central point, and distributed coastwise to Wales, Scotland, and to Ireland, and ultimately supply all the Continent with teas, and India goods of every description.

8th—We conceive an ad valorem duty could be collected here as safely as in London; but knowing the fallacy of this mode of levying an impost, we should recommend its being commuted for a rated duty, which might be formed with very little difficulty.

9th—The establishment must be increased considerably, equal to the increase of trade, but at a much less expense than might be imagined.

We are, &c.
J. Pellew, Col'.
J. Laffer, Comp'.

PENZANCE.

Hon^ble^ Sirs, Custom House, 31st August 1812.

(Penzance.) In obedience to your Honours directions, signified to us by Mr. Delavand's letter of the 7th instant, respecting the trade to India,

Inclosed, we beg leave to transmit your Honourable Board the Queries contained in Mr. Delavand's said letter, with our observations thereon, which is humbly submitted.

We are, &c.
A. Hampton, Coll',
J. Nichols, Comp'.

1st—We do not know that any smuggling of tea, or of East India goods, has taken place on this part of the coast in the course of the last five years.

2nd—Not any seizures of East India goods have been made in this port, within the last five years.

3rd—We do not conceive that smuggling would be increased in consequence of the East India trade being opened to the out ports.

4th.—We do not apprehend that the danger of smuggling would be increased by the restoration of peace.

5th.—The revenue guard being greatly strengthened of late, would in our opinion be sufficient to detect any measures that might be attempted on this part of the coast.

6th.—We conceive that the India trade should be opened to the ports in general, as every subject thinks himself entitled to the same privileges; and with respect to the tonnage of ships trading to the East Indies, we presume it should be governed at the ports where the ships sail from.

7th.—We are of opinion, that East India goods in general might be warehoused in any of the out ports, were proper warehouses provided for that purpose, with safety to the revenue.

8th.—The ad valorem duty on East India goods in general can be secured under bond; it is totally out of our power to say what duty would be proper to fix on each article, as no entry of East India goods of any kind was ever made at this port.

9th.—We

9th.—We are of opinion, the present establishment of officers at most of the out ports would be sufficient as to the trade, if permitted, would be but small at these ports. Returns from principal Officers at various Out Ports.

BRISTOL.

Honourable Sirs, Custom House, 21st August 1812.

Pursuant to your directions, signified in your secretary's letter of the 7th instant, in consequence of an order from the Lords Commissioners of His Majesty's treasury, dated the 28th July, we have attentively considered the several questions received with your said letter, on the subject of the trade with India; and beg leave, on the foot hereof, to state our observations thereupon. (Bristol.)

We are, &c.

(Signed) *Tho^s Eagles,*
Tho^s Andrewes.

1st.—The smuggling of teas or of East India goods has not taken place at this port to any considerable extent, in the course of the last five years, as will appear by the answer to the next query.

—2d.—

When seized.	Where; with Particulars.	Goods.
1807. - - - - - -	Nil. - - - - -	——
1808. September 30. -	In an open boat on the river, being run - -	1½ lbs. tea.
—— November 4. -	In a dwelling house, being run - - -	12 ——
—— December 22. -	Found in a box, with presents, imported from Barbadoes - - - - -	1 ——
1809. - - - - - -	Nil. - - - - - -	——
1810. - - - - - -	Nil. - - - - - -	——
1811. March 18. -	From a man unknown, being run - -	19 ——

3d.—In the event of the import trade from India and the China seas being opened to the out ports, the produce of those places would be so extensively distributed through the kingdom, that we presume there would be less inducement to smuggle in the articles allowed for home consumption, than if the trade were carried on in a more confined manner.

4th.—We are not aware of such danger being increased by the restoration of peace, any otherwise than the actual consequences of an extension of commerce may be supposed to produce.

5th —Answered by the former.

6th.—It is submitted, that the opening the East India and China trade should be extended only to the principal out ports, and under the restrictions of being secured in warehouses; also, that it should be carried on in ships of not less burthen than three hundred tons, as the employment of small tonnage might give great facility to smuggling on some parts of the coasts of this kingdom; besides it would enable adventurers of small capital to engage in such illicit practices.

7th.—We presume that any East India goods could be safely secured in proper warehouses, at such of the principal ports as might be appointed, under regulations similar to those of the Act of 43 Geo. III. chap. 132.

8th.—We would submit, that a certain rated duty in the general would be preferable to an ad valorem one, as there would be a greater certainty in the collection of the revenue, than if left to valuations at different parts of the kingdom, by which the duties on the same articles might considerably vary.

9th – With an additional trade, there certainly would be a small increase of officers necessary; but it can hardly be stated how many, until it may be known what the increase of trade would be; the departments at this port which we consider would require assistance, would be the landing surveyors, landing waiters, tide waiters, warehousekeepers, lockers and weighers.

Returns from principal Officers at various Out Ports.

(Milford.)

MILFORD.

Honourable Sirs,

WE have, in obedience to you honours order of 7th August, subjoined to a letter from Mr. Harrison, one of the Secretaries to the Lords Commissioners of His Majesty's Treasury, fully and maturely considered the Queries therein referred to, and have, with the best of our abilities and means of information, made our Observations thereon, which are herewith transmitted.

We are your honours
Most faithful and obedient servants,

Custom House,
21st August 1812.

H. Leach.
A. Stokes.

1st.—Smuggling of teas or East Indian goods has not taken place to any extent at this port, or on the coast.

2d.—Two in 1807, of 12 lb. tea, and 7 table mats, in Milford Haven, from the Neptune East Indiaman; one in the year 1810, of 97 Indian silk handkerchiefs, and 60 yards Indian silk, in Milford Haven, on board the schooner Milford, from South Seas.

3d.—We think the danger of smuggling would be increased, but in a very small degree.

4th.—We are not aware that the danger would be at all increased by the restoration of peace.

5th.—A considerable addition to the number of officers, proportioned in number and expense to the magnitude and extent of the trade, to be carried on at any out port.

6th.—The advantage of other ports we cannot speak to; but the advantages of this in preference to almost any other, are in our humble opinion, since it is entered almost immediately on making the land, without any of the opportunities being afforded for smuggling, which present themselves in passing up either of the three channels; there are already considerable warehouses here, and others could be immediately built; and the harbour is more secure, as well as more capacious, than any in his Majesty's dominions. We see no reason, on public grounds, for restricting the tonnage of ships trading to the East Indies and China seas; and the interests of those concerned would not fail to direct them to that tonnage which would be most agreeable to their own interests.

7th.—The warehousing of East India goods on importation cannot be permitted at present, but we conceive it might with safety to the revenue; but with the addition of a very considerable number of officers, of a respectable class, and composed of intelligent men. We cannot give an opinion with respect to the regulations, as we are totally unacquainted with those which have already matured in the port of London.

8th.—We conceive a rated duty would be a more secure way of collecting the revenue on articles imported at any of the out ports from India, as it would be difficult to establish an uniformity of practice in charging an ad valorem duty on India or China goods, in the absence of any data or practice to enable the officer to appreciate the proper value. We think therefore the duty should be on each article.

9th.—It is manifest that a very considerable additional number of officers would be necessary, and that too of the most respectable description. The additional expense it would be presumptuous in us to calculate.

HULL.

Honourable Sirs,

Custom House, 31st August 1812.

(Hull.)

We beg to transmit to you the inclosed Answers to the Questions transmitted to us, respecting the trade to the East India and the China seas, to which we humbly refer.

We are, &c. &c.

Chas. Lutwidge, Collector.
C. Roe, Comptroller.

1st.

1st.—We are not competent to give an answer to this question, farther than regards this port, where no smuggling of any kind has taken place to any extent in the course of the last five years, and only one instance of East India goods, that we have heard of or suspect; viz. a parcel containing, Returns from principal Officers at various Out Ports.

2d.—Twenty-six silk handkerchiefs and one silk shawl, seized from a person in the streets of this town; how landed, or whence they came, we know not.

3d.—In the event of the import trade from India and the China seas being opened to the out ports, we do not apprehend that the danger of smuggling would be increased, provided the trade was restricted to the principal out ports.

4th.—Smuggling, in general, may be more easy in time of peace than in time of war; but we do not apprehend that the danger of it would be increased, as far as regards the trade in question, by its being extended to the out ports.

5th.—Manifests should be properly attested at the port of lading, the qualities of the goods certified by some authorized person on the part of government, and security given for the due landing of the cargo.

6th.—We are of opinion that this trade could be opened, with the greatest security to the revenue, to the following out ports, viz. Liverpool, Bristol, Hull, Newcastle, Glasgow, and Leith; and believe it would be advisable to restrict the tonnage of ships trading to the East Indies and the China seas, to vessels of not less than 300 tons burthen.

7th.—The warehousing of all East India goods might be permitted at this port, with safety to the revenue, as the dock company here have authorized us to say, that they would build proper warehouses for that express purpose, upon any prescribed plan.

8th.—If the importation was restricted to a few ports only, and the goods sold at public sales at them in succession, and at periods not too frequent, we apprehend that the goods would fetch their true value; but rated duties on all goods, if practicable, would be preferable.

9th.—We do not conceive that any additional establishment of office would be necessary at this port, beyond warehouse keepers.

The whole is most humbly submitted.

Chas. Lutwidge, Coll^r.
C. Roe, Cont^r.

PRESTON.

Honourable Sirs, Custom House, 10th August 1812.

IN answer to your honours order of the 7th instant, we have to inform your honours that there has not been any smuggling of teas at this port, to our knowledge, and that no seizures have been made in the last five years; that we are not of opinion that the restoration of peace would increase the danger of its being done; that any goods may be safely warehoused at this port, and the duties secured. (Preston.)

We are, &c. &c.

Rich^d Pilkingtone.
Rob^t Foster.

LIVERPOOL.

Honourable Sirs, Custom House, 31st August 1812.

AS directed by your order of the 7th instant, we have attentively considered the several Queries transmitted to your honours from the treasury, upon the subject of the trade with India and inclosed, we have submitted the Observations which have appeared to us to be the most worthy of your notice, on the occasion; and referring thereto, We are, (Liverpool.)

Honourable Sirs,
Your faithful and obedient servants,

(Signed) *I. T. Swainson,*
E. Rigby.

Return from principal Officers at various Out Ports.

1st.—We have no reason to suspect, that teas or East India goods, to any considerable extent, have at any time been smuggled into this port.

2nd.—Small parcels of such goods, belonging to the seamen or passengers on board American or other ships arriving from the United States, &c. have been seized here within the last five years; but the amount is very trifling, as will appear on reference to the Account transmitted in our letter of the 19th instant, No. 696.

3rd.—This port, and for a considerable extent northward and southward, from the want of creeks and bays, affords no facilities for regular and systematic smuggling; nor, in our opinion, would the revenue be exposed to any increase of danger, if the East India trade was extended to this port.

4th.—The naval guard, which in time of war protects the coasts, must assist considerably in the prevention of smuggling; how far the danger thereof would be increased by the restoration of peace, we are unable to conjecture, not knowing to what extent the admiralty cruizers might then be employed in aid of the cruizers of the revenue.

5th.—The recent arrangements of the land and water guard appear to be well calculated to defeat the objects of the smugglers; and as the collector is aware that directions are given to the commanders of the revenue cruizers in the English Channel, to be particularly watchful after ships arriving from the East Indies, he respectively submits, whether the like directions in substance, so far as they may apply, might not be given to the commanders on the western stations, with instructions to put a certain number of their men on each vessel, with a deputed officer, if he can be spared, to proceed with such ships to their destined ports.

6th.—We would submit, whether the trade in question might not be opened to this port under similar regulations and restrictions, as to tonnage, &c. to those under which the importation of tobacco is allowed here.

7th.—We are humbly of opinion, that any East India goods might be warehoused here with safety to the revenue, provided that proper warehouses were erected to the westward of the King's Dock, and surrounded with walls, as is proposed by the late Act of Parliament for the improvement of this port, and that this indulgence should be withheld until the same is done.

8th.—We submit, that it appears to us to be desirable, both on account of the revenue and the merchant, to have a rate rather than an ad valorem duty, on all articles, if practicable.

9th.—Though we cannot estimate to what extent the trade with India or China might be carried on from this port, we do not think any considerable addition to the establishment, or the expences of the revenue, would be necessary.

QUERIES transmitted to the Commissioners of Customs, in a Letter from George Harrison, Esq. dated the 20th November 1812.

Queries transmitted to the Commissioners of Customs.

1st.—Supposing the amount of trade and number of ships from the East Indies, &c. to be the same, would there be more or less danger of smuggling if the trade was confined to the port of London, or if it was distributed between the port of London and the out ports?

2d.—Supposing the extension of the trade to the out ports to lead to a general increase of the trade, or to an addition to the number of ships, would such increase of trade and addition of ships afford the prospect of an increase of smuggling, beyond the proportion of such increase of trade?

3d.—Could any regulations be adopted, with a view to the examination of ships at St. Helena, or in any other possession of His Majesty, which would be likely materially to check the practice of smuggling, when the trade arrived in the ports of the United Kingdom?

4th.—Is there any security against smuggling in ports having wet docks which are not surrounded with walls, which does not apply to ports without wet docks?

5th.

5th.—Have you any reason to believe, that there has been any considerable amount of smuggling in East India and China goods in American ships, or through America? Queries transmitted to the Commissioners of the Customs.

6th.—Upon the return of peace, would there be more danger of smuggling East India and China goods in British ships from the East Indies, than in American ships, or through the Americans.

ANSWERS of the Principal East India Officers.

Honourable Sirs,

In obedience to the Honourable Board's Order of the 26th ultimo, founded upon Mr. Harrison's Letter of the 20th of the same month, we have to submit the following observations upon the several Questions therein contained. Answers of the principal East India Officers.

1st. Question.—We are of opinion, in the event of the trade to India being distributed between London and the out ports, that the danger of smuggling would be more than if the trade was confined to the port of London only.

2d.—We are of opinion, that an extension of the India trade to the out ports would afford the prospect of an increase of smuggling, beyond the proportion of such increase of trade; and we beg to observe, that this opinion is formed upon the knowledge that the East India Company, as a body of merchants, cannot participate in any advantage arising from illicit transactions, and it being their interest to adopt every regulation that they can devise to prevent as much as possible smuggling from East India ships, it being extremely injurious to the Company as well as the revenue; and in the event of an extension of the India trade, we are of opinion there would be reason to apprehend that persons would engage in it for the express purpose of smuggling, and that the owners of the ships would share with the commanders the advantage arising from illicit transactions.

3d.—We are not aware that any regulations could be adopted at St. Helena in examining the ships, that would materially check the practice of smuggling, provided the manifest laws are amended, and the quantity and quality of all articles shipped, with a particular description of the packages, are required to be accurately described in the manifest at the place of lading.

4th.—As we are apprehensive that smuggling would be mostly effected previous to the ship going into port, we do not conceive any considerable security would arise from having wet docks surrounded with walls, other than protecting the cargoes against plunder.

5th.—We have no reason to believe there has been any considerable amount of smuggling in East India and China goods in American ships, or through America.

6th.—We are of opinion upon the return of Peace, that there would be more danger of smuggling East India and China goods in British ships from the East Indies, than in American ships, or through the Americans.

Which is humbly submitted,

(Signed) *D. Maclean*, Ass^{t} Insp^{r}
G. Barnard, Surv^{r}.

East India Office,
3d December 1812.

RETURNS from Principal Officers at various Out Ports.

Cowes.

Honourable Sirs, Custom House, 30th November, 1812.

In obedience to your commands, signified in Mr. Richmond's letter of the 26th instant, on Mr. Harrison's of the 20th, on the subject of the trade to India, we humbly submit our opinions in answer to the queries proposed. Return from principal Officers at various Out Ports.

Return from principal Officers at various Out Ports.

1st.—That there would be more danger of smuggling if the trade to India was distributed between the ports of London and the out ports, unless the out ports to which the trade might be extended, have wet docks surrounded with walls.

2d.—There would not be a prospect of smuggling beyond the proportion of such increase of trade; because we think the size of the ships would decrease, and there is consequently greater facility in guarding ships of small tonnage, and of two to 400 tons, than ships of larger tonnage.

3d.—If it became a legislative regulation that no ship taking in a cargo in India should proceed to Europe, without first touching at St. Helena, or the Cape of Good Hope, or elsewhere, it might be possible to institute a method of registering under the cognizance of the revenue establishment at either place, all small packages and parcels taken on board in India, contrary to the knowledge of the captain, and without being inserted in the ship's manifest, and by sending a copy of such registry addressed to your Honours sealed, it might counteract the running of prohibited silks, which is always practised in small bales of about 20 inches long, as well as other small articles.

4th.—None: If the depth of water, and capacity of the port or harbour are such as to enable ships to discharge their cargoes immediately on the quays, by the aid of shidds; but when a ship unloads her cargo or part of her cargo, when at anchor, in a river or roadsted, into lighters or barges to be afterwards conveyed to the quays, and then to the warehouses, great opportunities are always thereby afforded for pilferage and smuggling.

5th.—None has happened here to our knowledge, neither have we heard of its having been practised any where in the kingdom to any considerable amount.

6th.—We do not think there would, particularly if a plan could be devised and acted upon for the registering all small packages and parcels, as suggested in answers to queries, No. 3.

All which is respectfully submitted, by

Honourable Sirs,

Your most obedient servants,

John Ward,
T. Chapman.

BRISTOL.

Honourable Sirs,

(Bristol.) Pursuant to your directions signified in your secretary's letter of the 26th ultimo, accompanying the copy of a letter from Mr. Harrison, dated Treasury Chambers, 20th of the same month, relative to the trade with India, we humbly acquaint you that we have attentively considered the questions contained in the said letter, and beg leave to submit our answers thereto.

We are, your Honours'
Most faithful and obedient servants,

Custom House, Bristol,
4th Dec. 1812.

Richd. Searle, Actg Collr.
Thomas Andrews, Compt.

1st.—The India trade, as it is at present conducted, through one channel to one port, offer fewer points of contact with the coast, than if the same trade as to the quantum and number of ships were conducted through various channels.

The peculiar system of preventive duty, applied to the trade in question in its present state, is the result of long experience; and the duty is constantly executed by the officers on one line of coast, and through one channel only. Should part of the present trade flow into new channels, officers, inexperienced in the system alluded to, would have to perform the preventive duty; and although time and experience might perfect the execution of the duty under new circumstances and in new hands, yet we cannot but think, that in proportion to the extent of coast with which the trade may be brought in contact, and the number of channels through which it may flow, the danger of smuggling will be increased.

2d.—The dearness and scarcity of any article, are inducements with the consumers to procure such article clandestinely. An increased trade, extended to the out ports, would create a competition amongst the merchants, would distribute the goods generally

generally throughout the country, and sink great part of the present expenses of carriage from London, so as in a great degree to remove the existing temptations to the smuggler of dearness and scarcity; and hence we conclude, that an increase of trade, as proposed in this question, would not afford the prospect of an increase of smuggling beyond the proportion of such increase of trade. Returns from principal Officers at various Out ports.

3.—We do not consider ourselves fully competent to answer this question; but we beg leave to suggest, that if manifests or other documents duly authenticated by proper officers in the East Indies, were to accompany the vessels, it would prove as effectual a check in this as in any other trade; the principal smuggling of East India goods is not, we presume, from the general cargo, but by persons who are allowed to have private ventures, also by passengers or persons belonging to the respective ships, whose baggage might be subjected to strict examination at the place of lading, and an account thereof added to the manifests.

4.—It is reasonable to think that there are more opportunities of running goods, particularly in the night, when the vessels are always waterborne, than where there are no wet docks, but we have not experienced any proof of it having prevailed at this port since it has been floated (now about three years) if we may judge from the comparative amount of seizures made before and since that period; and we cannot suggest any special security against smuggling in similar situations, except that of an additional increase of the waterguard.

5.—We are of opinion, that smuggling in some degree is carried on by American vessels, in various small articles of East India produce; but it is so artfully conducted, as hitherto to escape the vigilance of the officers at this port.

6.—Upon the return of peace, we consider the smuggling of East India and China goods might be attempted considerably in American vessels at the out ports, if the import were confined to one part of England as at present; but this would probably not be so great if the trade were more extensive, for the reason suggested in the second answer.

LIVERPOOL.

Honourable Sirs,

(Liverpool) Having attentively considered the six queries respecting the trade to India, transmitted to us by your Honours' directions of the 26th ultimo, we respectfully report, That supposing the amount of trade, and the number of ships from the East Indies, &c. to be the same, we have no reason to believe that the danger of smuggling would be increased if this trade should be distributed between the ports of London and the out ports, so far as regards this port; and this opinion is founded on the circumstance of this district, and for a considerable extent of coast to the northward and southward thereof, not affording any creeks or bays which offer facilities for regular or systematic smuggling, as was observed in our report, transmitted with our letter of the 31st of August last, No. 733.

2.—That supposing the extension of the trade to the out ports should lead to a general increase of the trade, or to an addition to the number of ships, we have no reason to think that such increase of ships or trade, would afford the prospect of an increase of smuggling beyond the proportion of such increase of trade.

3.—We are not competent to give any information or opinion on the question whether any or what regulations might be adopted with a view to the examination of ships at St. Helena, or in any other of His Majesty's foreign possessions which would be likely materially to check the practice of smuggling, where the trade should arrive in the ports of this kingdom.

4.—Ports having wet docks surrounded with walls are certainly the more secure. In this port there are at present five wet docks, and by the Act of the 51st of the King for the improvement of this port, power is given to make two additional wet docks here, and to inclose the quays round some of the aforesaid docks or some parts of such quays with walls, and in the event of the East India trade being extended to this port, we would submit, until the walls should be built, as is proposed, that the hatch-ways and other places leading to the hold or place of stowage in such ships should be surely battered, fastened and locked down on the ship's arrival, as is now directed by law with respect to vessels importing tobacco; and after the intended

walls

Returns from principal Officers at various Out ports.

walls should be built, that all vessels in the East India trade should be obliged to go into those docks which have that additional security, and not to be allowed to go into any of the other docks; and with these precautions, we are humbly of opinion, the trade of India might be carried on as securely here as any other trade.

5.—We have not any reason to believe that there has been any considerable amount of smuggling in East India and China goods into this port, in American ships or through America.

Several quantities of tea and other trifling articles have been sometimes brought by the seamen belonging to these ships, but to a very small amount.

6.—We do not suspect, upon the return of peace, that there would be more danger of smuggling East India and China goods in British ships, from the East Indies, than in American ships or through the Americans.

We are,
Honourable Sirs,
Your most faithful and obedient servants,

Custom House, Liverpool,
5th December, 1812.

(Signed) *I. T. Swainson*, Collector.
E. Rigby, Comptroller.

HULL.

Honourable Sirs, Custom House, 5th Dec. 1812.

(Hull.) We beg to transmit to your Honourable Board, the answers to the questions transmitted to us by Mr. Secretary Richmond, the 26th ultimo, on the subject of the trade with India, to which we humbly refer.

We are, &c.
Charles Lutwidge, Collector,
C. Rae, Comptroller.

1st.—We apprehend that the river Thames affords greater facilities for smuggling than the river Humber; very few boats move upon the Humber, and their object is always known, or can easily be discovered; there are very few landing places, even at high water, and little probability of those connections being formed between persons on board ships and ashore for fraudulent purposes, which we understand exists on the river Thames.

2d.—If there should be any smuggling, we do not apprehend that it would increase in proportion to the increase of trade.

3d.—We do not see how any such regulation would be practicable; but if every British ship or vessel arriving at St. Helena, or such other place she may touch at in her voyage to the United Kingdom, was compelled to deliver to the proper officer there a manifest of the cargo, &c. on board (under penalties, &c.) and that manifest signed and sealed, or transmitted inclosed to the Board of Customs in either England, Scotland, or Ireland, it might tend to prevent smuggling.

4th.—Certainly, when lighted and watched, as is the case at Hull; and we have the authority of the dock company to say, that they will increase the system of watch to any extent that may be requisite, and get the watchmen constituted constables, to give them an increase of power; and surround the docks with walls, if required, or afford any other species of security and accommodation.

5th.—None in this port.

6th.—In general, we apprehend smuggling to be more easy in peace than in war; but less danger from British ships than from Americans; some regulations may be adopted with respect to British ships, which could not be extended to foreign vessels.

FALMOUTH.

Honourable Sirs, 11 Dec. 1812.

(Falmouth) In obedience to the Minute of the 26th ult. on Mr. Harrison's letters of 20th, we beg to report, that we have maturely considered the former Questions proposed by the letter of the 28th July last, with the Answers given by us on the occasion, without being able to make any further observations on the subject, than merely in replying to the additional Questions now proposed.

Question

Question 1.—We believe the greatest danger of smuggling arises from confining importations of East India goods to the port of London exclusively, for two reasons. —1st, The necessity of every vessel arriving passing through the whole Channel to reach that port; and, 2dly, on arrival in the River, from the want of proper attention to its prevention, with the increased inducements from various circumstances, there exists more smuggling in the River, than in all the out ports in the kingdom. How far the extension of the East India trade to the out ports generally, may answer the purpose, we know not; but we are firmly of opinion, that if all East India goods were deposited in a well adapted situation, as soon as the vessels arrive in the Channel, incalculable advantages to the revenue must be the result.

Returns from principal Officers at various Out Ports.

2.—Every increase of shipping and trade must augment the danger of smuggling in the same proportion, but we see no reason to believe, that the extension in question would lead to the calamity; on the contrary, the mischief would, in our opinion, decrease with the less proportion of arrivals in the River.

3.—We know of no regulations of St. Helena that could be of any effect, the security by manifest taking place at the moment of shipment. We cannot but reprobate the admission of what is termed private trade, as a principal productive of considerable mischief, sanctioned by Government, while the merchants consent to grant undefined wages.

4th.—Wet docks surrounded by walls are supposed, we believe justly, to be the safest, but the mischief is unfortunately incurred before the vessel reaches the dock.

5th.—The Americans, like other neutral nations, have undoubtedly smuggled Indian goods, through their respective countries, into this, whilst a large surplus of Indian commodities remain on hand, from our own restrictions. By a wise and well regulated policy, exerting the energies of the country, and establishing depôts on the bonding system, we conceive the Americans, as well as other nations, would be obliged to supply themselves through this country.

6th.—There can be no doubt, while advantages are held out and facilities permitted, by mistaken regulations, the energies of both countries will be exerted, but their success must depend on the propriety of our measures to prevent the evil.

We are, &c. &c.

W. Pellew, Coll^r.
J. Latter, Compt^r.

PENZANCE.

Custom-House, Penzance, 12 December 1812.

Honourable Sirs,

In obedience to your Honours, signified to us by Mr. Richmond, in his letter of the 26th ultimo, we beg leave to transmit your Honourable Board the questions contained in Mr. Richmond's said letter, with our observations thereon, which are humbly submitted. (Penzance.)

No. 1.—We do not consider that the danger of smuggling would be increased by an additional number of ships being employed in the East India trade in a greater degree, by extending the trade to the out ports, than confining it to the port of London.

No. 2.—On extending the trade to the out ports, and an increase of trade should take place, we do not think it would tend to an increase of smuggling.

No. 3.—We conceive that regular manifests being produced on their arrivals in this kingdom, and the commander subject to a penalty, might be sufficient to prevent smuggling into the United Kingdom.

No. 4.—We conceive that the security against smuggling in ports having wet docks, and not surrounded with walls, applies to the ports without wet docks.

No. 5.—We have no reason to believe that there has been any considerable amount of smuggling in East India and China goods in American ships, or through America.

Returns from principal Officers at various Out Ports.

No. 6.—On the return of peace, we do not think that there would be more danger of smuggling East India and China goods in British ships from the East Indies, than in American ships, or through the Americans.

(Signed.) *A. Hampton*, Act^{s} Coll^{r}.
Jos^{h} Nichols, Compt^{r}.

MILFORD.

Honourable Sirs, Custom House, Milford, 9 Dec. 1812.

(Milford.) IN answer to the questions which we are commanded to consider and report upon by Mr. Secretary Richmond's letter of 20th ult. we shall briefly give our opinion; which, however, must be considered as submitted with diffidence, as it is not founded upon any data derived from experience.

No. 1.—We do not think the danger would be much increased; we apprehend that the facilities to smuggle, and the efforts of success of people in so doing, much greater on the river Thames than in any other part of the United Kingdom.

No. 2.—For the reasons given above, we do not think it would.

No. 3.—We do not think any project for the examination of ships at St. Helena could be effectually carried into execution, and we are not aware of any better mode than a strict enforcement of the provisions of the Manifest and Navigation Acts, and a legal provision restricting the import of East India produce from settlements to the eastward of the Cape of Good Hope, in vessels loading at those ports only.

No. 4.—Such situations unquestionably afford an increased means of removing goods, whilst it diminishes the risque of detection; but we should hope that perfect security might be afforded the revenue by locking the hatches immediately upon the arrival, and the attendance of proper officers by the authority of legislative provision.

No. 5.—The fitting out of ships from the Continent appears to have been notorious for these purposes, but with respect to American ships or America, we are not acquainted with facts of the nature alluded to.

No. 6.—It is not probable that the smuggling on the Continent will be revived; with respect to America, we have no means of judging.

We are Honourable Sirs,

Your obedient humble servants,

(Signed.) *H. Leach.*
A. Stokes.

20.

Martis, 4° die Maij, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Thomas Sydenham, Esq. - - - p. 319.
John Woolmore, Esq. - - - p. 323.

(No. 9.)

Of Evidence before Select Committee.

Ordered, by The House of Commons, to be printed,
5 May 1813.

21.

MINUTES of EVIDENCE

TAKEN BEFORE THE SELECT COMMITTEE,

Appointed for the purpose of taking the Examination of such Witnesses, as shall be ordered by The House to attend the Committee of the Whole House, on the Affairs of The *East India* Company; and to report the MINUTES of such Examination, from time to time.

(No. 10.)

Mercurij, 5° die Maii, 1813.

The Right Hon. JOHN SULLIVAN, in The Chair.

THOMAS SYDENHAM, Esquire,

Was again called in, and further Examined by the Committee as follows:

Thomas Sydenham, Esq.

MAY it or not be naturally expected from the ingenuity of the natives of India, and their application to every thing by which they may make a profit, that they will arrive at such a knowledge and perfection in those handicrafts which are there practised, as to make all those articles on their own account, and by underselling the British artificers, whose mode of living is so much more expensive, and who having come to India to make their fortunes, will not sell those articles at so small a profit, drive them out of the country?—I think it would be at least a considerable period before the natives can set up manufactures or handicraft that will rival or become superior to those established and carried on by Europeans; but it is certainly probable, that in the course of time, the natives will arrive at such perfection in many of those trades, as not to render it worth the while of European workmen to remain in India; certainly not as a source of wealth to be carried back to England, but probably as sufficient to induce them to remain altogether in India, for the purpose of carrying on their trade in India, rather than in England.

Having informed the Committee that the workmen of the country are so apt, and so ingenious, and that there are some natives that have capital, will not those natives who look after profit, set up those trades which have been learnt by the other artificers, and probably execute that purpose in a short time, and materially diminish and ultimately put an end to the import of most of the articles from England, of which the materials are found there?—I believe that it will be a considerable period before any native workmen can be made equal to the European workmen; in many cases, it is found cheaper to employ an European workman, although his wages are considerably greater, than those of a native, partly on account of his possessing his trade better, and partly because the robustness of their frame enables them to go through a great deal more work than can be expected from any native;

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I also think, that in cases where an European and a native have sufficient capital to employ in any of those trades, that the European from his superior science, ingenuity, and industry, will generally get the better of the native; there are some trades, particularly those in steel and in iron, which I believe, in consequence of the climate, can never in India reach that degree of perfection which they have reached in this country; such I know to be the opinion of the officers of artillery employed in the ordnance department; and the same as to the coachmakers at Madras and Calcutta.

You make that distinction, that those handicraft trades that require great strength of muscle, such as working in forges, may not be carried to that perfection in India by native workmen, but all others that do not require that robust frame, and that require only ingenuity, application and sobriety, which it is understood you have attributed to the natives superior to the British, may it not be expected, in consequence of that, that the importation of such articles may materially decrease?—Although I am willing to allow, that the natives of India are superior to the Europeans in sobriety, I do not recollect to have stated that they were superior in industry and ingenuity; it must also be recollected, that although the natives of India are ingenious in imitating any thing that is placed before them, they are generally incapable of making those improvements in the several branches of handicraft trade that appears to be always in a progressive state of improvement in England; some improvements may originate in India from the European trades-people; and such as have taken place in the mother country, will be immediately followed by European artizans in India, of course, those improvements will gradually and slowly find their way among the natives; but as they will commence among the Europeans in India, this cause appears to me sufficient to secure to the European artizans in India, uniform superiority over the natives employed in similar trades.

Must not those natives who are employed under those British artizans learn all those improvements, whatever they may be, that are exercised by those British artizans, those now in use, and those that may hereafter be brought from Europe?—As long as the natives continue to be employed by the Europeans, they will certainly adopt the improvements that may be made in any of the trades; but the question which has been put to me, rather refers to natives setting up establishments of this kind with their own capital, and not employed as journeymen by European masters.

The question refers to those natives who have learned the improvements at present in use in India, and who will naturally learn whatever other improvements are introduced. Will not natives who have capital employ other natives who have learnt all those improvements, and will they not be able to make all those articles so much cheaper as to undersell the English?—I believe that in almost all cases, the native workmen would prefer being employed by European masters than by natives, partly because they will be more regularly paid, and partly because they would have the means of learning their trade sooner and better than under native masters.

Are you sufficiently acquainted with the materials produced in Hindostan, to know whether nearly all those produced in Europe may not be produced there, except British wool?—I have already stated, that I do not think any of the manufactures in steel and iron, with the exception of swords made in a particular part of India, can be brought to that degree of perfection which now exists in England; and I am not acquainted with many other articles of manufacture in which any rivalry could take place, except in such articles as carriages, and in the tannery line, that are consumed principally by the European inhabitants in India.

You have mentioned, that in the houses of the higher Mussulmen, many articles of European manufacture were to be seen; do you know whether those articles were wholly purchased by them, or whether they were presents on the part of the British?—I believe that the greater part of the articles of European manufacture to be seen in the houses of the higher classes of the Mussulmen at Hyderábad, were purchased, and not presents.

The comelies being so cheap, and having been represented to be in many respects more useful, is it probable that British red cloth can come into general use among the mass of the natives?—I believe, as far as I am acquainted with the subject, that it would be difficult, if not impossible to introduce into India any species of woollens, either

either red cloth, or cloth of any other colour, which would be cheaper, and more useful than the comely. *Thomas Sydenham, Esq.*

Have not Europeans, in point of fact, penetrated clandestinely into the interior of India?—I believe that many individual Europeans have succeeded in penetrating clandestinely into different parts of the interior of India.

Is it not your opinion, that going one or two together they might penetrate, when, if they attempted to go in bodies there would be a moral certainty of their being stopped?—One European endeavouring to penetrate into the interior of the country, is liable to detection; and, of course, it would be almost impossible for any body of Europeans to travel through the country without immediate detection.

Is it not probable, that in case a desperate, or turbulent, or intriguing European might have a strong interest to get into the interior, he might succeed, notwithstanding any restrictions that might be devised in those parts of the country which are under British influence?—I certainly conceive, that any one European, whatever be his character, who is acquainted with the language of the country, and with the roads over which he is to travel, by disguising himself and travelling in the night, could at all times pass through the country, without incurring any considerable risk of detection, even through the Company's possessions.

Supposing the foreign settlements, that is, the settlements belonging to the Dutch, Danes, and French, were restored to those several nations, are they not at present surrounded by the British territories, and, of course, is it not nearly impossible for them to penetrate into the country, if the British police do their duty?—Those settlements are certainly surrounded by provinces under the British government; and although it would be difficult for any foreigner, and particularly if he was unacquainted with the language of the country, to penetrate through the Company's provinces, I still think, a single European, acquainted with the language, and being able to avail himself of the disguises under which he may pass through the country, may escape detection.

Do you imagine or not, that Englishmen, considering Hindostan as their empire, and who may go there under parliamentary enactment, may not be more liable to commit irregularities and violences against the natives than any other foreigners, who will find so much difficulty in going into the interior, and being permitted to remain there?—I have always observed, that Englishmen are more apt than those of any other nation to commit violences in foreign countries; and this I believe to be the case in India, as in every other country foreign to England; it is also probable, that the foreigners, living, as it were, under sufferance in India, would be less liable to insult the natives than an Englishman, considering India as part of the British empire.

Do you consider that, practically speaking, if British subjects go to India under a parliamentary enactment, it may not be necessary, considering the odium that attends the magistrates, and even the supreme government of India, sending British subjects or Europeans out of the country, also to make a parliamentary enactment in order to strengthen the hands of Government there, that any irregularities or violences committed by them against the natives should be ipso facto followed by a removal from the country, subject to that being remitted by the governor general?—I think that, in every case, it would be absolutely necessary to invest the local government of India with the power of removing from India any British subjects who may be guilty of violence and improper conduct.

Has not the supreme government in India that power at this moment?—I believe it has.

You mentioned in the course of your examination yesterday, two instances, and the only two within your knowledge, of merchants, or rather shopkeepers, proceeding to Hyderabad in pursuance of a plan and object which the government in India seemed to have in view, for the extension of the sale of European manufactures, do you know whether the merchants who reside in India, chiefly at the presidencies, commonly resort to the interior for the purposes of their trade, when not sanctioned or encouraged by any particular object on the part of government?—I believe that it is the general custom of all houses of agency, and other traders at the different presidencies in India, to employ native agents in conducting their commercial transactions in the interior of the country, the method usually pursued being to have a

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confidential native agent belonging to the house, who is generally entrusted with the selection of other native and subordinate agents in carrying on all their commercial transactions in the interior of the country.

Is it not found by experience, that this branch of the trade of India is generally carried on better and cheaper by native agency?—I believe that the mode above described has been universally found to be at once cheaper and more efficient than the employment of European agents for similar purposes.

Under these circumstances, do you conceive that any new traders repairing to India, under the proposed opening of the trade, could have any particular motives for going in any numbers into the interior, seeing that the interest of such traders and merchants almost constantly confine them to the presidencies and principal sea-ports?—I should conceive that all new traders going to India, who understood their own interests, and were willing to be instructed by the experience of those already established in trade in India, would prefer the employment of native agents in the interior, to European, and that therefore it would not be very probable that the establishment of any number of houses of business at the presidencies and the principal sea-ports, would lead to the employment of European agents in the interior of the country.

You are understood to have stated in a former part of your examination, that the Americans who repair to India for the purposes of trade, have not settled to your knowledge, either at the presidencies in India, or have penetrated into the interior, but have appeared merely as port traders; this being the ordinary course of carrying on the trade on the part of the Americans, may it not be expected from the intelligence of British merchants, that they would observe a similar course of proceeding?—In answering the question which has been alluded to, I stated to the committee, that I knew nothing respecting the American merchants and traders from my own personal observation; but from never having seen any Americans settled at the presidencies, or having met them in the interior of the country, I believe they are known in India merely as port traders; and I should conceive, that as there would be no necessity for British merchants to deviate from a system which has hitherto been found adequate to all the purposes of commercial intercourse with the interior of India, they would probably follow the example of the Americans, and not employ European agents in the interior of the country.

Have the goodness to state to the Committee, from your knowledge of India, generally and particularly of the climate, whether you think Europeans could travel into the interior of the country, without exceedingly great inconvenience and risk, unless they had a suitable conveyance, and accommodation for the purpose, such as a horse, palanquin, tent, &c.?—I think Europeans of the lower classes might travel through the interior of the country without much inconvenience, although they were not supplied with any of the accommodations above mentioned; but in some parts of the country, they would of course be exposed to considerable personal risk; on the other hand, persons in a higher sphere of life, such as for instance the gentlemen whom I have generally seen employed in houses of agency, could certainly not travel through the interior of the country without means of conveyance, and tents, to secure them against the effects of the climate.

Would not an European attempting to penetrate clandestinely into the country, on foot, incur great risks to his health as well as to his person from the nature of that climate, and the total want of accommodation upon the road?—I think it probable, that in a climate such as that of India, any European, travelling through the country without adequate means of accommodation, might expose his health, besides his person; but this would be more particularly the case in certain seasons of the year, and through certain parts of the country.

If such European carried money or goods with him to pay his expenses on the road, would he not be liable to be robbed and even murdered by the Pindanies and other numerous plunderers in the Maharatta and Nizam's country?—In some parts of the Deccan, particularly in those provinces that are infested by the Pindanies, Naichs, Bheels and other freebooters, any European travelling with money and goods, without being escorted by a guard, would run considerable risk of being plundered of his goods and perhaps of being murdered; but the danger would not be so great in those parts of the country that are cultivated, and where the governor exercises supreme authority.

Did

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Did you hear, during your residence in India, of various attempts made by European deserters to penetrate into the interior, and of their being generally, if not always intercepted?—While I was resident at Hyderabad, there were not many cases of desertion occurred; but, almost in every instance, the deserters effected their escape to some distance from the capital, and established themselves in the service of some one or other of the Jaghirdars in the Deccan; it however generally happened, that I obtained a knowledge of their route and place of concealment, and, by an application through the Nizam to the Jaghirdars, succeeded in recovering the deserters; in one or two instances it was not in my power to detect them, and in one case, it became necessary to threaten a Jaghirdar by the employment of a military force, before I could obtain his release.

The cases alluded to in the preceding answer, it is presumed have reference to desertions from the force at Hyderabad, do you know of any similar attempts having been made by European deserters to penetrate into the interior from either of the presidencies or military stations on the coast?—I really cannot recal to my recollection any cases of a similar description of which I could state the particulars to the Committee, excepting the case of a French officer who broke his parole and escaped from Pondicherry, and had established himself either in the Nizam's or the Mahratta country, before the government could prevail upon the prince to deliver him up to the resident at the court; I am not quite clear whether at Hyderabad or Poonah: Another case occurred at Poonah, where two or three French officers had made their way to the city of Poonah, and remained concealed there for some time before the resident became acquainted with the fact of their being there; and it was not till after a vexatious negociation of two or three weeks, that the Peishwah or his minister could be prevailed upon to deliver them up; it has also occurred to my predecessor at Hyderabad and to myself, to find Europeans in different parts of the Deccan who had deserted many years before, and who either were detected or delivered themselves up, in the hope of their crime being pardoned.

Can you state in what year the two occurrences referred to in your preceding answer, or either of them, occurred?—The first instance occurred, I believe, in the year 1798, the second about the year 1802; but I cannot recal to my recollection the dates at which the desertions alluded to in the third case took place, probably from ten to fifteen years ago.

Were those Europeans delivered up to the British government in pursuance of the treaty now in force, which prohibits the employment of Europeans in the services of the Nizam and the Peishwah, without the permission of the British government?—The French officer, alluded to in the first case, was delivered up before the conclusion of the treaty containing that stipulation; the French officers at Poonah were delivered up in consequence of the resident's insisting on the Peishwah's fulfilment of that particular stipulation in his last treaty; in the other instances, it was not necessary to appeal to the Nizam's government, as the deserters alluded to were either detected by parties of the Company's troops, or voluntarily delivered themselves up.

Did you hear, during your residence in India, of the escapes of French prisoners from Bombay, and of their having attempted unsuccessfully to penetrate into the Mahratta country?—The only case of that description of which I heard, was one that took place during the peace of Amiens; and though I have no distinct recollection of the circumstances, I believe that some French officers or soldiers did attempt to penetrate from the sea coast into the interior of the Mahratta country, and were intercepted, as far as my recollection serves me, on the frontier between the Concan and the Ballagwit Mahratta territory.

Are you acquainted with an attempt made during the course of this war by the French, to land adventurers on the coast of the Concan from a small vessel called the Passe par Tout, and of those adventurers having been given up on the strong remonstrances of the late resident at Poonah, and surrendered to the British government agreeably to treaty?—I confess I do not recollect the circumstances which are alluded to in the question that is put.

Could any Europeans, in the present state and circumstances of the Deccan, perform any active duties in the service of a Jaghirdar, without a knowledge of a vigilant resident at the court of the Nizam?—I think that it would be very possible for one or more Europeans to be employed by a Jaghirdar, in the training and disciplining of his

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troops for some time, without the intelligence of such a circumstance reaching a resident, however vigilant, particularly if the government of the Nizam were disposed to encourage their concealment.

Considering that the Europeans left from Monsieur Raymont's corps in the Nizam's service, as referred to in a former part of your examination, may have formed connections more or less intimate during their residence in that country, do not you consider their case to be very different from an attempt now made on the part of strangers to penetrate into the interior in search of employment?—I certainly consider the cases to be very different; I only mentioned the fact alluded to in the question, to show the possibility of Europeans living in the Nizam's dominions, and being employed in his service without the knowledge of the resident at his Highness's court.

Did those Europeans alluded to do any particular mischief to the public interest, in the service in which they were employed, previous to detection by you?—I cannot say that they did any particular mischief of such a nature as to attract my attention; but they naturally persevered in retaining the forms and usages of the French service, in employing the French words of command, and probably in keeping up amongst the natives under their command, their attachment to that nation, by the officers of which they had been raised and commanded; this was proved by the resolute determination, on the part of the men, to resist the introduction of the English system of exercise and words of command; and if, before the reform which afterwards took place, it had been possible to have excited any considerable disturbance in the country, or that the country had been invaded by any other prince, or that hopes had been held out of any co-operation from the French power, I conceive that in either of those cases, considerable mischief might have resulted from the continuance in the Nizam's service of the foreigners whom I have mentioned; there were many persons amongst those officers, some of good character, and others perfectly inoffensive; but I had them all removed both from the Nizam's service, and the territories, upon a general principle.

Was not the corps alluded to in the preceding questions, and to which those officers belonged, generally, if not entirely, officered by French and other foreign officers?—Previously to the treaty of offensive and defensive alliance between the Nizam and the Company in the year 1798, these corps were almost entirely officered by French and other foreign officers; I believe there were one or two Englishmen amongst those officers.

Did those officers find their way into the Nizam's service previously to the treaty by which his highness is restricted from the employment of European officers, and also previously to the present regulations in force in India, which prevent Europeans from travelling through the country without a regular passport?—I believe that the greater number of those officers had been with the corps alluded to during the period that Monsieur Raymond and Monsieur Feron commanded; and I do not recollect more than two or three instances where the officers had joined, since the destruction of Raymont's corps, and those instances, if I recollect right, were half-cast men from Pondicherry.

Through what channels do you suppose those foreigners found their way to India, and into the service of the Nizam?—I believe that most of them came from Pondicherry direct to Hyderabad, on being sent for by Monsieur Raymont; or going to Hyderabad in search of employment; some of them came from the employment of Scindiah Holkar, and other Mahratta chieftains.

Has it come to your knowledge whether any serious disturbances ever occurred in the interior of the country, from the introduction of those foreign Europeans into the service of the Nizam?—I never heard of any serious disturbances having occurred within the territories of the Nizam, from the introduction or employment of the officers in question; the fact was, that Monsieur Raymont is a man of considerable talents, who held a very high command, was supported in his authority by the Nizam's government, had large estates conferred upon him for the support of the troops under his command, and both over the military force and the districts belonging to him, exercised an absolute and almost independent power.

If the settlements and factories in India, heretofore held by the French, Dutch, and Danes, should again be restored to those powers, would the same facilities for introducing

introducing foreign Europeans from those settlements into the interior of India, again present themselves?—If the settlements belonging to the French, Dutch, and Danes, were restored to those powers, I do not conceive that the same facilities would take place in the introduction of foreigners from those settlements into the interior of the country, partly because the authority of the Company's government over their own possessions has been considerably increased, and because, in consequence of the late treaties of alliance between the Company and the native states, the residents at the courts of the native princes are enabled to exercise much more vigilant and efficient control than they were formerly enabled to do. *Thomas Sydenham, Esq.*

If British subjects were to find their way into the country, do you think that there is any greater reason to apprehend disorderly conduct from them than from any other Europeans or Americans?—I do not believe that the Americans have found their way into the interior of the country; with respect to other foreigners, they have generally penetrated into the interior of the country for the purpose of being employed in the service of some one or other of the native princes of India, and as they are there under a strict military discipline, no disturbance is likely to take place; but the case would be different, if foreign or British adventurers were to range over the country without any particular object, or being employed in any regular corps in the service of any of the native princes.

Did the British officers of the subsidiary forces at Hyderabad or Jolna, conduct themselves to your knowledge, in an unruly or unbecoming manner towards the natives of those countries?—I do not recollect any instances of the British officers belonging to the subsidiary force, either at Hyderabad or Jolna, conducting themselves in a violent or unruly manner towards the natives of the country; of course, some slight disputes and quarrels have taken place during the course of my residence at Hyderabad, which are of too trifling a nature to intrude upon the notice of the Committee.

When excesses of the description alluded to do occur, are they not commonly the acts of hot-headed or violent young men?—Almost always; I have scarcely known any officer, who has resided a few years in India, and become even slightly acquainted with the language and habits of the natives, who has shown any disposition to conduct himself in a violent or unbecoming manner towards the natives.

Do you think that a sober calculating merchant, is as likely to commit excesses of this description as a person who has not the same motives of private interest, and calmer habits to restrain him?—I do not conceive that a sober calculating merchant engaged in business, whose interest it must evidently be to conciliate the natives, would be likely to violate or infringe their religious habits and prejudices; but it must be considered that the officers in the army, although perhaps more inclined to excesses than merchants, are frequently restrained from them by the discipline in which they are kept, and by the fear of penalties and punishments to which they would be subject for the slightest misconduct.

In your extensive intercourse with the natives of India, has it come to your knowledge that such natives make a wide distinction in their own minds, between the mercantile part of the European community in India, and the young and wilder servants of the King and Company who occasionally get among them; and that such natives can as correctly as any people on earth, discern the particular motives or principles of conduct by which those two distinct classes of Europeans are actuated in their general demeanour?—I think that, in general, the natives of India, especially the Mussulmen, have naturally a higher respect for military men than for persons employed in trade, not from a comparison between the individual characters of officers and traders, but because in India every gentleman is supposed to be a soldier; at the same time, I believe that there are no description of persons who are more acute in distinguishing the motives and conduct of individuals, than the generality of the natives of India.

Are you of opinion that the conduct of the higher classes of Europeans in India, including the mercantile part, is, generally speaking, marked by a peculiar degree of forbearance, consideration, and respect to the manners and habits of the natives; and do you, or do you not think that any casual act of violence by a wild young man, would detract from their general good opinion of the British, which this conduct has established, or affect in their estimation, any but the persons committing the violence,

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or shake their confidence in the higher and more soberly disposed part of our countrymen?—From my experience, I believe, that the higher classes of Europeans in India, and indeed all classes who have resided some time in that country, are distinguished by great mildness, forbearance, and liberality towards the natives of India; I do not believe that one or two casual instances of excess on the part of the young men would shake the confidence which is placed, by the generality of the inhabitants, in the character and disposition of the higher classes of European inhabitants; at the same time, a repetition of such instances, if not properly checked and punished, might gradually lessen the respect, esteem, and attachment, which the natives bear towards the body of Europeans residing in India.

In a former part of your examination you were understood to have stated, that some of the richer and higher classes of Mussulmen, at Hyderabad, did use European commodities, both in their dress and the furniture of their houses, have you reason to suppose that other Mussulmen would not follow the example of those their superiors, if they had the means of doing so?—Some of the higher and wealthier Mussulmen, at the court of Hyderabad, do certainly use some articles of European manufacture in their dress and in the furniture of their houses, but this has occurred principally amongst the ministers of the Nizam, who, from their frequent intercourse with the resident, are perhaps disposed, chiefly from motives of compliment, to fit up their houses more in the European stile than other persons who have not the same motives; but during the period of my residence at Hyderabad, I did not perceive that the fashion of fitting up houses in the European stile at all increased, and I do not conceive that it would extend even in the capital, amongst those Mussulmen who are not in continual communication with the resident at the court; I conceive, that one of the principal causes why a few of the subordinate ministers, at Hyderabad, followed some of our customs was, in consequence of the example given to them by Meer Ali, a Persian by birth, a man very much above the common prejudices of his countrymen, who had adopted quite a European mode of thinking, and despised the habits and customs of the Mussulmen in India.

Can you recollect what the European articles were that were so used by those higher Mussulmen?—They consisted chiefly of services of glass-ware, china, lustres, chintz coverings for sofas, chintz curtains, and a few articles of plate according to European fashion.

Are not iron, copper, steel and other metals, consumed by natives of all casts in India, in a great variety of articles of common use and necessity?—They are.

Would not those articles be used in greater quantities, if greater wealth was more generally diffused among the natives of that country?—It appeared to me that the natives of India were not in want of any of those articles; they had no difficulty in supplying themselves with whatever they might require for domestic or other purposes, and therefore, I do not see how the increase of their wealth would lead to the employment of more articles of a similar description, conceiving that those articles are not so much articles of luxury, on which wealth is generally expended, as articles of common and immediate use.

Would not a considerable improvement in the circumstances and wealth of the inhabitants of India, occasion more and better buildings, for example, to be erected, and a greater degree of internal commerce and manufacture, into which those articles must necessarily enter?—I conceive that the improvement of the circumstances of the inhabitants of India, would probably lead to the building of larger and more commodious houses than they occupy at present, not of a different fashion, but larger and more extensive, according to their own mode of building; and the same cause would no doubt lead to more activity of internal commerce, than exists at present; I do not state this as applied merely to India, but as the natural result of the same cause in all parts of the world.

Be pleased to state how Monsieur Raymont's corps in the Nizam's service was dressed?—I was not at Hyderabad before the dismissal of Raymont's corps; but I believe they were dressed in white cotton cloth, manufactured chiefly in the districts appropriated to Monsieur Raymont, for the support of that corps.

Had they any woollen cloth dresses?—I believe not.

The corps was dismissed before you went to that part of the country?—It was.

Previous

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Previous to this corps being dismissed, do you know, or have you heard, whether there were any of the Nizam's army or personal attendants about his palace clothed in woollen dresses?—I really do not know; but since I have been at Hyderabad, almost all the corps, both in the service of the Nizam and of his principal chieftains, are dressed in woollen cloth.

Can you state how the Mahratta armies were dressed previously to the last Mahratta war?—I really have no knowledge upon that subject.

Did you, during your residence in India, ever dress your own personal servants in woollen dresses?—While I was resident at Hyderabad, my servants, during the cold weather, were dressed in a livery of scarlet cloth, and in the hot weather in cotton cloth or muslin.

What do you call those dresses?—They are called astiens.

Do you think that your servants would have preferred those dresses or astiens, if they had been made of comelies instead of cloth?—I really suppose that they would have preferred the broad scarlet cloth of England, to the coarse grey comely of India.

Are not shawls of foreign manufacture, in respect of India, particularly the Deccan?—They are certainly of foreign manufacture, with respect to the central and southern parts of India.

Are not some of the silks worn in India also of foreign manufacture?—Some of the silks worn in India are certainly of foreign manufacture, such as those which come from China and from Persia.

Do the natives of India work in steel, or at all events, but very indifferently?—All their manufactures in steel which I have seen, appeared to me to be very imperfect, excepting the swords, which are made in the Deccan, and in the north part of India, and which, I believe, in temper and other property, are equal to the best swords made in any part of the world.

Are not various steel articles in use among the natives, besides swords, and are not those imported?—The only articles of steel in use in India, besides swords, which occur to me at present, are knives and scissars, which are generally imported from England, being very superior to those manufactured in India.

You are understood to have said, in a former part of your examination, that there were shops for the sale of those and other foreign articles all through the Deccan, may the Committee conclude from this, and your answers to the questions just proposed, that it is your opinion that the natives of India have no prejudice against an imported article, provided it suits their taste, and is within their means of purchase?—I do not believe that the natives of India have any prejudice to an imported article, which suits their taste, and is adapted to useful purposes.

Is not the tochin conna of the Nizam, mentioned by you in a former part of your examination, considered and exhibited as one of the curiosities of his highness's palace?—Those magazines which, for want of another expression, I called the tochin conna, are certainly never exhibited to strangers; it was only by a particular request that I was permitted by the Nizam to see them; the room which is more particularly the tochin conna, or jewel office, as containing such jewels and valuable property in use by the prince, is certainly never exhibited by the Nizam, probably from the fear of exciting the cupidity of those who go to see it.

May not strangers visiting the place from curiosity, and of known respectability, on an application being preferred to the Nizam, or the British resident, be allowed to see this tochin conna?—I do not recollect any instance having occurred; I never thought of making an application of that nature; and although the Nizam might be disposed to grant a particular request on the part of the resident, I rather believe that his highness would consider that an intrusive and unpleasant request.

Exclusive of the European articles in this tochin conna, has not the Nizam also similarly in store, great quantities of the finer manufactures of other foreign countries, such as shawls, silks, kincobs, jewellery, &c.—I do not think that the present Nizam retains in his storehouses more commodities of the descriptions alluded to in the question than are necessary for the general consumption of himself and his large family;

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family; I know that it is frequently his highness's custom to dispose of such jewels and presents, shawls, kincobs and other articles of that description as are presented from time to time by the resident or principal natives of that court; this may however be owing to the personal character of the present Nizam, whose ruling passion is avarice.

Had not Tippoo a great collection of these articles, as well European as Asiatic, at Seringapatam?—Tippoo had certainly a large collection of articles of Indian manufacture and produce, as well as European, in the different store-rooms belonging to the palace.

Are not these tochin connas considered as containing a part of the wealth of the palace?—They certainly contain part of the wealth of the palace; but I believe the jewels not in common use, those of greater variety and price, bullion and specie, are generally kept concealed within the precincts of the haraus, or in some safe part of the palace, which is known merely to the prince, and one or two confidential servants.

Are not those European articles though hoarded in a tochin conna, considered sources of considerable gratification to the persons receiving them?—I believe that when such presents are made to a native prince, especially such as are curious from their mechanism or fashion, that they afford considerable gratification to the person to whom they are presented; the degree of value placed upon them, of course, will be regulated by the disposition of the prince; in the case of the Nizam, it did not appear to me that the accumulation of European articles in his tochin conna afforded him any gratification whatsoever, either as a source of wealth or amusement.

Did not the Nizam make presents to his favourites at court from among the stores of the tochin conna?—I have already stated, that the Nizam is of a most parsimonious disposition; he sometimes made a few trifling presents to his favourites and confidential servants; but in general, his presents were confined to those which are usually conferred on persons of distinction in receiving the investiture of lands, being called to new offices, and other occasions, where even the amount and nature of the present is regulated by long established usage.

Are not the Mussulmen prone, from natural disposition, to every species of luxury and personal gratification?—The Mussulmen in general are certainly prone to every species of luxury and personal gratification.

Are you of opinion, that the opening of the trade with India must necessarily be attended with an unlicensed and unrestricted intercourse of Europeans in that country?—I conceive, that a freedom of trade, calculated to produce every advantage that can be derived from a free trade could take place between this country and India without incurring the necessity of permitting Europeans to traverse the interior of India, or allowing them to remain at the presidencies, unrestricted by the government.

In what manner do you think the interest of the private European merchants and agents already established at the different presidencies in India would be affected by the proposed opening of the trade with this country, and the admission of an increased number of European traders at those settlements?—I should conceive, that the establishment, at the different presidencies, of a number of new houses of business, and of persons employed in trade, would be attended with injurious consequences to the houses that are now there established; as the houses that are now at the different presidencies absorb the whole of that business, which would be divided amongst a greater number, if other houses were to be established at those presidencies.

Would not the native merchants and agents, and the natives generally, be likely to be principally benefited by the opening of the trade?—I should conceive, that whatever advantage is to be derived at the different presidencies by traders, from the opening of the trade, would be derived by the native agents, rather than by the European houses of business, already established at those presidencies.

Do not you think that improvements might be made in the various articles of European manufacture sent to India, so as to render them better adapted to the taste of the natives, than those now sent out, which are more particularly intended for the use of Europeans?—I certainly think that some improvements might take place, both in the fabric and selection of articles for the Indian market, which would render them

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more suitable to the taste and uses of the natives of India than those which are now generally exported to that country.

Would there not, in your opinion, be probably a greater sale among the natives than at present, of European manufacture, if they could be supplied considerably cheaper, so as to come within the means of the poorer class of the natives of India, even though they might be inferior in quality to those sent out for the use of Europeans?—I conceive, that any considerable reduction in the price of European goods sent out to India, would naturally produce a greater degree of consumption of those articles; but I think that this increase would not be very considerable; and that it would be limited until the bulk of the community in India had adopted habits and customs more similar to the Europeans than they now possess.

What, in your opinion, is the present state and circumstances of the natives of India; is it prosperous, or otherwise?—In answering this question, it is necessary for me to make a distinction between the inhabitants living under the Company's government, and those natives living under the Mahratta and Nizam's governments, with whose situation I am more particularly acquainted: with regard to the Company's government, I believe that the following observation is strictly true, that the worst form of the Company's government is considerably better than the best form of any Asiatic government which has been established in India: the situation of the inhabitants under the Company's government, always appeared to me to be extremely prosperous, when compared with that of natives in similar situations, under any of the native governments; and I am disposed to believe, that even when compared with the situation of similar classes in any part of Europe, their situation may still be considered prosperous; I would even venture to extend this comparison to England itself, as far as my observation reaches.

Do you consider the bulk of the people in India to be poor, or otherwise?—I certainly do not consider the great mass of the inhabitants of India, particularly those under the Company's government, as being in a state of poverty; because the price of their labour, being fully sufficient to purchase for themselves and their families, is sufficient to support them.

Is not the low price of labour a proof of the poverty of the country?—I do not conceive the low price of labour can be any proof of the poverty of the country; I take the relation between the price of labour and the price of food to be the standard by which their poverty is to be measured.

To what part of India do you particularly allude, when you speak of the great prosperity of the bulk of the subjects of the Company's government?—I allude generally to those parts of the Company's dominions which I have visited, extending from Calcutta along the northern circars to the Carnatic, the Carnatic itself, and the countries ceded by the Nizam to the Company.

Do you conceive that the territories you now allude to, are better cultivated, or the inhabitants in a state of greater wealth, generally speaking, than the province of Berar?—Generally speaking, I should consider that part of the country to which I allude, to be in a higher state of cultivation than the province of Berar, though there are certainly some parts of the province of Berar which are so favoured by climate, and by the soil, as to be as highly cultivated as perhaps any part of the world, producing rice, wheat, barley, cotton, opium, sugar and silk.

Have you ever been in Mysore?—I have not been in Mysore since the period of the surrender of Seringapatam.

Have you ever heard of the present flourishing state of Mysore?—I have often heard of the present flourishing state of the country of Mysore.

Do you think that the inhabitants of that country are not to the full as well off in point of circumstances, and the country generally as well cultivated as any of the districts subject to the Madras government?—From all that I have heard of the state of Mysore I believe that that part of India is as well cultivated as any part under the immediate dominions of the Company.

Have you ever been in the province of Guzzerat, or ever heard of the flourishing state of that province?—I have never been in Guzzerat, and although I have heard

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generally of the flourishing state of the province of Guzzerat, I have no particular information upon that subject.

Have you ever heard that Guzzerat is in a state of superior agriculture, and of greater wealth than almost any other district in India, without exception?—I do not recollect to have heard that circumstance.

During your residence at Bombay, did you ever hear or did you see the province of Basseen, subject to the Mahratta government in that vicinity?—I have never seen the province of Basseen, but I have frequently heard it described by the late Sir Barry Close, and the officers employed in the mission to the court of Poonah, while they resided at Basseen with his highness the Peishwah; and from them I heard that the province was in the highest state of cultivation; and also, I think that many of the cultivators were Roman Catholic Christians.

During your residence at Bombay, did you ever see or hear any thing of the state of Salsette, under the Company's government, and adjoining the Mahratta district of Basseen?—I never saw the island of Salsette, but as far as I recollect it, I have heard it generally described as in a state of devastation, in the population especially, when compared to its flourishing state under the Portuguese government.

Can you state, for the information of the Committee, what is the average price of labour in India?—I really am not able to supply the Committee with any information upon that subject.

When labour is low in any country, and provisions as cheap as they are now in India, is it in your opinion a proof, or otherwise, of a poor, redundant, and wretched population?—I have already observed, that I do not conceive the price of labour, taken by itself, to be a proof of either the poverty or wealth of the inhabitants of any country.

When you have stated that you do not consider the Hindoos poor, because they have the means of purchasing the necessaries of life, do you or not consider them poor as to their power of purchasing British commodities and manufactures?—I believe that it seldom falls to the lot of the generality of the inhabitants of any country to be able to afford any surplus for the purchase of foreign goods, especially such as minister more to their luxury and enjoyments than to their comfort and convenience; in this respect the inhabitants of India are so far poor, that they commonly have not, after providing for their families, any money to expend in goods of European produce and manufacture.

Have you a general knowledge of Bombay?—I am not more acquainted with Bombay, than having once or twice been there in my way to Poonah; I believe the longest period of my residence was from five to six weeks.

Have you the means of forming any opinion of what proportion of Parsees that population may consist of?—No, I have not the means of forming any estimate of the proportion of the Parsees.

From any remarks on Bombay, when you were there, do you think that the manners and customs of Bombay are at all similar to those in the interior of the country?—The population of Bombay is perhaps formed of a more extensive commixture of different nations than any part of India, consisting of Hindoos, Parsees, Mussulmen, Chinese, Arabs, Armenians, Persians, and almost every class of natives of the peninsula of India, who are engaged in trade.

Is there any similarity, or can any argument be drawn from the practices and usages of Bombay, to what obtain in the interior of India?—I should certainly conceive that the population of Bombay, formed as it is of so many different nations, and placed in its insular situation, cannot be assumed as a criterion of judging of any part of the population of Hindostan.

Was not the prosperity of the inhabitants of the Bannamahl considerably increased, after these districts were ceded to the East India Company, and placed under the management of Colonel Alexander Read?—I believe that it would be difficult to find in history a more decided proof of the good effects of a just and moderate government than that which was exhibited in the Bannamahl, while it was under the superintendence of Colonel Read: I believe that in the course of five years,

years, the revenues of these districts were more than doubled, while the rents were diminished almost in an equal proportion. *Thomas Sydenham, Esq.*

Was not the prosperity of the inhabitants of the countries ceded by the Nizam to the East India Company, and placed under the management of Colonel Thomas Munro, also considerably increased?—I should be disposed to apply nearly the same observation to those countries that were ceded by the Nizam to the Company, and placed under the superintendence of Colonel Thomas Munro, as I have already made respecting the Bannamahl: when Colonel Munro received the possession of these districts, the country was in a state of anarchy and confusion, the revenue by no means productive, the inhabitants oppressed by every species of tyranny and extortion, and the country infested by bands of freebooters and robbers, which no exertion on the part of the officers of the native government could put down; in the course of four or five years, the revenues were nearly doubled, and have since continued to improve; peace and order has been completely established throughout every part of those districts, and instead of an oppressive government, they are subject to the operation of just and mild laws.

Were not the prosperity of the Bannamahl and the ceded districts the consequence, in a great measure, and explained to be such in the official reports of the collectors themselves, of reducing their rates of revenue, taken from the ryots of those districts, below the standard generally in force in the other districts subject the Company's government?—I am really not acquainted with the circumstances which have been alluded to in the question, as I have never seen any of the official reports of the collectors of those districts to the ceded governments; I only speak of their actual situation, when compared to their former situation under the government of Tippoo Sultaun and his highness the Nizam.

Have you ever perused the fifth report of the Select Committee lately published?—I have never perused any part of the fifth report of the Select Committee, with the exception of a few pages I accidentally cast my eyes over, while waiting in the witnesses room, near the House of Commons.

You having been understood, in a former part of your evidence to have said, that the investments of the commanders and officers of Indiamen were generally or often sold under prime cost, do you speak from any knowledge of your own, as to that fact, or merely from hearsay?—I believe that I stated, that after the principal articles in the investments of the captains of the Company's ships have been disposed of to the European inhabitants at the Presidencies, the remainder were put up to public auction, and bought at very reduced prices; the authority upon which I mention this, is partly from having myself attended those sales, and bought articles at very low prices, and partly also from having heard the subject frequently discussed by captains of Indiamen, and by other persons residing at the Presidencies.

Is the Committee to understand it to be your opinion, that the investments, generally speaking, have been sold at a profit or a loss, upon the whole?—I really have not any exact information upon that subject; but I should conceive, on the whole, that the captains of Indiamen sell their investments at some profit, though not of late years I believe a very considerable one; I only know of one case where the captain of an Indiaman seemed to be very happy to get 11 per cent. upon the whole of his investment; and as he considered it rather a fortunate adventure, I should suppose that in general they were sold at a profit less than that.

Supposing a discount to have been allowed upon the purchase of those investments in England, of 15 per cent. for payment in ready cash, would not the profit have been more than double what is mentioned by you; that is, supposing a discount had been allowed of 15 per cent. upon the amount of the invoice for payment in ready cash, and the goods to be sold in India at an advance of 11 per cent. upon that invoice, would not the advance and the discount form an aggregate advance of 26 per cent. upon the sum actually paid?—Certainly.

The Witness withdrew.

ROBERT MORRIS, Esquire,

Was called in, and Examined as follows:

Robert Morris, Esq.

Mr. Grant.] Have you frequently made voyages to India and China, on board the regular ships of the East India Company?—I have.

State in what capacity?—I was six voyages as surgeon, and four as purser, of the regular ships.

When was the last of those voyages made?—About eight years ago; between eight and nine.

State what parts of India you have visited?—I have visited almost all parts of India; particularly the three presidencies, Bengal, Madras, and Bombay; principally Bengal, and Madras and China.

State whether the commanders and officers, including the surgeons, on board the ships of the Company are allowed to trade on their own account, freight free, to a certain extent?—Yes, they are, to a very considerable extent.

Were you in the habit of availing yourself of that privilege?—Yes, I was.

Is it usual for the marine officers of the Company to avail themselves of that privilege?—Always.

Did the investments which you took out consist of an assortment of various articles?—Yes, of an assortment of various articles.

In assorting your investment, can you state what proportion you usually provided of such articles as you conceived to be for the consumption of the natives of India?—A very small proportion; I should suppose not one tenth.

Of what description were those articles which you provided under the conception that they would be used by the natives?—Principally glass ware, and a small quantity of hardware; a little furniture for their houses; but very little of that, for such natives as are connected with the Europeans in general.

Can you state from what causes the narrowness of the native demand for European manufactures arises?—The natives in general do not use European articles to any extent.

You have stated, that you yourself were in the habit of providing a very small quantity of articles for the native consumption; can you state whether this is generally the practice of the marine officers of the Company, trading in the way you have mentioned?—It is generally the practice.

Do you regard it as a great advantage to the officers of ships of the Company, that they save the charges of freight and commission?—I conceive it is a very great advantage; I think they could not trade at all, if they had to pay freight and other charges.

Do they not insure their investments at very moderate rates?—Upon the Company's regular ships they insure at very moderate rates.

Can you state what, upon the average, is the annual amount of the whole tonnage which the marine officers of the Company employ in the exportation of European manufactures to India?—About 4,000 tons annually, of late.

Can you state whether, during your experience in this private trade, there was a growing demand on the part of the natives for European manufactures?—I have not experienced any growing demand, or very trifling, since I have known the service, which is thirty years.

In your judgment, have the marine officers of the Company used every exertion to promote, as far as in them lay, the consumption of European manufactures by the natives of India?—I conceive they have, as it was their interest to do so.

Since your retirement from the marine service of the Company, have you had any experience in the private export trade to India?—I have been almost constantly engaged in the private exports since that time.

In

Robert Morris, Esq.

In what manner?—In sending out goods as an agent to houses in India, receiving orders from India to send out goods there; and I have sent out very considerable investments on my own account as a merchant.

Did those investments consist in any great degree of articles for the native consumption of India?—They were generally the same as those carried out by the commanders and officers of the ships.

During your whole commercial experience in the departments you have described, have you found the encouragement for the export of British manufactures to India increase?—I have not.

Is it known to you, that between six and seven years ago the Company granted increased facilities for the exportation of British manufactures to India?—I believe they granted an additional quantity of tonnage at that time.

Was that the only facility granted at that time?—Since that time many of the restrictions or difficulties which we laboured under have been removed; we have now greater facility than we had at that time.

Without consuming time in particularizing the facilities in question, have they been such as fully to encourage the exportation of European manufactures to India?—I have found no difficulties of any consequence of late in the exportation of European manufactures to India.

Has the exportation of European manufactures increased since the acquisition of those facilities?—I do not think it has, in any considerable degree.

Has the state of the market in India for European manufactures improved, to your knowledge?—To my knowledge, the state of the markets in India for European commodities is very bad, indeed.

Do you mean that answer to extend up to the present time?—Up to the last accounts from Bengal, and for several years past.

Were there any reasonable hope of profitably extending the export trade in manufactures from this country to India, would you, and other traders in that department, increase the quantity of capital which you employ in the prosecution of it?—I conceive they would; I would myself.

In your opinion, is there, upon the whole, as great a quantity of British capital now employed in the exportation of European manufactures to India, as can possibly be employed in that way with a prospect of profit?—I conceive, at present, there is a great deal too much capital employed in that way.

If the facilities of export were still further increased, is it your opinion that the trade would answer?—I do not think it would answer.

On the supposition that the British trader were freely allowed to freight his own ship with European manufactures, is it your opinion that such a trader would find a sale for his cargo among the natives of India?—I conceive, at present, there are more goods in India than can be disposed of.

On the supposition that a free trade were established in India, and that private ships were to be freighted with cargoes of cutlery, hardware, and other articles, which the natives are known to use in a limited degree, is it your opinion that such export trade would prove profitable to the persons employed in it?—I conceive, if they were sent out in any large quantities it would be almost a total loss.

Is it your opinion that any saving which the private trader might effect, either by the cheapness of freight, or by the convenience of sailing at his own time, or in any other manner, by the alledged efficiency of free adventure, would compensate for the loss which he might be expected to sustain on his sales in India?—I should conceive, if the trade were thrown open to every individual, as much as he pleased, the quantity of goods sent out would be so great they could not find a sale.

In the event of an open trade, do you conceive that any expectations which the British manufacturers may entertain of an increased market for their produce in India would be realized, or the reverse?—I think it would be the reverse, most undoubtedly.

Would

Robert Morris, Esq.

Would the private trader, exporting goods to India in his own vessel, trade on the whole as cheaply as the private trader employing, under the present system, a given amount of the privileged tonnage allowed by the Company?—I do not conceive he would save more in going in a private vessel than under the present system; I allude to the captains and officers who save their freight, I conceive, that the difference of insurance and other expenses upon a private vessel, would counterbalance any advantage they might receive.

You are requested to answer the last question, with reference to the tonnage allowed to private traders by the Company, agreeably to the Act of 1793?—Sending out their own ships they certainly would have an advantage in chusing their own time, more than at present; but there would be expenses upon their own ships, I conceive, fully as great as upon the present system of sending out under the regulations now in force.

Upon the supposition that the trader were not to freight a whole ship, is it your opinion, that any material saving would be effected from the circumstance of their sailing at their own time?—There would be no material saving, but they would have an advantage in the market.

Describe in what manner?—By going at their regular seasons they would be more certain of their market.

Supposing a merchant wishing to send goods to India should not freight a whole ship with those goods, but should wait till the ship was fully freighted by other traders joining with him, would he in that case gain any advantage by sailing at his own time?—I conceive he would be under the same uncertainty as under the present system of the Company; he must wait till his ship was loaded, unless he could load the ship entirely himself; he would not send her with a half cargo.

In time of war, must not the ship of a private trader be liable to uncertainties with respect to the period of her sailing?—She would be confined for convoy in the same manner as the Company's ships, and equally uncertain?—On the whole is it your opinion, that in the event of a free trade, the export trade to India could be conducted with greater cheapness than at present?—I conceive very little, particularly during war.

On the supposition that the export trade could, under the circumstances described, be conducted with somewhat greater cheapness, is it your opinion that there would be a correspondent extension of the sale of European commodities in the native markets of India?—I do not conceive there would be any extension, further than what there is at present.

Is it then your opinion, that the present system supplies every facility of exportation which can reasonably be required?—I conceive so.

Can you state, whether the practice of making what are called salt water invoices is usual among the officers of the Company's marine service?—I should conceive not among any honest men, if I understand what is meant by it, a false invoice; I have never known any man of respectability attempt such a thing.

Explain what you understand by the term, a salt water invoice?—I conceive a false charge, an increased charge laid upon the goods, which I think no honest man would attempt.

In point of fact, is it usual with the Company's officers to make out false invoices?—Not with any men of respectability; nor do I conceive it would have any avail, because every merchant of any standing in India, knows the price of goods as well as we do in London.

Would it be agreeable or contrary to the interest of those officers to adopt such fraudulent practices?—In some cases it might be to their advantage; in many it would not; because many goods are bought at so much a piece when they land there, or by the weight, for instance, dead weight; iron, lead, or such articles, are bought at so much a cwt. or so much a maund, without reference to the original charge.

Do

Robert Morris, Esq.

Do the officers of the ships of the Company usually purchase the articles which constitute their investments at long credits?—Many of them do; others do not; those who have money pay for them.

When the investment is laid in at a long credit, is that fact known to the buyers in India?—I believe the invoices are generally made out nearly at one rate, supposing twelve months credit; those who have money receive a discount for their money.

What discount?—It varies very much.

Are you acquainted with the commerce of the Eastern or Malay Archipelago?—No, I am not particularly.

Have not you visited those islands?—I have been at some of them; I have gone through the Straits of Malacca to China; but I have not been among the eastern islands.

Have you visited any of the islands off the eastern coast of Africa?—Madagascar and Johanna, in particular.

Have you resided in any of those islands?—No, I never resided; I have been there on a voyage out to India, stopping for provisions.

Have you spent weeks there at any time?—Yes, one or two weeks; I think I was once fourteen days at Madagascar.

Are you able to state, whether any of those islands are likely to furnish a demand for European manufactures?—None of them, in any degree.

Are the people in a state of barbarism or civilization?—Almost in a state of nudity, with only a piece of cloth about them; both in Madagascar and Johanna they use a small quantity of cutlery and fire-arms, and probably a little coarse broadcloth.

Is not the government of Johanna the most civilized of the governments established in any of those islands?—It is.

Is the island of Johanna likely to furnish a demand for European articles?—I should conceive it is not.

Examined by the Committee.

Can you state, nearly, to what per centage may amount the advantages the officers of the Company's service possess in carrying goods free of freight, and other charges, and the saving of insurance?—I should conceive not less than 15. per cent.

Have you any acquaintance in regard to the principal settlements, Madras and Calcutta, as to the state of the progress of British articles manufactured there under British artificers, and by native labourers?—At Calcutta, in particular, there are a variety of articles which they manufacture extremely well; all articles in leather, furniture, plate, carriages of all kinds, and upholstery goods; those are the principal.

Many articles of metals?—I do not think they work so much in the metals, except gold and silver, not the common metals.

Are there tailors and shoemakers?—Yes, in great abundance, furnishing articles for much less than we get them for in this country; there are also blacksmiths, iron workers for shipping, rope makers, sail makers, canvas makers, extremely good.

Are these articles considered to be of a good quality?—They are of a very good quality, in proportion to the difference of price between those and what are carried from this country.

According to your observation, has the import of those articles now made there, and which were formerly imported from Britain, very much declined?—It has very much decreased certainly; particularly shoes, boots, carriages, and canvas, and a variety of others.

Robert Morris, Esq.

Do you think that gradually that may most materially affect the trade in those articles from Great Britain? —I think the manufacture of those articles will increase considerably in India, and consequently affect the trade from this country.

How long were you in the India trade?—About three and twenty years; I made ten voyages.

Did you find your trade, upon the whole, advantageous or otherwise?—Upon the whole, I certainly found it advantageous.

[The Witness withdrew.

[Adjourned till to-morrow 11 o'clock.

21.

Mercurij, 5° die Maii, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Thomas Sydenham, Esq. - - - p. 35
Robert Morris, Esq. - - - - p. 37

(No. 10.)

Of Evidence before Select Committee.

Ordered, by The House of Commons, *to be printed,*
6 *May* 1813.

22.

MINUTES of EVIDENCE

TAKEN BEFORE THE SELECT COMMITTEE,

Appointed for the purpose of taking the Examination of such Witnesses, as shall be ordered by The House to attend the Committee of the Whole House, on the Affairs of The *East India* Company; and to report the Minutes of such Examination, from time to time.

(No. 11.)

Jovis, 6° die Maii, 1813.

The Right Hon. JOHN SULLIVAN, in The Chair.

ROBERT MORRIS, Esquire,

Was again called in, and further Examined by the Committee, as follows:

Robert Morris, Esq.

ARE the Eastern Islands amply supplied with such British manufactures as they require, and at as cheap rates as could be expected under the circumstances of an open trade?—I conceive they are at present.

Would or would not a single cargo of 350 or 400 tons of British manufactures, be as much or more than sufficient for all their demands?—I do not conceive they would consume a single cargo of from 300 to 400 tons; it would not find purchasers, except at Java.

If every subject of the United Kingdom had access to the whole of the Eastern Archipelago, could the successful export of British manufactures be increased to those ports?—I do not conceive it would to any material degree.

If the trade were thus thrown open to the eastern seas, do you entertain any doubt that every commander of a ship would be able to supply himself with tea, if such were the object of his speculation, without going to Canton?—I think a very large quantity of tea might be purchased in that way, which would be brought down by the Chinese junks, and by the country ships returning to Bombay.

Do you think that every commander, if such were his desire, might have the means of supplying himself with any quantity of tea in that way?—That is so indefinite a question, a number of ships going out; I think three or four ships; several ships might be loaded in that way.

Whole cargoes?—Yes.

What sized ships?—From three to four hundred tons or more; I should think five or six ships of 400 tons each, or almost any number, could procure the article; it is the constant practice of the ships returning to Bombay, or to any part of India, to bring their returns in tea, if they can find a vent for it.

Robert Morris, Esq.

Are there any means in those seas of controul by manifests or clearances, or any other functions of revenue officers?—It would be extremely difficult to prevent a traffic of that kind in those seas; there are no establishments of any kind in those islands, nor any where there; except at the Company's settlements there is no check whatever.

Have the goodness to say, whether it is usual to deduct the discounts and drawbacks from the invoices, when the goods are sold at a per centage upon the invoice?—When two merchants purchase goods, the one for credit, and the other for ready money, if they both go to the same market, I conceive the one who has money may take the advantage of receiving the discount or interest for his money that he pays; the other man who does not pay money exhibits his invoices at the same rate, and they both sell alike, he does not deduct his discount; but the drawback on glass and other articles is now generally given up to the merchant abroad.

Was that drawback given up until very lately?—No, I believe it was not until very lately.

Is not the drawback very heavy upon glass?—Upon common glass it is very heavy; upon cut and fine glass, which is principally used by the natives, there is very little drawback.

What is the drawback upon common glass?—Upon window glass and common glass, probably 25 per cent.

Does not window glass form a very considerable part of the export of glass ware to India?—Not a considerable part in value; it does in quantity.

Does not it form a very considerable part, if not the most considerable part of the export of glass ware to India?—No; I conceive not one fourth in value for Bengal, or any part of India, and not above one third in quantity.

In regard to the invoices on which the goods are sold in India, the Committee is to understand, that the merchant who purchases his goods for ready money, and the one who purchases his goods at 12 months credit, exhibits the same kind of invoice?—The same invoice exactly.

What is the discount usually allowed for prompt payment?—It varies very considerably upon different articles, from 2½ to 15 and 20 on a few.

Selling by this mode, you would not consider as selling upon a salt water invoice?—Certainly not. [The Witness withdrew.

WILLIAM DAVIES, Esquire,

Was called in, and Examined as follows:

William Davies, Esq.

Mr. Jackson. You were formerly a purser on board one of the Company's ships; were you not?—Yes, I was.

How many voyages did you act as purser, and during those whither did you go?—Four voyages; to China and India, having touched at South America, Africa, Sumatra, and Java.

Is not the purser generally a considerable trader upon his own account, or in conjunction with his commander; and in the latter case has he not generally the management of the investment?—I was a partner with the captain of the ship, and had the chief management of the investment.

Have you since that period, during the last ten years, been acting as a merchant trading to the East Indies?—Not for the last ten years, speaking from the present day; for the last three years I have employed my capital as a ship owner; ten years prior to those three I employed a large capital as an East India merchant.

You were in partnership with a house in Madras, were you not?—I have a partner in London of the name of Caid, who was a partner in an house of considerable note in Madras, the house of Hope and Company, for sixteen years; a man exceedingly well acquainted with the details of trade at Madras.

You

William Dawes, Esq

You had a mercantile establishment at Madras as well as in London, had you not?—It was not precisely that, but we did consign our goods to Madras under peculiar advantages, our house being in London.

Was not your house regarded as one of the principal houses trading to Madras, as an export house?—I think it was; I am of opinion that no merchant of the city of London consigned so large a quantity of European goods to Madras, as the house that I was at the head of.

Did you during that period endeavour with great enterprise and no want of capital, to extend the export of British articles to the East Indies, in as great a degree as they were capable of extension?—I was very desirous of encreasing the trade, with the hope of obtaining a larger profit; we did not want capital; we had a surplus capital; nor did we extend our credit to any thing like the extent we might have done, if it had been an object to us to have enlarged our trade.

Was there any want of activity or enterprize to increase the export, if it had been possible?—I think not; I do not think it requires much talent to export goods to India, where there is an ample supply of capital.

State the general success of the last few years of that sort of speculation?—The trade to India, prior to the year 1793, was a profitable trade; from the year 1793 to 1806, it bore a fair profit; since that period, I am of opinion that no merchant in London could have gained by any investment exported to any part of India.

To what do you impute that circumstance?—There were certain facilities given by the Act of Parliament of 1793 to the private traders; but there were certain clogs; in the year 1806, there were greater facilities given, and that, I presume, was one cause with, perhaps, trade to other parts of the world being more stagnant than it had been before that period, so as to induce merchants to ship more largely than they had done before; and the Indian market having before had an ample supply, the profits upon that surplus export were very small indeed; I know my house was not a gainer, and I know that I had equal advantages to what any other house in London could have had.

Do you mean, that since about the year 1806, generally speaking, the exports have been greater than the fair demand for them, consistently with a fair profit?—Since the year 1806, I think that the exports have been greater than the demand, consistently with a fair expectation of profit.

From that period, generally speaking, has not the export part of the trade been rather a losing concern, than otherwise?—I am of opinion that the export trade to the private merchant has been, since the year 1806, a losing concern; generally speaking, it is possible that some particular articles may have produced a profit; but speaking of investments generally, I am quite sure that the export trade since the year 1806, up to the present time, taking the average, must have been a losing concern to every merchant in London, who had to pay freight, insurance and agency.

Describe to the Committee what you mean by the additional facilities which you allude to as having taken place in 1806?—By the Act of 1793, there was an allowance of 3000 tons, under certain restrictions; the private traders complained of those restrictions; then the Company allowed greater facilities; it was not necessary to give the notice of six months prior to the shipping of their goods; but after the year 1806, I believe it was possible, at least I understood so from the shipping clerk at the East India House, that any merchant applying for tonnage, might have it to what extent, under 10,000 tons, he wanted. Here is a paper, dated "East India House, 12th November 1806," containing the "terms and conditions under which the East "India Company are willing to furnish tonnage," exclusive of that to be provided by the Act of the 53d of his present Majesty, cap. 52.

[The Paper was read as follows:]

"1.—That the applications for tonnage be received on the first Wednes-"day in the months of September, December, and March, in each year; "and that such applications be indorsed, "*Private applications for tonnage*;" "and that any application made in the intermediate months, unless re-"quired by advertisement, will be considered only in the ensuing quarter.

William Davies Esq.

" 2.—That all applications be made by the persons who actually ship the " goods, and not by any agent or clerk, and specify that the same goods " are *bonâ fide* intended to be sent to India, on account of the persons " making the application, or on commission received from persons in India, " whose names must be inserted in the applications; and the person making " application must engage to verify the same by affidavit, if so required by " the Court of Directors.

" 3.—That every application do specify the tonnage of measurable and " heavy goods respectively, the particular articles of which each species of " tonnage consists, the presidencies to which they are to be consigned, and " the periods when the same will be ready to be shipped.

" 4.—That no material deviation be permitted in the articles of tonnage " specified in any request, after such request shall have been granted.

" 5.—That no application for a less quantity than one ton be granted.

" 6.—That the Court of Directors, in order to encourage the export of a " sufficient supply of necessary articles for consumption in India, do not " intend to restrain the exportation wholly to the letter of the Act, which " limits the articles to such as are of the growth, produce, or manufacture of " Great Britain; but the Court reserve to themselves the power of limiting the " exportation of articles which are not of the growth, produce, or manufacture " of Great Britain, or the exportation of which by individuals is not per- " mitted by the Act, to such quantities as the Court may judge proper: And " they further reserve to themselves a power to reduce the quantities of any " particular description of goods applied for by any individual, which may " appear to them to operate to the exclusion of others.

" 7.—That not more than fifty chests of wine, or fifty hogsheads of beer, " belonging to one person, be laden on any ship.

" 8.—That the tonnage of wine or chests of liquors on freight, be cal- " culated at two chests, containing twelve dozen quart bottles each, to the " ton, and not at three chests to the ton, as has occasionally been the practice " heretofore.

" 9.—That the tonnage of carriages on freight be calculated as " follows, viz.

A coach or barouche - - -	10 tons.
Chariot - - - - - -	8 —
Phaeton - - - - - -	6 —
Curricle - - - - -	4½ —
Two-wheel chaise - - - -	2 —

" 10.—That not more than two four-wheel carriages, or four two-wheel " carriages, be laden on any ship, nor any one house be permitted to ship " more than one carriage on each ship.

" 11.—That if quicksilver be allowed to be shipped on freight, no expense " or risk thereby be incurred by the Company or owners of the ship.

" 12.—That the peace rate of freight for goods shipped in England on " extra ships for India, be at a rate not exceeding 5 *l.* per ton; and that such " additional freight be paid for goods shipped in England in war, as the " circumstances of the time may render necessary.

" 13.—That the peace rate of freight homeward shall not exceed 11 *l.* " per ton; and that such additional freight be paid on goods laden in India, " on extra ships in war, as the circumstances of the time may render " necessary.

" 14.—That wine freighted from Madeira to India on the Company's " extra ships, be at the rate of 5 *l.* per pipe of 110 gallons.

" 15.—That the same rate of freight be paid for wine sent from Madeira " to any part of India, both in peace and war.

" 16.—That the freight of wine brought from India to England, be 8 *l.* " per pipe in time of peace, and 12 *l.* per pipe in time of war; and that " this freight be paid previous to the delivery of the wine in England, and " charged at the above rates respectively, whether the pipes contain the full " quantity or not.

" 17.—That persons requiring tonnage for wine from Madeira, to be " landed in India, or to be carried to India, and from thence to England, " be permitted to lade in articles for Madeira, freight free, to the amount of

" the

"the tonnage they may allowed in wine, and that two pipes be calculated "equal to one ton.

"18.—That the ships be allowed to remain at Madeira two working days for "every twenty tons of goods they may have been permitted either to carry "or to receive on board at the Island, (the days of arrival and sailing not "included), and that if the agents of the shippers should not complete their "lading within that period, the ships do proceed on their voyage, and the "freight paid in England do thereby become forfeited.

"19.—That all persons do make a deposit in the Company's treasury, "within fifteen days after their requests to ship goods or wine shall have "been granted by the court of directors, of the amount of freight, "chargeable on such goods or wine, at the rates above-mentioned, under the "regulations of the act.

"20.—That the court of directors do reserve to themselves the right of "allotting to any of the ships in their service bound to the respective places "of consignment, the goods or wine, in such proportions as they may think "proper; at the same time the court will endeavour to comply, as far "as circumstances will admit, with the particular wishes of the proprietors "respecting the shipping of their goods or wine.

"21.—That if the goods allotted as above-mentioned be not sent on "board the ships previous to the day appointed by the court for ships "clearing out at the custom-house, the freight paid on such goods shall be "forfeited.

"22.—That should the produce of such goods or wine be paid into the "Company's treasury at either of the three Presidencies, or Bencoolen, bills "will be granted on the court of directors, on the terms of the season allowed "to other individuals.

"23.—That the proprietors of goods shall be exactly on a similar footing "with the Company in respect to short delivery, as is contained in the terms "and conditions under which the ships shall have been engaged.

"24.—That each shipper of goods, jointly with the Company, shall be "entitled to all allowance for ship damages and short delivery, not exceed-"ing 4*l.* per ton on their respective tonnage; that is to say, 4*l.* per ton to "such persons who occupy the like proportion of tonnage out and home, "whether the damage be on the outward or homeward goods, and 2*l.* per "ton on the outward goods; and the like sum on the homeward goods, when "they belong to different proprietors, averaging on the whole at the rate of "5*l.* per ton on the builder's measurement, agreeably to the terms under "which the ships shall have been engaged.

"25.—That in all other cases, the owners of goods will be subject to the "same decisions and determinations only, as the Company themselves are "liable to.

"26.—That the tonnage of all goods (except the articles before men-"tioned) be calculated according to the computation of tonnage used by the "Company.

"27.—That three days at least be appointed by the court for shipping "goods on board of each ship appointed to carry out the same; and that "public notice shall be given, at least three days before such day of ship-"ping, by the officer for private trade outwards.

"28.—That not any order will be given by the officer in the private trade "department outwards, for goods allowed to be shipped on freight, until the "several persons who are permitted to export the same shall have delivered "into the office an exact account of the tonnage of each article which they "have been allowed to ship.

"29.—That before any goods shall be shipped, the same shall be regis-"tered with the officer for private trade outwards, in books to be kept by him "for that purpose; which registry shall describe the marks and numbers of "each bale or package of goods to be shipped, and the amount of the whole "tonnage allowed to the person so shipping; and all goods which shall be "so shipped, without being so registered, will be considered as goods illicitly "shipped, and the goods will be subject to such seizure and forfeitures; and "the owners, shippers, and agents concerned therein to such forfeitures and "penalties, as any person shall be subject to by law, for carrying on trade to "and from the East Indies without the Company's licence.

William Davies, Esq.

" 30.—That the said officer for private trade outwards, upon such registry " as aforesaid, shall give an order or license under his hand for the shipping " of such goods, which license, together with the goods, shall be carried to " the East India wharf to the proper officers there, who shall examine the " same, to see that the packages contain only the sorts of goods of which " notice shall have been given; and that they do not exceed in tonnage " the quantity of goods allowed to such shipper; and all goods exceeding " the allowed tonnage shall be returned and taken back, unless the com- " mittee of shipping of the said Company, upon special application shall see " fit to allow the shipping thereof, which it shall be competent for them to do " upon previous payment of double freight for the additional quantity of " goods shipped, exceeding the quantity appertaining to such shipper as " aforesaid; if the same shall amount to one ton or upwards, or single " freight, if under one ton.

" 31.—That after the goods shall have been examined as aforesaid, the " same shall be sent from the East India wharf on board of hoys to be em- " ployed by the Company, the water side charges and voyage being pre- " viously paid by the owner of the said goods, in default of which payment, " the goods may be stopped.

" 32.—That on the goods being shipped, bills of lading shall be signed " for the same in triplicate, by the commander or purser, which shall be de- " livered to the shipper of the goods or his agent, the persons who sign such " bills of lading being allowed, if they think proper, to add the following " memorandum in regard to the delivery of the goods at their consigned " port, viz. ' To be delivered at the consigned port, provided the destination " of the ship shall not be changed by the East India Company or their " agents abroad, or by the act of any of His Majesty's officers."

Do you know whether, between the period of 1793 and 1806, the East India Company did not make progressive alterations in the facilities to be given to private traders, according as experience might seem to require?—I do not know what progressive facilities might have been given to the private trader, for I never found any difficulties; I have not met with any obstacle since the year 1793; I have always had as much tonnage as I thought it desirable, or good policy on my part as a merchant, to ship to India; but this paper speaks for itself, and says, "exclusive of that "provided by the Act of 1793;" therefore, I presume that was an additional grant of indulgence; there were regulations in 1802 which I am well acquainted with; but the point that I am desirous of speaking to, is this, that I find from the year 1806 the trade fell off in point of profit, and therefore I do in some degree attribute it to the greater facilities that were given in the year 1806; I have before said, that from 1793 to 1806, there was a fair profit upon the trade; but that since the year 1806 to the present day, generally speaking, I am sure that investments that have been sent to India have not been productive of profit.

Do you impute to the greater latitude of export that has been allowed since 1806, the decrease of your profit as a merchant to those parts?—I believe, that since the year 1806, an increase of imports of British manufactures were received in India, and I have reason to know, that a great part of those imports were consumed by the climate of the country; that there was not a ready sale for them: I was in correspondence with one of the first houses at Madras, and they have informed me, at different periods, of their having goods in their warehouses to an extent amounting to above 100,000 *l.*, and that information I believe to be correct.

Generally speaking, from about the period of 1806, has the market in India for articles of British manufactures been in a state of glut or otherwise?—It has been in a state of glut.

Previously to the period of 1806, as a great exporting merchant, had you found from the East India Company regarding it as a time of warfare, and looking to the political difficulties of the period, the full facilities which you had a right to expect for the exportation of your merchandize?—I have in the office, at the East India house, occasionally met with some very trifling delays, but they were very trifling, as to obtaining an order for the shipment of my goods, or my clerk being obliged to go a second time; I have met with trifling delays of that kind, but I never met with any obstacle to the shipping generally, since the year 1793, or at such periods as

I think

William Davies, Esq.

I think were fair and reasonable; every merchant would wish his cargo to get first to market; but if I had a ship of my own, and another man was in a similar situation, there would be the same sort of struggle.

Supposing the trade to be laid open, would it more frequently happen that the whole cargo should belong to a single trader, or that a variety of traders should be concerned in it?—It would take a large capital for an individual merchant, or an house, to freight a ship to India of 5 or 600 tons, which is the smallest class, and I presume it is a risk; I am sure, at the present day, it must be a risk that no prudent merchant would embark in.

Do you think, that under the circumstances of an open trade, the more general trading would be by a variety of owners or traders on one ship?—If the trade were thrown open, I think that there would be an increased difficulty, applying the words in an enlarged sense, to what exists at present in obtaining freight, I have been offered freight as low as 4*l.* per ton; but knowing what I do of the Indian market, it was not sufficient to induce me to send an investment upon those terms, nor do I think that any individual merchant could now freight a ship on as low terms as the East India Company at this present day obtain their freight; I am the proprietor of a small ship that was built at an out port at Chester; I bought her with her stores, at the very reasonable sum of 13,200*l.* by paying ready money; I have since fitted out that ship, and she has gone one voyage in the East India Company's service, at a higher freightage than they now give by nearly 6*l.* per ton, the result of that, was to me a losing concern, because the Committee should understand, the individual merchant, to a certain degree, becomes an insurer of the safety of the Company's cargo; when this ship of mine returned, the Company charged me nearly 6,000*l.* for damage done their goods; now, if this ship had remained as a West India ship, the very leak that did me this injury, would have been rather serviceable to her as a West India ship, because it would have checked the dry rot.

Do you mean that the Company are so circumspect with respect to the goodness of their ships, in order to preserve the safety of their cargoes, that they exact a degree of quality and repair that leaves the ship owner but a very moderate profit?—I have reason to believe that I fit my ships as cheap as any merchant in London can do; there is no reason why it should not be so.

Is the Committee to understand that your adventure in this ship, notwithstanding all these circumstances of care and economy, was to yourself rather an unprofitable concern?—It has proved an unprofitable concern.

You are understood to have said, that you apprehend a prudent merchant would rarely be found a single freighter of a whole ship?—I think not, at this present time.

In case of an open trade, would not the ships that should proceed to India be generally freighted by a variety of persons?—I presume so.

Supposing a vessel to be freighted by a variety of persons, must they not, in the nature of things, frequently be very dependent upon each other's convenience, subject to the delay occasioned by each other, and upon the whole, quite as likely to be delayed, as in any instance, according to your experience, you have known to take place with regard to the Company's extra ships, under the Act of 1793?—I am of opinion that they would.

Have you had any opportunity of understanding the nature of the trade to Bombay?—As a merchant, I have made consignments to Bombay; I believe about 1805 or 1806, and they did not turn out profitable.

Do you happen to know the usual cargoes which commanders of vessels take out to Bombay, what proportion may consist of merchandize, and, if any, what proportion of bullion?—I believe the greater proportion is in bullion, that they may be at a certainty of purchasing a cotton cargo, to take from thence to China.

If then at Bombay there were an unsupplied demand for British manufactures, would it not answer the end of the commanders to take out such, in preference to bullion?—I think it would, because I know that many of them are obliged to borrow money in this country to obtain bullion with; and I, at this period, have two gentlemen in the capacity of agents at Bombay, who are superintending the building of a ship; the building of that ship will require a capital of certainly not less than

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60,000*l.*, and it would have been extremely convenient to me to have sent 20 or 30,000*l.* worth of goods to that country, rather than to have had bills drawn upon me.

Assuming there to be a great Parsee population at Bombay, and that they assimilate more to European manners than any other description of natives, has not the Bombay market been supplied with European articles almost to a degree of glut, for several years past?—My having made consignments there, to a house of great respectability, who I have no doubt exerted themselves as much as any agents could for their constituents, and the returns having to me been unprofitable, is fair ground for my presuming that the market has been overstocked.

Besides your own personal adventure, according to your general knowledge and communication with other adventurers, commanders, and owners, is such your impression?—Such is the impression on my mind.

Can you inform the Committee, whether the natives of India are in a progressive and apparently increasing disposition, to manufacture among themselves such articles as have been usually exported from this country, of British manufactures?—I know that the natives of India possess sufficient talent, if properly directed, to manufacture many of the things that the Europeans require in that country, or that the higher class of the natives of the country may be inclined to purchase, such as carriages, leather of all sorts for the army; boots and shoes, I think nearly as good as Hoby's; watches; I believe they do not make the inside of the watch, but I know they put them together there, and cabinet ware also; and I know no reason why, if properly directed, the talents of the Hindoo or the Mahometan, may not become as useful in the making of all the requisites there, as any mechanic in this country; I need not add, that the price of labour must operate powerfully.

According to your experience and observation, has this disposition and faculty been increasing or otherwise?—It has been increasing since I first knew India, considerably.

Assuming, that under an open trade, access to every description of British subjects would be given to India, including artificers of various descriptions, and looking to the immense disproportion in the price of labour between that country and this, are you of opinion, that this disposition to manufacture what are called European or British articles, may increase to such a degree as materially and seriously to supercede the necessity of importation into India of such articles?—I have of late perceived, on the part of traders of the City of London, what I consider too great an inclination to become merchants; and I do believe, that there are many of them, and many of the mechanics, who, if they had the power of establishing an agent in India, would consign some goods to him, and send out some raw materials for him to manage there, and in consequence of the low price of labour in India, they might get them wrought up so as to undersell any thing exported from this country.

Under the circumstances of an open trade and unlimited access to some or all of the ports in India, do you apprehend that such a course of things would take place?—That must be matter of opinion; but I am decidedly of opinion that it would tend to that effect.

Has the nature of the Indian trade been such for some years past, as to have given you encouragement to continue it, or discouraged you to such a degree as to have induced you to withdraw yourself from it?—I had a capital exceeding 50,000*l.* employed in the Indian trade, which I have for the last three years withdrawn from it.

Inform the Committee whether your inducement for having withdrawn this considerable capital, was, that notwithstanding the continued exertion of activity and enterprise, still the East India trade became unprofitable?—That was my motive for withdrawing my capital; the want of a fair mercantile return.

Do you impute the want of that fair mercantile return, to the extent of export to India?—I do.

Have you had any opportunity of being acquainted with the nature of the trade to the Eastern Archipelago, or any of the islands in the eastern seas?—I have been at Sumatra, I have been at Java and Batavia.

Has

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Has it been an endeavour on the part of your house to increase the export of British manufactures to any of those Eastern Islands?—There has been at all times a desire on the part of our house to increase our trade, because we have had, during a great part of the time, a surplus capital. We wrote to our correspondent in India to ask whether there was a chance of doing any good business in the Eastern Islands, and we were informed by them they had tried the experiment; that there was a great glut of goods at Madras; that they had sent the goods to Banda and Amboyna, and had found the sales not productive of profit.

As far as your knowledge has extended, as to the success of such attempts to export British manufactures to the Eastern Islands, have they or not succeeded?—They have not.

Is it your opinion that the Eastern Islands are amply supplied with such British manufactures as they require, and at as cheap a rate as could be reasonably expected under the circumstances of an open trade?—I am of opinion so; and my reasons for having formed that opinion are these; lately I had a ship, which it would have been my interest as an owner to have sent to Batavia, but the captain of the ship remonstrated, that he would be a loser by going there, as the demand for European goods was so small.

In your opinion, would not a single cargo of 350 or 400 tons of British manufactures, be as much or more than sufficient for all their demands?—As to a single cargo I should hesitate; but certainly two cargoes, in my opinion, would be more than an annual supply.

If every subject of the United Kingdom had access to the whole of the Eastern Archipelago, could the successful export of British manufactures be increased to those ports?—I think not; the Company have granted licences to a class of ships within the last two years, between twenty and thirty, to go to the eastward of the Cape of Good Hope; some of those have gone to the Isle of France, and from thence to Batavia; looking more to the homeward bound cargo for profit, as I am led to believe.

According to the best of your knowledge and experience, have such ships succeeded with regard to any outward cargo they may have taken of British manufactures?—The result of the experiment is not yet well known.

Do you continue of opinion, that the cargoes of two vessels of 350 tons burthen, or thereabouts, consisting of British manufactures, would be more than enough for their annual supply?—I am decidedly of opinion, that two vessels laden with British manufactures would be more than ample for the supply of all the Eastern Islands: my reason for thus thinking is, that I was at Batavia some years ago, the ship that I was in arrived there first; she ran away from the fleet, in the hope of getting to a good market, knowing that if the three ships which left England together should arrive at the same period, they must hurt each other; the ship that I was in arrived there first; she did sell part of the goods that she had, but could not find a market for the whole; the other two came in about three weeks afterwards, and I believe did not, between them, sell to the extent of a thousand pounds in amount.

Was not Batavia considered as the commercial emporium of the Eastern Seas?—It was the great city of the Dutch.

Was it the great commercial station of those parts?—Yes, it was.

If the trade were thus thrown open to the Eastern Seas, do you entertain the least doubt of every commander of a ship being able to supply himself with tea, if such were the object of his speculation, without going to Canton?—I am decidedly of opinion that he would have the power of obtaining an ample supply of tea, because the Chinese junks might bring it down to either Java or Sumatra, and I think, for lucre, the Malays would give all possible aid.

The Committee is to understand as your opinion, that though hopeless, as to the increase of the export of British manufactures to the Eastern Seas, you have no doubt of the means of an unlimited purchase of teas therein, without going to Canton, should the party be so disposed?—When I was at Batavia, tea might have been purchased in almost any quantity; the Chinese junks bring it from Canton to Batavia; and I have no doubt whatever, if you were to hold out to them an ample inducement, you may have it in any quantity you please.

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Have you happened to make any distinct experiment as to the export of woollens, to see with what advantage you could export them to India?—Yes, I have.

State the circumstances?—I had occasion to send out certain supplies for the army in India, among the rest I sent out the facings for their clothing; I have sent out at different periods prior to the year 1806, a large quantity of woollens, but I found that the Company at all times could undersell me.

To what do you impute their thus underselling you?—I presume a determination on their part to get rid of a certain quantity of goods, because I do not believe that they purchased upon better terms than I did.

Do you mean from an anxiety to dispose of a certain quantity of British produce or manufactures?—What the motive of the Company may have been, whether a patriotic motive, or whether in pursuit of gain, I shall not take upon myself to presume; but the fact was, that they did undersell me, and I am of opinion, that they must have lost by the sale of those cloths, because I am decidedly of opinion, that my purchases were as favourable in this country, as theirs could have been.

Were you induced to repeat the experiment, or did you abandon the hope of rivalship with the Company?—No; I think it would have been idle on the part of an individual merchant, to attempt to cope with the sovereigns of the country.

You mean that, with that sort of patriotism on the part of the Company, those attempts to give every possible chance to the export of British manufactures, you could not encounter without being a commercial loser?—My object in exporting to India, was at all times in pursuit of gain; I had no other object; for a merchant, when speaking as a trader, to boast of his amor patriæ, is idle; I found that I could not cope with the Company.

Referring to your known high character and station in society, have you the least personal interest, one way or the other, in this question, between opening the trade to the out ports, or keeping it as it is?—You put the question seriously to me as a gentleman; I will tell you it was impossible for government to have drawn a plan more beneficial to my individual interest, than the propositions that have been laid before the House of Commons, and I will tell you why; I am the chief proprietor of two 1200 ton ships, if the advantages connected with the patronage of 800 ton ships are done away, it makes them much more valuable as to the patronage; I have a small ship now engaged in the Company's employ, which I am very desirous of disposing of, and I think others carrying the trade on, may give me an opportunity of selling her, on more favourable terms.

Then, as far as you have a personal interest, it would be to support the resolutions proposed to the House of Commons?—It would.

(Examined by the Committee.)

What would you consider to be a fair mercantile profit upon a consignment of goods from this country to India?—From 12 to 15 per cent; when I speak of profit, I, of course, divest it of all charges.

How much has the profit upon consignments to India fallen off since the year 1806?—Since the year 1806, I believe, generally speaking, the consignments from England to the East Indies have not been productive of any profit; I am decidedly of opinion, taking the average from the year 1806 to the present day, that no house that has made consignments from Great Britain, to any port of the East Indies, has cleared a fair mercantile profit.

Did you receive the returns for your consignments to India in bills or in goods?—Generally in bills.

Has not the exchange for remittances from India been very unfavourable for some years past?—It has.

Has there not been a considerable loss on that score sustained by merchants sending consignments of goods to India?—I do not consider it a loss upon the exchange, because I presume that the exchange would operate upon the original sale, and therefore I should consider the loss, in the first instance, upon the sale of the

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the goods: every man, in disposing of his goods in India, is guided by the exchange back, because, whether the rupee may be 2*s.* or 2*s.* 6*d.* becomes a matter of calculation; whether the pagoda is 7*s.* 6*d.* or 9*s.* 6*d.* becomes a matter of calculation; and it is customary for a merchant in India, in disposing of his goods, to see how many pounds sterling so many rupees will produce to him.

Is not the Bombay rupee reckoned at 2*s.* 6*d.* in the sales of goods by the invoice?—It is.

What has been the general rate of remittance, at which you have received your returns from Bombay?—I think they have varied from 2*s.* 6*d.* to 2*s.* 2*d.*

Reckoning the remittance at 2*s.* 2*d.* what loss would arise upon it compared with the exchange at 2*s.* 6*d.* being the rate at which the goods are estimated in the sales by the invoice?—That is a mere matter of calculation, a rule of three sum.

Have the goodness to state the difference per cent.?—Between 15 and 16 per cent.

Do not you consider this a loss sustained, arising from the remittance?—As I before said, I considered the general loss upon the sale of the goods; because, in the sale of my goods, it would be mere matter of calculation whether the rupee was at 2*s.* 3*d.* or 2*s.* 6*d.*; if at 2*s.* 3*d.* I should consider that my goods sold for a certain smaller sum, and if an offer were made to me, I should make a higher demand for my goods originally, in consequence of the exchange being so much lower.

As a merchant always calculates the sum he is to receive for his goods, would the exchange being favourable or otherwise, at which the remittance is made from India, affect the amount of the profit or loss ultimately?—As a seller of European goods, I should take into consideration the number of pounds sterling I was to receive for my goods; my calculation would be in pounds sterling, not rupees, because I should look to the return of a certain capital in Britain.

Then you would make up your profit and loss account on your bills being realized in Britain?—Certainly.

Would not therefore a difference of exchange of from 12 to 15 per cent. affect that account favourably, or otherwise?—I have before stated, that in selling an investment in India, I should be guided by the number of pounds sterling that I could obtain in India, that is the certain amount of a bill of exchange; whether that amount was at 7*s.* 6*d.* the pagoda, or 9*s.* 6*d.* would be a mere matter of calculation with me, not of consideration, because if the exchange was low, I should make an higher demand for my article; if the exchange was high, I should make a lower demand: I should be content with a certain profit, and whether that came in the shape of price or of exchange, would be to me a matter of indifference.

Is the Committee to understand that you or any other merchant have it in your power to command what price you please for your goods in India?—Certainly he has not the power of commanding the price there, but he has the power of endeavouring to obtain the best price, and guiding his own actions as to the attainment of that.

Supposing he is obliged to sell his goods at a loss of 15 per cent. upon the invoice in India, is not the rate of exchange at which he is enabled to bring back his returns to Great Britain of consequence to him?—The rate of exchange must always be an object, but it still comes to the same thing; a man is disposed to sell his investments at a much lower per centage of profit when the exchange is high, than when it is low; the markets may be such as to force a man to do that which he would do but unwillingly; yet I consider that the matter of exchange is nothing to the seller, for the reasons I have before stated.

Is it of no importance whatever to the seller what is the rate of exchange at which he is enabled to bring back the proceeds of his goods to this country?—If you ask me as a merchant possessed of a lac of pagodas or a lac of rupees, then the exchange is a matter of great consequence; if I had a thousand pounds worth of goods, that which cost me a thousand pounds sterling money, I should say, if I can get 1,150*l.* for these goods, it will be what I consider a fair profit; then I look to the pounds sterling; it is a mere matter of calculation whether the rupee is 2*s.* 6*d.* or 2*s.* 2*d.*, my object is to get the highest price, but whether the gentleman in India with whom I deal, calls a certain bit of silver 2*s.* 3*d.* or 2*s.* 6*d.* regards me only inasmuch as

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so many go towards the pound sterling, because I have to return my capital back to Britain, where it is the pound sterling, and not the rupee, which is of effect.

Does not the number of pounds to be realized in this country depend upon the rate of exchange at which bills are drawn?—No, I think it depends upon the nominal value which you attach to a rupee.

If a man sells his goods in India at a loss of fifteen per cent. upon the invoice, and suffers a further loss of fifteen per cent. by the exchange at which the proceeds are remitted to this country, does not it form a loss of thirty per cent.?—By that question the property of goods is changed; I should calculate I had lost thirty per cent. upon my investment, I should not take the exchange at all into consideration.

In all cases would you not previously inform yourself of the rate of exchange, and calculate the profit or loss upon the same before you fix the price of your merchandize?—Certainly; because the profit or loss upon that must depend upon the value of the currency of that country; it is so connected with profit, you cannot divide them.

When you consign goods to India, are they not realized in the first instance in money of that country?—I presume they are.

Do not your agents then purchase bills on England, with the proceeds of those goods, for a remittance to you?—Not at all times, my agents have made me a return frequently by their own bills.

Do they not then, as your agents, purchase the bills from themselves on your account?—If it can be called purchasing, they may do so.

Is it not clear then, that your ultimate profit must depend upon the realization in India, and on the rate at which bills are then purchased or obtained for a remittance to you?—My profit or loss must depend upon the number of pounds sterling which I receive back.

Will not that number of pounds be greater or less, according to the rate of exchange at which the bills are drawn?—I presume not, because if the exchange is much in favour of England, a less price would be asked for the goods.

Would not a bill drawn from India at 2*s* 6*d*. the rupee, yield more in pounds sterling than one drawn at 2*s*. 2*d*.?—Most certainly, on a given number of rupees.

Would not that affect your profit and loss account, on making it up here?—I am of opinion not, for the reasons I before stated.

Is the Committee to understand it would be equally the same to you, to get a bill at 2*s*. 2*d*. the rupee, as at 2*s*. 6*d*.?—I must beg leave to ask for what I am to get that bill.

For a rupee?—No; there would be a difference of four-pence in the exchange.

Would not that difference be an addition to your deduction from the profit on the making up your ultimate account of the adventure in this country?—I think it would not interfere with my profit, owing to the previous calculations which I should make.

What rate of remittance was realized by the specie which you allude to as having been sent by you to Bombay, on account of the ship built by you there?—I did not send specie, bills had been drawn upon me.

At what rate of exchange have those bills been drawn upon you?—I think about 16 or 17,000*l*. have been drawn at 2*s*. 2¼*d*.; I am speaking from memory, and therefore may not be quite accurate; 6 or 7,000 at 2*s*. 3*d*., and some few thousands at 2*s*. 2*d*.

Do not you consider that a very favourable rate of exchange for you?—Yes, I do.

Were not those bills negociated partly, if not principally, through the same hands by whom the bills remitted to you for the sale of your goods were obtained?—The bills remitted for the sale of my goods were through the house of Messrs. Forbes and Company; those bills were drawn upon me by a Captain John Money, whom I consider my agent there, and who is to command this ship, when built.

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Is it not within your knowledge, that Captain John Money negociated those drafts almost wholly through the means of Forbes and Company?—I have every reason to believe that to be the case.

Would it not have made a very considerable addition to the amount in pounds sterling paid by you on account of those bills, had they been drawn at the exchange of 2*s.* 6*d.* instead of 2*s.* 2*d.*, 2*s.* 2½*d*, and 2*s.* 3*d.*, the Bombay rupee?—Certainly.

Would it not have made a difference of from 12 to 15 per cent. against you, if they had been so drawn?—Yes, I presume it would.

What has been the general rate of exchange at which bills upon Bombay have been procurable in London for the last four or five years?—I think they have varied from 2*s.* 2*d.* to about 2*s.* 6*d.*; but on that point I am not very well informed.

What description of goods were your consignments to Bombay composed of principally?—They consisted of a variety of goods, wines, brandies, and other articles; it is a detail of trade which my partner manages more than myself: I believe hats, shoes, pickles, confectionary, and cabinet ware, have formed a part; but I know there was a quantity of wines and brandies.

Are not those articles, with the exception of brandies, liable to damage by remaining long in India unsold?—Yes, they are.

Have not you heard of such articles being frequently sold in India, on their arrival, at a very great advance?—Many years ago they did so; but of late years I have not heard of any selling at a great advance.

When they are not sold immediately upon their arrival, is it not a sign of the imports having been much overstocked at the time?—I should certainly consider it a sign, because I have no doubt of the exertion of my agents there, for their own sakes and mine, in doing the best they could.

Have not you heard of claret being sold in Bombay sometimes as low as from 24 to 30 rupees a dozen?—Yes, I have heard of its being sold at those prices.

Have you not, at other times, heard of its being sold as high as from forty to fifty rupees a dozen?—Yes, I have so heard.

What kind of goods would you take to China, as a remittance for the purchase of your returning investment?—In the present state of the China market, I should be more disposed to take specie than any goods; but if I did take goods, they should consist of lead, furs, smalts, and glass ware.

Are there no other British manufactures you would be disposed to take to China?—Excepting glass ware, I do not recollect any thing that I think would be productive of profit.

Would not you take woollens to China, for sale?—I believe that woollens are not permitted to be sent to China by an individual, that it is a trade reserved by the Company to themselves.

Is not the trade to China in woollens considered a losing one, on the part of the Company?—I have heard it so rumoured, but I have had no means of ascertaining the fact.

To what extent do you suppose a commander of an Indiaman would take woollens to China, if he were permitted so to do?—That is so much matter of opinion, that I can scarcely say it would depend upon the man; some of them are prudent traders, others are more speculative.

Would not you yourself prefer taking woollens to any other article, particularly camlets?—Having made one experiment in opposition to the East India Company, I should not feel disposed to try a second.

Would not woollens yield a better remittance than any other article?—I have not had any means of ascertaining that fact; nor have I given myself the trouble to inquire into it, knowing no particular good could arise to me in my trade from so doing.

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What is the fine usually imposed by the Company upon their commanders or officers who carry camlets and other woollens to China?—I really do not recollect to have heard a captain or an officer speak of any fine having been levied upon him for having so done.

Have you never heard of a commander or officer being fined for taking a few camlets to China?—I recollect having heard that a captain, who is now a director, had been smuggling either camlets or woollens; but whether he was punished by fine or not, I really do not know.

Have you ever heard of from one to three guineas a piece having been charged upon such camlets?—I never have heard of any specific sum being charged; but I have heard that some of the captains and officers have smuggled camlets, and that for so doing they paid a certain fee to the officer who was on board the ship in the River.

Is there any article that a commander or officer is now permitted to take to China, that he can take there with any prospect of advantage, excepting perhaps a few flints?—I really do not know.

Are they permitted to take tin?—No, they are not.

Is this part of the trade also monopolized by the Company?—The tin trade is ved to the Company.

Have you not heard that the exports of woollens and tin to China by the honourable Company, have been of late years very much increased?—Yes, I have so heard.

Are they not found to answer better as a remittance, than sending specie, or having bills drawn from China upon the directors here?—As no profit was likely to arise to me as a merchant, from such an enquiry, I never have made it.

Do you know what is usually charged by the Company to their commanders and officers upon their homeward investments from China?—The duties vary upon different articles.

How much per cent. do they amount to in the aggregate upon teas?—As a part of the privilege granted by the Company bears one duty, and another part, I believe, another duty, and a third part, a different duty; I cannot answer that question satisfactorily to myself without referring to documents.

Could you state nearly about the aggregate amount per cent. of the whole?—I really cannot.

Would not, in your opinion, the export of woollens and tin by the commanders and officers of the honourable Company's ships, be considerably increased if the Company were to withdraw the restriction upon the exportation of them to China?—Perhaps, from necessity, they may be induced so to do, because, I believe, all of them have not sufficient command of capital to purchase a sufficient quantity of specie in this country, to buy their return cargo.

Are the woollens and tin purchased for ready money generally, or at a credit?—The terms upon which the Company buy, I have not taken the trouble to make myself acquainted with.

In selling goods by the invoice in India, is it usual to deduct the discount and drawbacks?—I believe not.

You have informed the Committee, that a number of vessels of 350 tons, from Great Britain, going to the islands in the Indian Archipelago, might if they wished, find any quantity of tea, by means of the Chinese junks in those seas; do you know, or are you able from satisfactory information, to acquaint the Committee, whether there are means for control by manifests, clearances, or other revenue checks amongst those islands, on such illicit trade, if, from disappointment in their speculations, the commanders of those vessels should have recourse to such practices?—I know that at present there are not such checks; and to place checks around the coast of the islands of Java and Sumatra, would, to say the least of it, be a most expensive experiment, and in my opinion scarcely practicable; because the Malays are eager after

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after gain, and I do firmly believe, from what I have seen of them, that there are some of their priests that would convert their places of worship into warehouses, if it were possible to gain by so doing.

Are you sufficiently acquainted with the produce of the islands in those seas, to know whether any quantity of tin might not be procured from Banca, at a considerably lower rate than it could be imported from Great Britain?—Yes; I believe large quantities of tin may be obtained at Banca, and carried to China, so as to undersell that sent from Great Britain.

Have the goodness to state what you consider to be the intrinsic value of the Bombay rupee, compared with the money of this country?—As a British merchant, I only can consider it as to its relative value to the pound sterling, in my mind and consideration it bears no other value.

Do not all coins bear an intrinsic value as well as a relative value, in exchange?—I must again say, as a merchant, I have not taken that, or found the necessity for taking it, into my consideration.

By the most accurate assays that have been made of the Bombay rupee, both in this country and in India, its intrinsic value is ascertained to be something less than 2*s.*; but supposing it to be two shillings, and that you had purchased an investment of goods, of the value of 1,000*l.* in this country, how much would it amount to, at the exchange above mentioned, in the money of India?—Ten thousand rupees.

Supposing this investment to have realized that sum of ten thousand rupees in India, and that this amount were remitted to you at 2*s.* 3*d.* the rupee, how much would this amount to, and realize to you in pounds sterling in England?—1,125*l.*

Supposing these ten thousand rupees to be remitted by your agent, at 2*s.* 6*d.* how much would you then realize in England, as the ultimate return of the consignment in question?—1,250*l.*

Then would you not have gained a greater profit in the one instance than in the other, in pounds sterling in England, by this higher rate of exchange, if you received 1,250*l.* in one instance, and only 1,125*l.* in the other?—There would be that difference, but I should consider that entirely a bullion transaction.

On the goods you exported to India in the Company's ships, what rate of freight did you pay from the year 1793, downwards?—The rates have varied from about 7*l.* to 10*l.*; I have paid 8*l.* and I have paid 10*l.*

Has the rate of freight been of late years increased?—For the last three years I have not made any shipment to India as a merchant, therefore I am not very well informed upon that point; but I believe that it has not very much varied.

Did any increase take place, subsequent to the year 1800, down to the last period at which you traded?—I have generally preferred shipping my goods on the regular ships, on account of their safety, and the rate of insurance being so much lower; and I think the price, generally speaking, has been about 10*l.* per ton: the Company in their extra ships allow freight upon lower terms; the regular ships are the 800 ton ships, which are manned, armed, and fitted in a superior manner to what the extra ships are; the difference between the two is, I believe, about 2*l.* per ton, the outward freight.

What is the difference in the rate of insurance upon a regular and an extra ship?—The regular ship is insured with great facility, out and home, at 12 per cent. I believe that there are some brokers in Lloyd's Coffee House, who having good business to do, get the extra ships insured at the same rate: but in my opinion there is a considerable distinction, their being enabled to do so, I attribute to the eagerness of speculation; but as an underwriter myself, I should consider the risk nearly three or four per cent. more, being, as we are, at war with America.

Supposing a merchant to go to India for the purpose of a return cargo from thence, would he not be satisfied to receive prime cost on the exports from this country to India, if the returns yielded him an adequate profit upon the whole voyage?—I presume that the original object of the merchant would be, to obtain a fair return of profit, and whether it was derived from the outward-bound investment,

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or the homeward-bound cargo, would be a matter of perfect indifference, so that ultimately, on the return of the ship, a fair profit was produced.

If a loss were to occur upon the export cargo, would not that be deducted from the home profit, in the usual mode of mercantile speculation?—Yes, certainly; a merchant does not make up an account of an adventure until he gets possession of his returns.

In the early part of your evidence you stated, that you considered from 12 to 15 per cent. to be a fair mercantile profit upon an adventure; for how long a period of time do you suppose your capital to be employed in such an adventure, or in the obtaining of that profit?—Eighteen months I should consider the period.

You mean then to exclude from your mind the legal rate of interest for money during that period, had your capital been lent on bond or vested in Exchequer bills?—I should.

The 12 or 15 per cent. is to be clear of all deductions whatever?—That is my opinion of a fair mercantile profit, which would give from eight to ten per cent. per annum, upon the capital, exclusive of interest.

Ten per cent. more than you would make by the interest?—I think that is a fair profit for an Indian capital, I should make a distinction as to the risk of capital: a man trading to India is intitled to a better profit than a man who trades nearer home, for he may find, as I have found, considerable difficulty in getting his capital out of the hands of agents with whom he has traded in India. I have had a capital exceeding 40,000*l.* detained for several years by an house of agency in India, against my will; merchants trading with such risks are entitled to an higher profit than a man trading to Spain, Portugal, or Germany, has a right to expect.

Has the manner in which the Company have supplied tonnage to the manufacturers for exports from this country been such, as, in your judgment, to give sufficient encouragement to our manufacturers to export their goods to India?—I am of opinion that sufficient accommodation was given to the public under the Act of 1793; there may have been some little trouble as to the forms of office, but I know enough of the India House, generally speaking, to say, that the heads of the offices are a set of very respectable men, I think quite equal to any of the public offices of government, and I have never perceived any difficulties wantonly thrown in the way. In the shipping office difficulties may arise with the clerk, shoemakers and cabinet-makers or men not acquainted with the forms of office, coming in and making a demand at the same time, has occasioned obstructions to a man acquainted with the routine of his business, and who would not give any trouble if he could get access to the clerk to whom he should go; but, with making fair allowances, I think ample accommodation has been given, and the best proof I can adduce is, that the Act says, the Company shall grant 3000 tons per annum; now, upon the average of eighteen years, the quantity used by the public amounts precisely to 1,211 tons a year.

Are you of opinion that a greater average amount of export would have taken place, if greater facilities had been given to the manufacturers?—I see that in the years 1807, 1808 and 1809, there was an increased demand, but in the years 1810 and 1811, there was a very considerable falling off; now I can suppose that to have arisen from men shipping who did not know the real state of the market, and who, about the period of 1809 and 1810, had discovered the fallacy of their expectations in making large shipments to India: however, there was in addition to this grant, of which the public did not avail themselves, an allowance granted in the year 1806, and I think that considerable losses have arisen. It is my opinion that the traders possessing capital, knowledge and experience, have withdrawn from it, and that shipments have been made by men who had not capital, some of whom have become bankrupts; the consequence is, that the loss arising from their speculations has fallen upon the industrious manufacturers or tradesmen, a thing which it appears to me extremely desirable to guard against; because if a man without capital says he will oppose me in trade, supposing I possess ten thousand pounds, and each of us has losses to the amount of ten thousand, I and my family are deprived of those comforts we possessed, but the speculator is precisely where he was, all he has to do is to become

become a bankrupt, and he starts afresh; I have been informed and believe, that there are underwriters who attend Lloyd's, that have been twice bankrupt. *William Davies, Esq.*

You are an underwriter yourself?—I am.

In your judgment, the difference at which you would underwrite one of the Company's regular and one of the Company's extra ships, would amount to between three and four per cent?—In my judgment there is that difference of risk at this present time.

Can you form any judgment of the difference in the rate of insurance, supposing an individual had a right to send his ship out to India from any of the out ports, his ship being in the judgment of the individual, properly equipped for India, at what would you underwrite that ship, as compared with one of the Company's extra ships?—The extra ships at present are well found, but the distinction between an extra ship fitted for India, and a ship which had been in the West India trade is very considerable; and really as an under-writer, I would not underwrite them upon any terms; I am not a general underwriter, and therefore not competent to answer that question.

From your general knowledge of Lloyd's coffee-house, are you of opinion, that if such policies were to be effected upon private ships, they would be effected at a great increase of rate?—With the disposition that I perceive in Lloyd's coffee-house, for what I consider speculative engagements, it is difficult for me to say (who have not been lately much among them) what they would do.

During the period alluded to by you, have there not, to your knowledge, been very considerable exports of British manufactures in Indian-built shipping?—There have; the terms of freight have been lower than the terms on which it could be obtained at the East India House; and I have shipped myself to a very considerable amount in East India ships; I have shipped as low as four pounds per ton.

Is not the owner of a ship returning to India, obtaining a freight of 4 or 5 *l.* a ton, very well satisfied with it, considering it as so much additional gain, if any gain has been derived from the speculation on the homeward-bound voyage?—I presume that the proprietor of an Indian-built ship would be satisfied with 4 or 5 *l.* per ton, provided he could fill his ship; but I understand that to be a very difficult matter; I understand it to be very difficult at this time to obtain any freight upon any terms.

Therefore any thing that a ship returning to India can obtain in the way of freight is very desirable?—Of course it is a matter of profit, and no injury whatever to the ship.

Does not it often happen that ships go the West Indies in ballast?—I do not know that myself; I have possessed a West Indian ship; she had freight, but the freight is small; I know it is considered when a West Indiaman gets a freight but of about a thousand or fifteen hundred pounds, it is a good outward-bound voyage.

Do not they go often half laden, and some quarter laden, and even sometimes in ballast?—I believe they do, though I am not acquainted with the fact.

Do you think that the quantity of goods shipped on those Indian private ships you have mentioned have increased, upon the whole, the consumption of such goods in India, or have only transferred the transport of them from one class of ships to another; from the Company's ships to ships of individuals?—I do not think they have been the means of causing a great increase in India, because I am of opinion that that was not practicable; but I can suppose that it may have been the means of more goods going from this country to India, because many who could obtain tonnage at 4 *l.* per ton would be ready to make shipments, such as empty bottles for instance, who would not give ten pounds a ton for that.

Can you speak generally to the nature of the exports from this country to India, whether they are properly speaking, manufactures of Great Britain, or other articles not the produce of this country, such as wine?—I can read a list of the goods generally sent, and the proportion in which they have been sent for the last eighteen years.

Taken from what?—From a paper at the East India House.

Do you believe it to be correct?—I believe it to be quite so.

[The account was read as follows.]

AN ACCOUNT of TONNAGE, and PRINCIPAL ARTICLES exported by Individuals on Freight, from 1793-4, to 1810-11 inclusive.

	Tons.	Feet.
In 1793-4	919	—
1794-5	40	15
1795-6	31	—
1796-7	252	—
1797-8	—	—
1798-9	374	6
1799-1800	195	28
1800-1	129	35
1801-2	31	32
1802-3	1,310	22
1803-4	850	33
1804-5	1,431	11
1805-6	3,931	19
1806-7	1,949	27
1807-8	2,509	25
1808-9	2,487	8
1809-10	3,511	32
1810-11	1,800	15
	21,806	28

Consisting of the following Articles.

	Tons.	Feet.	Tons.	Feet.
Wine	5,511	—		
Beer	3,244	24		
Iron	2,147	—		
Pig, Sheet, Red and White Lead	1,078	20		
Copper	805	33		
Carriages	685	—		
Oilman's Stores	523	38		
Spirits	207	10		
Confectionary and Cordials	174	10		
Quicksilver	155	15		
Steel	62	25		
Iron Guns	34	20		
Pitch and Tar	19	26		
			14,649	21
Ironmongery and Nails	599	7		
Cutlery and Hardware	176	12		
Cottons and Linens	102	27		
Tinware and Braziery	47	31		
Turnery	35	10		
Plated Ware	33	35		
Fowling Pieces and Pistols	5	36		
Swords	5	21		
			1,006	19
Glass and Earthenware			2,704	29
Sundries			*3,445	39
			21,806	28

* *Consisting of*

Boots and Shoes.
Braziery.
Cabinet Ware.
Canteens.
Carpeting.
Chemical Apparatus.
Clocks.
Cochineal and Saffron.
Cordage.
Corks.
Cotton Presses.
Drugs and Medicines.
Fishing Tackle.
Flannel.
Floor Cloths.
Garden Seeds.
Glass Beads.
Glass Bottles.
Gold and Silver Thread.
Grocery.
Hats and Haberdashery.
Hosiery, Gloves and Silks.
Helmets.
Jewellery.
Lead Images.
Leather Pantaloons and Gloves.
Lines and Twine.
Looking Glasses.
Mahogany.
Marble.
Mathematical Instruments.
Millinery.
Mineral Water.
Morocco Leather.
Musical Instruments.
Plate.
Painters Colours and Oil.
Perfumery.
Pipes.
Prints and Pictures.
Saddlery, Whips, and Harness.
Soap.
Scales and Weights.
Snuff and Tobacco.
Soda Water.
Stationary, Cards, Maps and Books.
Steam Engines.
Stills.
Tin Plates.
Tin Ware.
Toys, Turnery, and Blacking.
Upholstery.
Woollens.

Mr. Davies.] This paper goes to shew, that the exports have been chiefly in wine and beer, and not so much in the manufactures of this country. *William Davies, Esq.*

Is it within your knowledge, that the manufacturers of British articles have themselves been the shippers, or have desired to be the shippers, or whether the articles which have gone, have generally gone from merchants and other adventurers to India?—It was the object with those who did ship such goods to conceal the matter of fact from the merchants, because it would interfere with the sale of the merchants consignment, which they had purchased from them; but I have been informed, that some of the manufacturers have exported on their own account; I have heard that Sir Robert Peel did to a large extent: I believe that some of the minor manufacturers in London have exported goods on their own account, but as it was an object to them to conceal that from me and other merchants who had given them orders, I have not known it from them.

Do you conceive this to be an experiment made once or twice, or that they continued in this practice from year to year?—Of late I understand they have desisted; that they have discovered it an unprofitable attempt and have desisted.

You now speak of the manufacturers themselves?—I rather speak of the traders than the manufacturers; I am not so well informed as to what the manufacturers did, except in the instance of Sir Robert Peel, as I am of the traders who call themselves manufacturers, in London manufacturers of hats and manufacturers of shoes for instance.

You speak of tradesmen in London?—Yes, manufacturing their own articles. I speak of the hatters and glass makers, for instance, who manufacture their own articles.

Do you know that Sir Robert Peel and Co. have desisted from sending goods to India on their own account?—I do not from my own knowledge know the fact of their having sent any, but I have heard it so rumoured; and that rumour I have given credit to.

Are you an underwriter in the East India trade at all?—I am, on a confined scale.

You have before said, you would not insure private ships at any rate?—I would not.

Do you mean to say by that, you should not consider private ships insurable by a private underwriter, or that they would not be within the scope you have prescribed to yourself as an underwriter?—I consider that all ships at certain premiums are insurable by respectable underwriters; but they are a class of ships that would not come within my scope of underwriting.

You speak of the ships you suppose may be sent out hereafter?—I am speaking of the ships that I presume may hereafter be fitted out from the different out ports.

If those ships fitted out from the out ports were equally good with the Indian built ships, would you decline insuring them; would you insure the one and not the other?—I should not make that distinction; if I insured the one the probability is I should insure the other, making a proportionable difference for the goodness of the ship.

Would you expect, supposing you were inclined to embark in such underwriting, a considerable advance of premium?—I really should.

Taking into consideration freight and insurance, at what difference per cent. do you apprehend that by the ships proposed to be admitted into the trade to India, goods could be exported, compared with the rate per cent. at which they are now exported on the extra ships of the Company?—It is really my opinion, that it would be impossible for any individual to export on lower terms than the freights that the Company now obtain ships at; I have, as I stated before, a ship of my own that was in the West India service; I bought her for ready money upon low terms, I fitted her out as cheaply as I believe any other merchant in London could have fitted her out, and at an advanced rate of freight to that which I now obtain from the East India Company; she was unproductive of profit; I am not only the carrier of those goods for the Company, but I am the protector of those goods from injury, which frequently makes considerable difference in the freight.

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Is the Committee to understand, that the rate per cent. at which goods could be exported in the private ships proposed to be admitted to the India trade, would not be less than the rate at which they may now be exported, taking freight and insurance together, in the Company's ships?—I must beg leave to answer that question, by first stating, that though the ship owner may be a loser upon the freight at which he may let his ship to the East India Company, the East India Company may, for what I know to the contrary, charge such a freight to the public, that the East India Company could not be loosers; but I am of opinion, that the East India Company have this last year obtained ships at such a rate of freight, that it is not desirable either for them or the public that they should get them lower, or so low.

Practically, in point of fact, if a man had to choose at this moment, whether he would send out his goods in one of the Liverpool or Bristol ships, or in one of the Company's extra ships, would the rate of freight and insurance to which he would be subject, in the first place, in the private ship, and in the second, on the Company's ship, vary, and to what degree?—That is a matter of calculation; I believe the Company charge to the public 8 *l.* per ton; I believe they are not gainers by the freight that they let to the public; I have been informed, and I believe accurately informed, that their loss upon ships that they have freighted from individuals, and relet to the public, between the year 1795 and the year 1810, has amounted to 444,293 *l.*; I think no Liverpool, Hull or Bristol merchant, could export goods to India cheaper, taking insurance and every thing into consideration, than he may at this time through the Company.

In what way do you suppose the ship owners to be ultimately indemnified for these tenders, at rates apparently losing?—They are not indemnified; they are losers.

How come those tenders to go on?—Because the ship owner having got his ship into that line of service, has of late found a difficulty in getting any other employ for it; and there may be other inducements of a nobler nature, such as serving young men who have been patronized by the ship's husband; the captain of my ship happens to be a Welchman, and on that account, as a countryman of mine, I have made up my mind to make a considerable sacrifice for his benefit.

Then this is in the nature of a bonus bestowed for acquiring the command of those ships?—It is a bonus bestowed.

You understand it to be worth while for an owner who wishes to serve a captain, to lose a certain sum of money to place that captain in the command of a Company's ship?—No; I do not understand it to be worth while to do so; but an owner having placed a young man once in the command of a ship, he, in consequence of attaining that situation, having married an amiable woman, and got a family, the owner afterwards may feel disposed to sacrifice a sum of money for the benefit of that family, and keeping the young man in a situation that he has filled with credit to himself and service to his country; such were my feelings when I made an offer of this ship on a second voyage to the East India Company; myself and partner are proprietors of twelve sixteenths of that ship, as we are of what other ships we have, except one, and in that we have eleven. I have a great respect for some of the captains that have served us, and I should be extremely sorry to see a man lowered from the situation that I had been the means of placing him in, and leading his family to expect he for years would continue in. When I first bought this ship it was in the hope of gain; the freights were better then, and I did hope they would increase, instead of which they have fallen off.

Do you think it possible, as a merchant, this system can go on long?—I am of opinion that the system of the East India Company obtaining freights on the very low terms they do at present, cannot last long, because, I presume, no man would keep his ship in that employ longer than until he could find a more profitable one for her.

Do not the Company take up their ships by public contract at the lowest bidding?—The executive body of the Company act in the most correct and honourable way; the fault is not with them; it is the competition, it is the want of employment in other services; a merchant says, it is better that I should gain £. 20,000. by my ship, though that will not remunerate me, than that I should not gain any thing for twelve months, or that I should embark her in a service where I shall only gain £. 15,000.

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In general when a ship is engaged to the Company, is she not engaged for six voyages, extending probably fifteen years, so that having once made an engagement they cannot alter it?—I have built two ships for the Company; my contract, prior to the keel of those two ships being laid, was for an engagement of six voyages, but the ship I have been last speaking of was engaged for one voyage only; but in general the contract is for six voyages, and the only terms on which I could be tempted to come into any engagement with the East India Company again as a ship owner.

Having stated that the India Company have lost above 400,000*l.* by freight, do not you think that fact might be consistent with their having charged a higher rate of freight than a private ship owner would charge, in case of a free trade?—I presume that a private ship owner would not embark his ship but, at least, with a prospect of obtaining a profit; now the Company have certainly re-let those ships so as to be losers by them, their motives for so doing I shall not presume to surmise.

Do you know what is the rate of freight outward and homeward charged by the Company upon those ships from which you suppose a loss is sustained?—Of late years not having been engaged as an East India merchant, I have not made those minute enquiries which would allow me to state it as matter of fact, but as matter of belief, the freight out has been 8*l.* per ton, and homeward about 16*l.* per ton.

Considering the great loss the Company have sustained by supplying the tonnage of the extra ships to the merchants, and also the great loss that the owners of those extra ships sustain by letting them to the honourable Company, do not you conceive that it would be more for the interest of both parties to allow the private merchants to supply themselves with tonnage?—As a matter of mere profit and loss, I presume that the Company would not lose by being deprived of their export trade, but when I think on that subject there are questions of great magnitude involved; but merely as a matter of profit and loss, I think they would be gainers by having the export trade taken from them.

Would it not be also advantageous to the owners of the extra ships, considering it as a question of profit and loss?—The owners of the extra ships are at present, I think, losers by their contracts with the East India Company; but that, like every other part of trade, has its rise and fall, and must in time come back to its fair level.

The Committee are to understand, that one great inducement to the owners of extra ships, to let them to the Company at a low rate, is, the connection they may have with the person who is to be appointed to the command of those ships; does not a great part of the advantage, which such commander derives, arise from passage-money?—I would wish to explain the connection between the owner and the captain; I must speak from that which I know: As the principal owner of three ships, I was originally induced by the merit, and the merit only, of the men, to select them for my captains; I never received a shilling by the way of bonus; that, I believe, is not universally the case in the service. A part of their profit, and, I believe, at present, the greater part of the profit that does arise from the voyage to the captain, is from the passengers, and from obtaining his tonnage freight free.

Do you not conceive that a ship owner, in contracting with the Company for his ship, the contract being for six voyages, has not in his contemplation the contingency of peace, by which he may expect to be indemnified for the sacrifices that a time of war require?—When I first offered my ship to the Company, it was with the hope of gain. I had formed erroneous opinions as to the manner and rate at which a ship for such a voyage could be fitted out; but experience has convinced me, that upon the small ships, at the present rate of freights, no gain should be expected by the ship owner; but I had not in contemplation any particular advantage that would arise to me in the event of a peace; I believe war quite as good for me, upon my twelve hundred ton ships, as peace: those, I trust, will produce to me a fair mercantile profit, upon a very large capital.

In the account of the Company's loss by those extra ships, are you not aware that one part of the loss is made up of demurrage?—I understand it to be so.

And that that loss by demurrage arises from detensions, and from circuitous voyages, occasioned by a state of war?—Certainly.

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Which therefore are not to be looked for in a time of peace?—Certainly; that loss falls upon the Company, and not upon the ship owner.

Have the goodness to state the peace freight, at which he has let his ships to the honourable Company?—The one at 19*l.* 15*s.* per ton, for twelve hundred tons, and the half of that sum on all exceedings of the twelve hundred tons; the other at 17*l.* 17*s.* per ton, on the twelve hundred tons, and half that sum on all she can bring home more than the twelve hundred tons.

What are the war allowances made by the Company to you per ton?—The war allowances that I have received on a ship of twelve hundred tons, called the Cabalva, have been about 16*l.* per ton; the other ship, being now on her passage from Bombay to China, will not, this voyage, be entitled to any war contingencies.

Is the Committee to understand you to say that you make, or are likely to make, a fair mercantile profit upon letting those ships to the honourable Company upon those terms?—The peace freight that I now obtain upon a ship, which I have lately built at Bombay, is 17*l.* 17*s.* per ton, as I before stated, for the twelve hundred tons, and the half of that sum for all surplus; that is my present peace freight; but if a peace were to take place, I should obtain further allowances from the Company, which at present are not, nor can well be accurately ascertained, as it would depend upon the price of cordage, canvas, iron, and the various articles requisite for the fitting out of a ship, when peace may take place.

Is there any stipulation made in the tender, by an owner of a ship, to the honourable Company, for such increased allowances upon the return of peace, and when the allowances for war contingencies would, as a matter of course, be struck off?—When the executive body advertise for tenders, they leave with their clerk to the committee of shipping, the terms on which those tenders are to be made, which always are very distinct and specific.

Do those terms contain any such stipulation as that alluded to?—Yes, they do.

Be so good as to state the nature of them?—I have before stated, that they in some degree depend upon the price of the various articles requisite for the outfit of such a ship; and without the public obtaining such terms from the Company, I am of opinion, that no merchant would embark a capital of from eighty to ninety thousand pounds, which it now requires, to build a ship of twelve hundred tons, and fit her out well, including insurance.

Is the amount of those allowances so to be made by the Company, as stated by you, obligatory upon the Company, or otherwise?—Certainly binding upon the Company.

The amount of them?—Yes; that is specified.

Would the amount of those allowances, in your opinion, be equal to the expenses?—I am of opinion, that they would be equal to the expense; that is, that the total amount would be equal.

Is the Committee to understand from you, that it would be equally advantageous to you, to sail your ships in the service of the honourable Company during peace as it now is during war, according to your agreement with the Company to which you have referred?—One ship, I expect, will be more productive to me during war; the other, I think, may at least be equally productive in peace as war.

What is the usual peace freight for the extra ships?—It varies, from about 16*l.* to 20*l.* per ton.

What is the whole freight upon the extra ships in time of war, taking the peace freight and the war allowances together?—The tender is made at a specific sum per ton, and that has varied from 40*l.* per ton down to 26*l.* per ton, within a very few years; there are no war allowances upon those extra ships, in addition to that specific sum at which the tender is made.

You mean for single voyages, I presume?—For single voyages, certainly. In this instance I speak of ships that are engaged by the East India Company for the performance of one voyage only; they have another class of extra ships, which they have engaged for a certain number of voyages, giving them a certain peace freight, and allowing

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allowing them certain war contingencies, after the manner in which they allow to their eight hundred and twelve hundred ton ships, which, by way of distinction, are called regular ships.

Have you any idea of the rate per ton at which a Liverpool merchant could afford to send any one of his ships a voyage to India and back again?—I think that would much depend upon the outfit of the ship and the ship herself; but I am quite of opinion, that a ship which would go from Liverpool to the West Indies, and bring a good and sufficient cargo from thence, could not convey indigo, silks, and salt-petre, with advantage to the ship-owner, on the terms at which the East India Company now engage that class of shipping, because the ship-owner would be liable to all the damage sustained; and although a small leak would in no degree be detrimental to a West Indiaman, it may create a very considerable loss to a ship that has an East India cargo on board.

Are you aware that the extra ships are paid an extra allowance for such political services as they may perform in India?—Yes; I am aware they are so paid.

Are you aware that that allowance is included in the amount charged as freight of extra ships on the Honourable Company's books, and upon which you state them to have lost so large a sum?—I am not sufficiently well informed to answer that question with satisfaction to myself.

Is it usual for the commanders and officers of the Company's ships, on going to India, to employ European agents or native agents?—I believe the captains and pursers generally employ European agents, but that the officers who have small investments, get their business done by black men.

Have you ever heard a single instance in which a commander of an East Indiaman, going to Bombay, has employed a European house of agency in the sale of his investment, or in the purchase of his returns?—I have understood that there was a certain aid obtained from the houses of agency, by the captains in the management of their concerns; how they remunerate those agents for the services that they rendered them, or the full extent to which those services were rendered, I cannot speak accurately, never having been at Bombay; my answer was as to India in general.

Would it be profitable to the owners of ships, if, immediately after delivering their cargoes, they were reloaded and dispatched without remaining some months unemployed?—It is quite obvious, that the having a ship unemployed for any period of time, is to a certain degree detrimental; but how far it may be prudent to send ships at certain periods, is a matter for consideration: For instance, I expect a ship from China in the course of this month; as a ship-owner, I have no wish that ship should sail again for Bombay and China earlier than the 1st of next January, though she would be unemployed in the docks for a few months.

Suppose she was immediately to be dispatched to Bengal or Bombay?—I am of opinion, that at present, the executive body of the Company have well arranged the general dispatch of their ships; because, I am of opinion that they should sail between the 1st of January and the 1st of July, which I understand they now are desirous themselves of having taken place.

Supposing a ship to sail the latter end of August, when do you think she would reach Bengal?—It would be a difficult passage that she would have to make up the Bay of Bengal; and much depends upon the skill of the captain and officers in navigating her along the coast.

Do you think she would get to Bengal in time to be dispatched again during the fair season, if activity was used there?—I have gone from Madras to Bengal, against the monsoons, in less time than three weeks, I therefore presume she might get to Bengal in time to be dispatched in due season.

Would a ship at that season of the year go to Madras, or would she go to the eastern side of the Bay of Bengal?—I presume she would keep on the eastern side, but I have heard of favourable passages having been made by keeping within reach of the sea and land breezes on the western side of the Bay.

Would such a ship not be subject to fall within the Monsoon on the coast of Coromandel?—I presume that she would keep such an offing as to keep herself clear

William Davies, Esq.

of the surf that runs so high upon that coast during the monsoons: and doing that, I think she might make a short passage, by keeping the coast of Coromandel well on board.

Do you know the rate at which India built ships have brought home cargoes from Bengal?—I am not well informed.

Have the goodness to explain the ground upon which the ship of twelve hundred tons, belonging to you, now on her way home from Bombay, is not allowed any thing on the score of war contingencies?—My original contract with the East India Company, was, that I should build a ship at Bombay, and bring her to England on my own account, and that after her arrival in England, she should perform six voyages to and from India for the East India Company. Not deeming it prudent to import into this country fourteen or fifteen hundred tons of such goods as I could purchase at Bombay, I made an offer to the East India Company, to bring them a cargo of teas home from China upon low terms, conditionally, that I were permitted to have the advantage of freighting that ship on my own account from Bombay to China.

What is the freight you received from China to England on the teas?—Sixteen guineas per ton upon all she can bring home, the Company engaging on their part to pay certain expenses at Canton, which will amount, I presume, to fourteen or fifteen hundred pounds.

[The Witness was directed to withdraw.

[The Committee adjourned, till to-morrow morning at Eleven o'clock.]

22.

Jovis, 6° *die Maij*, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Robert Morris, Esq. - - - - - p. 375.
William Davies, Esq. - - - p. 377.

(No. 11.)

Of Evidence before Select Committee.

Ordered, by The House of Commons, *to be printed*,
7 *May* 1813.

23.

MINUTES of EVIDENCE

TAKEN BEFORE THE SELECT COMMITTEE,

Appointed for the purpose of taking the Examination of such Witnesses, as shall be ordered by The House to attend the Committee of the Whole House, on the Affairs of The *East India* Company; and to report the MINUTES of such Examination, from time to time.

(No. 12.)

Veneris, 7° die Maij, 1813.

The Right Hon. JOHN SULLIVAN, in The Chair.

WILLIAM STANLEY CLARKE, Esquire,

was called in, and Examined as follows:

Mr. Impey.] ARE you in the sea service, or have you been in the sea service of the East India Company?—I have been in the sea service of the East India Company more than twenty-five years. *W. Stanley Clarke, Esq.*

Have you been commander of a regular ship of the East India Company's service?—I have; six voyages, during about fifteen years.

In consequence of having been so long in the East India Company's service, are you acquainted with the Indian trade?—Generally so, of that part of it which commanders and officers of our ships are accustomed to participate in.

You have regularly made use of your privilege as an officer in carrying out investments to India?—Invariably.

What has been the assortment of goods of which those investments have consisted? A general assortment, consisting of staples, and in short, of every description of merchandize suited to the Indian markets.

Principally English produce and manufacture?—Yes, principally so.

What British produce and manufacture are suited to the Indian market?—The staple articles are iron, lead, and copper; the miscellaneous, wine, beer, hams, cheese, &c. and in short, a great variety of articles suited to European consumption.

What articles of British manufacture?—Almost every kind of British manufacture; such as sadlery, glass ware, and also furniture, in a small degree.

Any woollens?—Woollens are prohibited to the commanders and officers of the Company's ships.

W. Stanley Clarke, Esq.

Do you think any private trader can carry out British produce and manufactures to India with the same advantage as the superior officers in the East India Company's service?—I conceive, certainly not.

State the advantages those officers have over any other private traders?—They are granted a certain privilege by the regulations of the East India Company, by virtue of which, they carry out their investments free of all freight.

They can also insure at a very low rate, can they not?—They insure at the same rate that the Company's ships are generally insured; certainly I believe at a lower rate than ships of a smaller description, and of less force, would be subject to.

Can you state to the Committee, whether the investments carried out from this country by the East India Company's officers, have of late been profitable to them, or otherwise?—The profitable result of the investments carried out from this country, is very dependent upon the state of the markets, and the markets of late years have generally been so fully stocked, as I believe to yield a very moderate advantage. I have in my possession a letter from a captain of one of the ships that went out in the last season to Madras, in which he describes his great apprehensions of suffering a very serious loss from his outward investment, in consequence of the great glut in the market of all European articles.

So that not only in your time the markets were overstocked, but you have reason to believe that they are now?—I do not mean to say that the markets were always overstocked in my time, but I think generally, they have been so much so as to yield but a small return under the description of profit.

Your three last voyages were to Bombay, were they not?—They were to Bombay, and ultimately to China.

Did you carry out any specie to Bombay in this last voyage?—On my two former voyages I carried out specie to a considerable amount.

Which of those voyages?—The two former of those three voyages, from an apprehension, that with too large an adventure in merchandize, I should not be successful.

During the time you were employed in the Indian service, did you observe that any new articles of British manufacture, or produce, found a market in India, or were demanded there?—I really am unable to name any new article: I certainly myself tried an experiment in carrying out some Manchester goods to the amount of about £.1,000. on two of my voyages, and it assisted the disposal of the rest of my investment, by making the assortment more general, but I believe merely to that limited extent that I could have hoped for a market, and that chiefly for the consumption of Europeans.

In your opinion, if a free trade were opened between this country and India, would there be any increased demand, either among the natives of India, or among Europeans, for British commodities?—I apprehend, not among the natives.

Do you apprehend there would among the Europeans?—I think that would much depend upon the possibly increased number of European residents, and the consequent increased number of consumers.

You of course understand the loading of a ship for a homeward voyage; must there not be an assorted cargo of light goods, and what is called dead weight or ballast goods?—Undoubtedly.

Are you acquainted with the ballast goods from India, what they are?—I believe they are saltpetre, sugar, and such other articles of dead weight.

Rice?—Rice is included certainly.

Do you recollect any other article?—I cannot say that any other occurs to me.

Saltpetre is confined to the Company's ships, is it not?—It is.

Then if private ships were to load from India for this country, they must take as ballast, either rice or sugar?—I apprehend that would be the case.

Must not rice in general be extremely unprofitable to them, except on occasions of great scarcity here?—I conceive it a very precarious article.

Do you not think, for the most part, their ballast would be sugar?—That must in some degree depend upon the judgment of the parties. W. Stanley Clarke, Esq.

Saltpetre not being permitted to them, and rice in general being a very precarious article, do not you think that the judgment of the parties would generally lead them to take sugar as ballast?—I should suppose it would.

Are you acquainted with the capability of Bengal for the production of sugar; do not you think it might be produced in Bengal to any amount?—It is nineteen years since I was in Bengal, but I certainly have a general understanding that it might be so produced, as the question infers.

From your experience, do you think that the capital that is now employed by the Company, and by private merchants in the Indian trade, is fully adequate to embrace it according to the present demands?—According to the present demands, I should say certainly.

Are you well acquainted with the islands in the Indian Archipelago?—I have been through several of what are called the Eastern Straits, and I have also visited the island of Amboyna, and Ballytown, in the Strait of Allas; the native name is Loboagee.

Do you apply the term the Eastern Islands, to the whole of the Archipelago, or only part of it?—I believe the Straits of Macassar are considered by navigators the western limits of the Eastern Archipelago.

State to the Committee, whether the inhabitants of those islands are of a mild or of a ferocious disposition generally?—The natives of the islands of Celebes and Borneo are said to be ferocious; I speak not from personal knowledge of them; those with whom I had intercourse in the Straits of Allas were a courteous and civil people, but still when there a single ship, we used great caution in our intercourse with them, to guard against any disposition to treachery.

Has it not been found by experience, that they generally have a disposition to treachery?—I believe generally where they have any interest to become so, or their resentment is excited.

Are they not what may be considered a barbarous, rather than a civilized people?—I certainly so consider them.

The climate of those islands is extremely hot?—Yes, it is.

What is the clothing of the natives?—Of the simplest description possible; they wear a garment round their middle, and a turban or light cap, upon their heads, which I believe form the principal, if not entire, part of their clothing.

Are those of cotton?—Yes, of cotton cloths of their own manufacture.

State to the Committee, what articles of European produce or manufacture, in your opinion, can be disposed of amongst them?—I am really unaware of any articles of European manufacture, unless it were a supply of ammunition and fire-arms, which are a prohibited article; when I was in the Straits of Allas for poultry, and such minor description of provisions, we found, they would accept in exchange to a certain extent of knives, and such articles of coarse cutlery; for bullocks and provisions of a more expensive kind, we paid in dollars; commercial dealings we had none.

In your opinion, is there any the least chance of disposing of woollen goods of this country to any amount, among those islands?—I think not.

Do you think the ports of those islands have been already fully explored, in a commercial point of view?—I apprehend the country traders have been most active and enterprising in endeavouring to explore them in every possible way, with a view to any advantage they might have derived from them.

Supposing a private trader of this country were to send out a ship of 400 tons, to those islands, loaded with British produce, how long do you think it would take such a trader to dispose of his cargo?—In my opinion, he would not be able to dispose of it at all; and it would be highly essential that his ship should be extremely well armed, as are the country ships which go on that description of voyage.

W. Stanley Clarke, Esq.

Are not the eastern islands governed by petty Rajahs, who are extremely jealous of, and hostile to each other?—I have understood so.

So jealous, that the trading with one of them would be likely to excite the hostility of others?—I think it would be likely to become an object of contention between them.

Do you then think that the Eastern islands could be to any British merchant an object of fair trade, with a view to commercial profit, upon any rational principle?—With a view to the sale of British produce, I should say, certainly not.

Supposing a British merchant to send his ships to those seas, do you think he could get teas in those seas, supposing the China trade still to be confined to the East India Company, and supposing an illicit commerce to be a part of his object?—There would be certainly no difficulty in obtaining teas, if it became an object to obtain them among those islands.

Is not the high duty on tea, and the high price in consequence, the strongest possible inducement to smuggling in that article?—No doubt it must operate as a great temptation.

State to the Committee, how in your opinion a trader having such illicit objects in view, would obtain teas in the eastern islands?—I apprehend, if such was their object, they might obtain them with greater facility from Manilla, or some of the ports towards the Straits of Malacca, or even in Java.

Taking Manilla first, through what vessels do you imagine they would obtain such illicit cargoes of tea, at Manilla?—They might do so, by means of the Chinese Junks, or probably by the aid of Portuguese or Spanish ships from Macao.

How do you imagine they would obtain such cargoes of tea either at Java or towards the Straits of Malacca?—There is a constant intercourse between China, Cochin-China and Java, as well as the eastern islands, by means of the Chinese junks, and country ships returning from China, pass through the Straits of Malacca, and could certainly land any quantity of teas at the intermediate ports.

Are there not Chinese colonies upon the northern coast of Java, with which, by means of their junks, the Chinese have constant communication?—I understand there are.

Would there be any difficulty in obtaining tea to any amount that is likely to be required, either from the Hong merchants, or what are called the outside men, in China?—I believe tea might be obtained in any quantity.

Do you know the fact, that the East India Company have the choice of the best teas?—I have understood them to have the selection of all the teas that come to Canton.

Supposing an illicit commerce in tea to be carried on to any amount, is it your opinion, that the teas so introduced into this country would be of a very inferior quality?—I should think they would be very inferior to the Company's teas, much might depend, however, upon the judgment and capability of selection, of the parties who purchased them.

Do you know any thing of the island of Banca and its produce?—The produce of Banca is principally tin.

Do you know whether the island of Banca produces tin in any considerable quantities?—I understand it to do so.

Have you the means of information whether that tin is easily obtained from the mines in the island of Banca?—I apprehend it to be so, but I never visited Banca myself.

Have you heard whether that tin is smelted easily or with difficulty?—I have heard easily; but I speak from general information.

Have you heard that the Chinese have in a very great degree been supplied with tin through the Dutch, from the island of Banca?—Yes, in former times.

Do you know whether the eastern islands produce iron?—I am told they do, some of them.

Do

Do you know whether the iron instruments and arms used by the natives of those islands are manufactured by themselves from their own iron?—I believe chiefly by themselves; I have also understood that they formerly obtained an occasional supply from the Dutch, of ornamented fire-arms; indeed I saw some of that description in the Straits of Allas, when I was there. *W. Stanley Clarke, Esq.*

State what return-cargo a merchant trading to the eastern islands could find there for Europe?—I am not aware of any thing; unless a quantity of mother-of-pearl shells, a small supply of tortoise shell, and perhaps some spicery; on the islands called the Fejee Islands, there has been found a small quantity of sandal wood, which the American traders have brought to China of late years, but very inferior in quality to what is sent from India.

If you, as a Company's officer had 10,000*l.* engaged in the privilege trade, what should you consider you gained over a private trader in consequence of the advantages you enjoyed as a Company's officer?—I should suppose from 12 to 15 per cent, but it is a matter of opinion.

How does that advantage arise?—By exoneration from the charge of freight, by a reduced premium of insurance, and saving on the commission for agency in India.

Can you give an opinion what proportion the British manufactures exported by the Company's officers, bear to the whole of their investments taken out?—Perhaps a fifth part, speaking of manufactures only; but this of course varies.

Are you acquainted with the state of manufactured articles now made at the Presidencies by native labourers, under the instruction of British artificers, which manufactured articles were formerly imported from Great Britain?—I know it to be a fact, that there are at this time, manufactured at the presidencies, a great variety of articles of leather, such as boots, shoes, &c.; they also manufacture carriages extremely well, furniture and cabinet articles.

Any articles in the metals, gold, silver, brass, iron and steel?—Yes, all the articles enumerated in this question generally, and very well finished.

Can you give any opinion what proportion those articles now made there and consumed by the British settlers, bear to those now imported from Great Britain?—I cannot say.

Has the exportation of those articles from Great Britain decreased?—I have understood it to have done so of late years.

Are you of opinion that as improvements increase in the manufacture of those articles, the importation of those articles from Great Britain may be materially affected?—I think so, certainly.

Supposing the present duty of 96 per cent. upon tea to be reduced to one half of that amount, do you think there would remain sufficient temptation to smuggle tea, if the Archipelago were opened to numerous vessels of 350 tons from Great Britain?—The inducement would certainly be lessened in proportion to the quantum of duty that was taken off; but I conceive, still a sufficient temptation would exist, provided the parties disposed to enter upon the speculation, saw it safe to do so.

Can you give any probable opinion what amount of duty remaining upon tea might still continue a sufficient temptation?—That is a question I find great difficulty in answering; I consider it to require so much serious consideration, that I would not wish to hazard an opinion in a summary way.

Is the Committee to understand it to be your opinion, that a quantity of tea sufficient for the supply of Great Britain, might be found in the Eastern Islands, in the event of our being excluded from China?—I think not.

In the event of a free trade in tea, are you of opinion that the price of tea would be considerably reduced in this country?—It probably would in the first instance materially, but I should apprehend the contrary might eventually ensue, from the great advance of price in China.

Upon what grounds do you consider that a great advance of price would take place in China?—From the competition that would arise between the Company and private traders, were they admitted there.

W. Stanley Clarke, Esq.

Must not the price in China depend upon the extent of purchase?—I do not think it altogether dependent thereon.

If the quantity purchased in China were not more considerable in the event of a free trade than it is at present, upon what grounds do you imagine that any permanent advance in the price of tea could take place in China?—From the advantage which the Chinese would embrace of having a variety of competitors in their market, instead of its being confined to the East India Company.

Then you do not imagine, that in the event of a free trade, any considerable additional quantity of tea would be imported into this country from India and China?—I by no means meant to state that opinion; and if so, the price might be affected, but beyond all doubt so would be the quality of the tea.

Is the Committee to understand, that you do conceive that a considerable addition would probably take place in the importation into this country?—I should suppose that would much depend upon the demand that adventurers in such trade should find for the article, their spirit of enterprize, and the consequent advantage they might look to from importing it.

Did the consequence which you state you apprehend as likely to result from a competition, arising from the free introduction of British merchants, take place at the time the Americans were in the habit of resorting to China for the purpose of the purchase of tea?—There was certainly a competition to a limited extent; the quantity of tea taken from China by the Americans, bore a small proportion to that purchased by the East India Company, who had the selection of all the choice teas, as I understand, previous to the Americans effecting their purchases.

Do the captains and officers in the service of the East India Company, pay to the Company any per centage upon being allowed to import tea from China?—They pay a duty of 7 per cent. for a small proportion of their privilege, 17 per cent. on a second proportion; these under the head of Indulgence, and on all the excess above that, under the head of Exceedings, 37 per cent.

State the proportion generally of the captain's investment from China, paying each duty?—In a commander's privilege, 688lbs. weight pays 7 per cent. 8,648lbs. pays 17 per cent. the remainder, if filled up with teas, pays 37 per cent.; a commander is allowed 38 tons from China.

What other articles besides tea, are they allowed to import from China?—Nankins and drugs; and they also frequently have permission to put in, as ballast, a quantity of mother-o'-pearl shells, over and above their limited privilege, freight free.

Have the goodness to state to the Committee what proportion the tea bears to those other articles in the excess above the indulgence, and which pays 37 per cent.?—With the exception of a small quantity of nankins, it is usual, I believe, for the commanders generally to fill up the whole of the excess with teas; 1,098lbs. of tea goes to a ton; other articles than tea, pay an ad valorem duty of 7 per cent.

Then it appears that about 38,000lbs. of tea is allowed to be brought by the captain, paying a duty of 7, 17, and 37 per cent. does he usually bring 20,000 or 25,000, on what proportion does he bring?—It much depends upon the judgment and disposition of the parties; I have in some cases confined myself entirely to a tea investment, with the exception of a few hundred pieces of nankin; at other times I have brought a proportion of drugs, such as rhubarb or gamboge; there is a distinction between black tea and green, and the exceedings are usually filled up either with black tea, or an inferior description of green tea, which is sanctioned being shipped in exceedings; the finer description of green teas are not, beyond a limited extent.

Did you in general bring fine teas, or those of the lower qualities?—The finer teas, to the extent of my indulgence; teas of inferior quality for my exceedings.

Upon those teas upon which you paid a duty of 37 per cent. did you find it a profitable adventure, that it yielded a fair return of profit in general?—A moderate profit upon teas that were in my exceedings generally.

Do

W. Stanley Clarke, Esq.

Do not the commanders of India ships sometimes purchase their officers homeward tonnage from China, for the purpose of bringing teas?—Frequently.

Are the officers entitled to similar indulgences, and to a similar privilege of bringing home teas, upon a payment to the Company of the rates already stated?—Yes, according to the extent of their respective privileges.

What do the captains generally pay to the officers for their tonnage?—That fluctuates very much; I have known it from 20 *l.* up to 40 *l.* a ton.

Do not the commanders on a voyage to China, pay to the Company a further sum of 500 *l.*?—They do.

Upon what account is that money paid?—It is paid as a charge under the head of freight in our accounts, it was adopted in the year 1796.

Is that confined to a China voyage?—No; it applies to all the Company's regular ships.

If any mode could be adopted by which the payment of so large a sum as 37 per cent. upon tea could be avoided, would not the temptation of smuggling be reduced to that extent?—If there existed the disposition, and a facility of smuggling, I apprehend it would.

When you were in the command of a ship in the Company's service, were you allowed to take out for sale in China, every article of British manufacture?—We were precluded from taking woollens, fire-arms, or warlike stores.

Were you allowed to take out tin?—Tin also was prohibited, unless by special permission.

Do you recollect any other articles?—No other articles occur to me at the present moment.

Were you allowed to take out those goods upon the payment of any duty to the Company, or were they absolutely prohibited?—They were absolutely prohibited unless leave was granted: I think I have understood some commanders going to China have been allowed to take a limited quantity of tin, on special application, but without any additional payment to the Company.

What was the change of system in 1796, which occasioned the charge of 500 *l.* payable by the captains to the Company?—It was at that period that the Company adopted the system of hiring their ships by open competition, and doing away the existing sale of commands which had before been practised.

To what purpose is the 500 *l.* so paid applied, is it applied to any particular purpose?—As I was taught to understand, in some degree as a compensation to the Company, in return for paying off those commanders to a certain amount, not exceeding 5,000 *l.* who had previously purchased their commands; and that the future commanders should thereupon not be upon a better footing than those who had already paid for their commands.

Will that payment cease when the Company shall have received their full compensation?—I believe the officers in the service have generally encouraged that expectation.

Are the Company's outward bound regular ships of 1,200 tons, generally fully laden on the voyage out to India and China?—Generally so.

Does it not sometimes happen that there has been vacant tonnage?—It has never occurred in the ship I have commanded.

Have not you performed several voyages to Bombay and China?—I have made three successive voyages of that description.

Of what has your investment to Bombay generally been composed?—Generally of the staple articles, viz. iron, copper, &c. with beer, wine, and a general assortment of other descriptions of goods: on the two former of my voyages to Bombay, the greater part of my investment consisted of specie.

What has been the general out-turn of your investments to Bombay?—The general out-turn has been a moderate profit.

W. Stanley Clarke, Esq.

Have you considered that you made a fair remittance to India by such investment?—Yes.

In what year did you carry out specie to Bombay?—The first year I think was 1805, the second was, I believe, 1807.

What was the market price of specie at that time in England, (meaning dollars) of which it is presumed your investment of specie was composed?—I speak from recollection, but I think sixty-five pence per ounce.

State what was the sale price then in Bombay, how many rupees for a hundred dollars?—I again speak from recollection, I think it was 228 or 229 rupees per 100 dollars.

In what year did you perform your third voyage to Bombay?—In 1810.

Do you recollect what was the market price of silver then in England?—I do not recollect further than this, that it was at so high a rate, I did not venture to purchase it.

Do you recollect what was the market price of dollars at that time in Bombay?—I think it was 219 rupees the 100 dollars, but I speak this from recollection.

Can you inform the Committee of the weight of the dollar?—1153 dollars weigh 1000 ounces.

Do you recollect what the exchange was between England and Bombay in the years 1805 and 1807?—Not having had any remittances to make, I really cannot say.

Whom were you in the habit of employing as your agent, or dubash, at Bombay, in disposing of your cargoes in the three voyages you went to that place?—Ardaseir Dady was my dubash.

Did you ever employ European agents in the sale of your outward investment, or the purchase of your cottons for China?—No.

Is it within your knowledge that this practice of employing native agency, in the disposal and purchase of investments has ever been deviated from, by captains of Indiamen?—I am not aware of its having been deviated from.

Having stated that in your opinion, the effect of opening the China trade would be a very great rise in the price of teas there, are you of opinion that any effect would be produced on the general quality of the teas by the trade being so opened?—I think that the effect would be, that teas would be imported into this country of a very inferior quality to those now imported.

Are not you aware of instances in which goods allowed to be purchased in China by private merchants, have risen nearly a hundred per cent. in value, in the course of the last ten, or twelve years the articles alluded to are sugar, cutchenaque, and raw silk?—Never having dealt in any of the articles specified, I cannot give any distinct opinion.

Have you heard of the quality of those goods now enumerated, having been very much adulterated, in consequence of the competition for them?—I have certainly understood the sugars to be so.

Is it usual for the country ships alluded to by you, to carry teas to India?—I apprehend for the supply of India only.

Have the goodness to state, in what manner the advance or discount upon the invoice, as the case may be, of goods sold in India is estimated, whether inclusive or exclusive of the charges?—Exclusive of charges.

Are the charges incurred upon the invoice added to the cost of the goods, or do they appear upon the face of the invoice as a separate charge?—They appear upon the face of the invoice as a separate charge, and in many instances are allowed at the prime cost.

Do you know of any instance in which an advance or discount has been calculated upon those charges?—I should apprehend the charges are always inserted at specifically what they are.

And

W. Stanley Clarke, Esq.

And no advance or discount allowed upon them?—No advance or discount allowed upon them. In speaking of the proportionate amount of duties paid upon teas, I enumerated seven, seventeen, and thirty-seven per cent.; I also stated, that in those teas shipped as exceedings I brought home teas of lower prices, either confined to black teas, or an inferior sort of green teas, I understood to be of the description of *Hyson skins*; I ought perhaps to have added, that there is an additional charge of twenty per cent., making it altogether fifty-seven per cent., provided the finer description of green teas, beyond double the quantity in the indulgence, is brought home.

Is the five hundred pounds alluded to by you, paid only once, or at the conclusion of every voyage?—At the conclusion of every voyage.

Do the commanders of the honourable Company's 1,200 ton ships reap any advantage of consequence from passengers?—Certainly not those from China.

Do not all the Company's 1,200 tons ships go to China?—I believe there have been some exceptions, where they have gone to Bengal or Bombay.

Have not those ships afterwards gone to China?—In the case of the Henry Addington from Bengal, and of the Wexford from Bombay, they have returned direct to Europe.

Are those the only two instances you are aware of in which ships of 1,200 tons have not gone to China ultimately?—Those are the only two instances which immediately occur to my recollection, but there are others.

Have the goodness to state your opinion of the character of the native agents or dubashes at Bombay?—I think them persons of great respectability.

Have you not placed every reliance upon their honour and integrity, and intrusted them with all your property, upon the several voyages you have made to that place?—Yes, I have.

Have you ever found that trust abused in any way?—No.

[The Witness withdrew.

Lieutenant-Colonel Sir JOHN MALCOLM,

Was called in, and Examined by the Committee as follows:

Lieut.-Colonel Sir John Malcolm.

Do you wish to correct any part of your evidence?—In page 67 of my examination, a question was asked me, "Might not an increase in the knowledge of useful arts in the natives, conveyed by British subjects resident in India, tend to strengthen the British government in India," my answer was, "I conceive that such knowledge might tend, in a considerable degree, to increase their own comforts and their enjoyment of life; but I cannot see how it would tend in any shape to strengthen the political security of the English government in India, which appears to me to rest peculiarly upon their present condition;" I wish to add, that I mean by stating that the political security of the English government in India, appears to rest peculiarly upon the present condition of the native subjects, to refer to their actual divisions into casts, with particular duties and occupations, and to that reverence and respect which they entertain for Europeans, not only on account of their knowledge of the superior branches of science, but also of their better knowledge of many of the mechanical and more useful arts in life; and therefore, though I conceive that the communication of such knowledge to the natives would add to their comforts, and their enjoyments of life, and would increase their strength as a community, I do not think that the communication of any knowledge, which tended gradually to do away the subsisting distinctions among our native subjects, or to diminish that respect which they entertain for Europeans, could be said to add to the political strength of the English government. I am far, however, from stating an opinion that the contemplation of its even lessening that strength, which is to be viewed as a distant, and many may conceive, a speculative danger, should operate as a motive with the English government to check the progress of improvement in such useful arts among its native subjects; but it appears to me one among many other causes, that should keep the English government very awake to the growing difficulty of governing the Indian empire.

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Are not you of opinion, that to increase the comforts and enjoyments of life of the native population of India, would tend to strengthen their attachment to the British government, and consequently to strengthen, and insure the stability of that government in India?—From all I have ever been able to observe of nations, I do not think we can calculate upon gratitude for benefits of the nature described, as an operating motive, that would at all balance against the danger of that strength which such a community as that of our Indian subjects might derive from the general diffusion of knowledge and the eventual abolition of its casts, a consciousness of which would naturally incline them to throw off the yoke of a foreign power; and such they always must consider the British in India; I wish to be understood as alluding in his answer to a danger that is very remote, but yet, in my opinion, worthy of attention.

Are not the natives of India, in your opinion, susceptible of gratitude in the highest degree; have you not known instances of generosity and liberality on the part of the natives of India which would have done honour to any men in any age?—I think the natives of India, individually considered, are susceptible of gratitude, and I have known many instances of liberality and generosity among them; but I do not conceive that we can, as I stated before, calculate upon such motives as likely to influence the community, which we shall always find it difficult to rule in proportion as it obtains union, and possesses the power of throwing off that subjection in which it is now placed to the British government.

What is your opinion of the general character of the natives of India for honour, fidelity, and veracity?—I have, in my former evidence stated, that the various communities of our subjects in India differ as much perhaps as the various nations in Europe. It is only possible, therefore, to give a general answer to this question. I have observed, not only throughout India, but in all the different governments in Asia which I have travelled over, that, speaking generally, the veracity of the subjects has depended very much upon the government under which they were placed: where that was tyrannical, the oppressed subjects have had recourse to falsehood, as the means of defending themselves against oppression; and I have known, in Mahometan governments, a thousand cases in which the falsehood was persevered in by heads of villages and other men, (though torture even was inflicted) with a view of saving their own daughters, and those of the persons in the village from violation, or their property from plunder. In such situations and conditions of life, falsehood almost became a virtue; and men, amid such scenes, acquired a habit of concealing the truth in all points connected with their own property, or that of the persons immediately under them. When a government that regards justice succeeds to such tyranny as I have described, it requires many years before its subjects can believe that it does not mean to exercise its power in the same manner to which they have been accustomed, and changes in the habits of a nation must be gradual. It is also to be observed, that the officers of the English government, though many of them speak the language of the natives what is called tolerably well, have seldom that very minute knowledge of the idiom of the different dialects of India that can enable them fully to understand the story of a low or an ignorant native: and it is, in my opinion, to the habits arising out of former oppression, and to the want of a full knowledge of the language in those with whom they communicate, that we must refer most of those general and indiscriminate accusations against our Indian subjects, for falsehood as a national vice. I have hardly ever known where a person did understand the language, or where a calm communication was made to a native of India through a well-informed and trust-worthy medium, that the result did not prove that what had first been stated as falsehood had either proceeded from fear, or from misapprehension; I by no means wish to state, that our Indian subjects are more free from this vice than other nations that occupy a nearly equal condition in society, but I am positive, that they are not more addicted to it. With respect to the honour of our native subjects, it is (as that feeling is understood in this country) chiefly cherished by the military tribes of India; among them I have known innumerable instances of its being carried to a pitch that would be considered in England, more fit for the page of a romance, than a history: with regard to their fidelity, I think, as far as my knowledge extends, there are, generally speaking, no race of men more to be trusted: I can mention large classes of menials, such as the Gentoo palanquin-boys at Madras, who amount to 20 or 30,000, and a great proportion of whom are employed by the English government, or the individuals serving it, who, as a body, are remarkable for their honesty and fidelity; during a period of nearly thirty years, I cannot call to mind one instance

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instance being proved of theft, in any one of this class of men, whose average wages is from three rupees a month, to eight rupees, or from 7*s.* 6*d.* to 1*l.* I remember hearing of one instance of extraordinary fidelity, where an officer died at the distance of near 300 miles from the settlement of Fort St. George, with a sum of between 2 and 3,000*l.* in his palanquin: These honest men, alarmed at even suspicion attaching to them, salted him, brought him 300 miles to Madras, and lodged him in the town major's office with all the money sealed in bags. Among the natives in our military, I can speak the feelings, I believe, of all officers well acquainted with them, that it never enters into our contemplation, that we are to be deceived or defrauded by a Seapoy; and as far as I can judge from the character of that class of men, what the rest must be (wherever they have equal confidence in the Europeans who communicate with them as the Seapoys have in their officers) I should state that there are few large communities in the world, whose dispositions are better, or (speaking to the virtues described in the question) more praise-worthy: it may also be stated as a general proof of their possessing those qualities, the attachment which almost all European masters who reside in India feel for their native servants; this feeling amongst those who understand the language, and who are of good temper and character, is almost without an exception: I may be allowed to add a circumstance that took place in my own family; when ordered to Persia in 1800, I had, from the public situation I held, a numerous retinue of native servants, consisting of between twenty and thirty; among these were men from the furthest boundary of Hindostan to Cape Comorin, and of almost all casts and religions; I told them I was going to Persia, and I am certain, from their total ignorance of geography, that they had no more idea of the quarter to which they were about to proceed, than if I had told them I was going to America; but there was not the slightest objection made by any individual to follow me to that country, and I am sure that they showed this attachment to me from nothing more than that common good usage, which never has, in any instance that I recollect, failed of attaching them.

You spoke of the attachment of the native troops to their officers, do you think that attachment is as strong now, particularly in the Madras army, as it was some years ago, or have any events lately occurred that have shaken that attachment?—I fear many events have occurred in the Madras army, which have very seriously shaken that attachment, some of these have arisen from remote causes, and others, out of recent circumstances, upon which I conceive it is not necessary for me to dwell.

Do you conceive that the good feelings and sincere attachment to the native officers of that army are essential to the continuance of our military power in India?—I conceive that our native army in India, may be said to form at once the safety and the danger of that Empire; and I conceive that the native officers are the great and important link by which we must expect to hold that army in good order and subordination to our government; I therefore do conceive, that the good feelings and attachment of the native officers, are quite essential to the continuance and security of our power in India.

Do you deem it of importance to the security of our Indian empire, to study every means that can strengthen and confirm the attachment of the native officers?—I do; and I consider, after the fullest deliberation that I have been able to give that subject, that if we do not succeed in effecting that object, it is quite impossible we should be able to maintain our empire in India.

Is it your opinion that the attachment of this class depends entirely upon the measures adopted by government for their encouragement, or do you think it liable to be seriously affected by any defects in the constitution of any part of our European military establishment attached to those corps?—I do not think that any measures of government, however wise and however calculated, in an abstract point of view, to effect the object, could do so, unless they were combined with such as remedied any existing defects, and prevented the occurrence of any hereafter, in the European part of the establishment, because it is, after all, upon the conduct of the European officers that we must chiefly rest, and they will always be considered by the natives as their immediate superiors, from whom their feeling will naturally take its colour, and any defects in one part of the system must consequently prove baneful to the other.

Do you think it would be advisable to change that part of the military system by which native officers sit on courts martial for the trial of offences in the native army,

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land, to appoint European officers to that duty?—Though I have never, during the course of my service, had proof of any substantial act of injustice resulting from native officers sitting on a court martial, I have often heard it alleged, that they were too ready to give way to the wishes of the superintending European officer, from feelings of submission and respect to that officer; but it is to be observed, that officer is almost always the adjutant of the corps, and generally one of the most experienced in it; but supposing that more substantial justice should be obtained in some instances by European officers sitting as members of courts martial upon natives, I should still state that I think it would be very improper to make any such alteration in the system: my reasons for this opinion, refer as much, if not more, to political than military considerations.

Have you had an opportunity of observing how the interpreters in the courts of justice in India, at the different presidencies, are qualified for the situations which they fill?—I never was in any court of supreme justice in India, except that at Bombay, where my able and eloquent friend Sir James Mackintosh presided; and I certainly did not think the native interpreter employed at that court very adequate to his duty; indeed the only instance to which my memory can at present refer, was noticed by Sir James Mackintosh himself, and a gentleman who had knowledge of the language, and happened to be in court, was sworn in by desire of the judge to examine the evidence; I may add generally, that I believe there are not fifty European gentlemen in India fully qualified, from their minute knowledge of the idiom of the vulgar dialects of the natives in India, to give a completely correct translation of the evidence of a native cross-questioned in one of our courts of justice. This however is merely given as my opinion.

Might not, in your opinion, a competent interpreter be obtained in the course of a few years, if sufficient encouragement were given to Europeans to qualify themselves for that important situation?—The defect of native interpretation arises from their want of correct knowledge of the idiom of the English language; that of Europeans from their want of correct knowledge of the different and local idioms of the native languages. It must be almost the study of an European's life to render himself fully competent for such an office; and I conceive, nothing but the prospect of a large salary could induce any European, of respectable talents, to devote his whole time to the accomplishment of that object.

Would not, in your opinion, the important object of security to the lives and property of the natives of India, justify almost any pecuniary consideration that might be necessary, on the score of salary, to obtain competent interpreters?—I am far from stating that I think the misinterpretation has on any occasion gone so far in any of His Majesty's courts of justice, as to affect either the lives or property of our subjects; because I do believe, from what I witnessed in the court of Bombay, that there is a patient investigation, and a minute inquiry into all the particulars of the case, that must be calculated (in almost all instances) to discover any such errors as may be made; but I do certainly think, it is an object of great importance to have gentlemen possessed of the first knowledge of the languages, to fill that situation.

What salary, in your opinion, would be necessary as an inducement to an European gentleman so qualified, to undertake the important office of interpreter?—I really cannot state any sum, but I think it should be such as to make it worth while for a man of liberal education to devote his life to render himself qualified for the office.

Could not you form a guess from your general knowledge of the salaries and allowances paid to the officers of His Majesty's courts in India, what sum would be considered a sufficient encouragement to a gentleman so qualified, to undertake that office?—I think the salary of a person employed as such interpreter, should be inferior to none but that of the judges themselves who preside in the court.

Do you think it possible that substantial justice can be dispensed without faithful interpretation of evidence?—I think that where a judge is fully aware that the interpretation is not minutely correct, the evil may be avoided by his careful and patient investigation of every question that is put to the evidence, and by his calling in, as the judge to whom I have alluded used to do, further aid whenever there was the slightest cause for suspicion of incorrect interpretation.

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Are the judges in the courts in India supposed to have a competent knowledge of the language of the country; is it possible they can have such competent knowledge?—Generally speaking, I do not believe they have; but there are always, I imagine, officers of the court who have, and I conceive it perfectly possible that in most cases, a judge, who has given his whole attention to the subject, may be able to discover when there is any confusion in the interpretation: I am not able to give any clearer answer upon this point.

Is it within your knowledge, that the able and eloquent judge you have just alluded to possesses that competent knowledge of the languages of India?—Sir James Mackintosh does not understand the languages of India.

Have the goodness to state in what manner he was enabled to point out the defect in the interpretation of the evidence of a witness brought before him, to which you have alluded?—On the occasion to which I alluded, a Parsee inhabitant of Bombay was interpreting in the court at Bombay; he was interpreting an evidence that was describing what he had said himself, and in describing that, made use of the first person singular of an Hindostanee noun, stating, "*I* said so and so:"—In his evidence he proceeded to give an account of an English officer coming in, and the interpreter then explained the witness to have remarked, that the English officer said "*we* will do so and so;" on seeing the word *we* noticed by some of the gentlemen of the law, and written down as if containing a proof that there were more than one concerned, I mentioned to Sir James Mackintosh that the interpretation was incorrect, not from a want of knowledge in the interpreter of his own language, but from want of knowledge of the idiom of the English; that the native witness speaking of an English gentleman, used the plural term from respect, and on the witness being re-examined, it was discovered to be the case. This is the only instance that I can call to my recollection.

Are you aware, that so much impressed was Sir James Mackintosh with the necessity of having competent interpreters, that he applied to Government to annex a sufficient salary to that office, to induce an European gentleman of respectability to undertake it; which salary, however, was so limited, that the gentleman who had undertaken it, Mr. Erskine, and who was considered as having a more competent knowledge of the various languages of India, than perhaps any other resident at Bombay, threw up the appointment, after having held it about two years?—I am not particularly acquainted with the circumstance, but have no doubt of the fact.

Are there not many of the military officers who have a very competent knowledge of the Indian languages?—The great majority of the officers have a knowledge of the languages competent to the fulfilment of their military duties; but there are but few who have that exact and complete knowledge of the language, which I should pronounce as requisite, before a person was competent to act as interpreter in a court of justice.

Are you not of opinion, that if an adequate salary were to be held out to some of those officers, they would be induced to qualify themselves fully for the office of interpreter, and to undertake that appointment on being permitted by Government to resign their military situations (if that should be deemed necessary), which probably would not be the case?—The existence of one office of that kind, with a large salary, and which was to carry away military men from the duties of their profession, could, I conceive, have but a slight operation (if any at all) in the encouragement of a large body of officers, among whom it never could be regarded as an object of ambition; but no doubt many individuals might be found, to whom it would, from its salary, be a desirable office.

What is the pay and allowance of a subaltern on the Bombay establishment?—I really cannot answer, without reference to papers.

Does it amount to 300 rupees a month?—Certainly not.

Are there subalterns of eight or ten years standing in the service?—There are some, I apprehend, of much longer standing.

You have stated, that you had a number of servants of different casts, in your employ, during your residence in India; did you not occasionally clothe those servants in European dresses?—During the last fourteen years of my service in India,

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which includes all the period that I was able to afford to give servants any clothing at all. I was employed in political situations, and my servants were generally cloathed in woollens (as a matter of state) at the Company's expense.

Do you think those persons would have preferred their dresses, had they been made of the common comlie of the country?—I really cannot state how far their pride and vanity might have been gratified by wearing a red jacket instead of one of common cloth; but I can recollect no instance of their complaining, either of the one or the other, and they were seldom permitted to put on the clothing allowed to them, except on occasions where their services were required as state servants. With respect to comlies, I conceive they all had them as a man has a cloak in this country, to use when it rained, or as a covering when they slept; but I never knew comlies made up as articles of dress.

Are these comlies used at all by the higher classes of the natives?—They make in some parts of the Peninsula of India very fine comlies, that are used by the higher classes; the common black comlie is not used by natives who can afford to purchase the finer kind, or shawls.

Would not a native of consequence in India be ashamed to appear abroad in a common black comlie?—I do not think a native of consequence would wear the common black comlie as part of his dress; he might take up one to defend him from a shower of rain.

He would not wear it as a common article of dress?—No.

Would he have the same objection to appear abroad in English broad cloth, which he would have to appear abroad in a common black comlie as an article of dress?—He would consider a piece of English broad cloth, if he had it, as a luxury, and an ornamental part of dress, and would have no objection, whatever, I conceive, to wearing it.

Are you acquainted with the number of the native population called Portuguese, or native christians in India?—I am not particularly acquainted with their number; if it is meant to include also what are termed half casts, or the children of Englishmen by native women, it is a very considerable population, but limited chiefly to the principal settlements of India, and there even, if spoken of comparatively with the natives, it forms but a small part.

Are not the habits and dress of those people, generally speaking, European, and do they not always dress in European woollens, when they can afford to purchase them?—The dress of the better class differs very little from that of the European himself.

Do you know, or have you ever heard, what was the state of the native armies of the Rajahs of Travancore and Cochin, when those princes were perfectly independent of the British government?—I never was at Cochin or Travancore, and cannot answer with any minute or correct knowledge to this question.

Have you heard that at the period alluded to, the infantry of those princes was dressed in woollen cloth jackets, and their principal Hindoo officers in complete European uniforms, including hats, shoes and boots?—I cannot call to my memory, having heard the fact with respect to the particulars of their dress; but I have heard there was a regular infantry, clothed and disciplined, belonging to the prince of Travancore.

Clothed in European woollens?—Clothed in European woollens, as I have heard.

Are you personally acquainted with the late Koorgah Rajah, and do you know how that Hindoo prince used to dress himself when in General Abercromby's camp?—I was not acquainted with the late Koorgah Rajah, and cannot therefore state how he dressed himself, but always heard that he was particularly attached to the English nation; that he was fond of our habits and manners, and he was, in this instance, deemed an exception to the general rule of persons in his condition of life.

Do you know how the Nabob of Surat, and his minister the Buksby, used to dress his troops and principal attendants when that prince was also in a state of independence, or have you ever heard?—I never was at Surat, and do not know, nor have I ever heard.

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Can you state how Raymont's force in the Nizam's service was dressed, previously to the dissolution of that corps in 1798?—The greatest part of that corps was, to the best of my recollection, dressed nearly in the same manner as any corps in the English service.

Do you know, or have you heard, whether a considerable part of the infantry in the services of the various Mahratta princes, were not also dressed in woollen uniforms, previous to the late Mahratta war?—I know they were, because I have seen several of the brigades in the army of Dowlut Rao Scindiah.

Can you state of what number those infantry consisted, or nearly so; did it consist of many thousands?—Certainly; those I have seen were probably in number seven or eight thousand men, and they were not above a fourth of the whole corps; but I cannot speak to any others being dressed in the manner described, from not having seen them.

Did any of the Mahratta chiefs at the time you were in that part of the country, use British woollen cloth as mantles, or in any other shape or form, as winter dresses?—I do not recollect seeing them often dressed in woollens; they used generally to use it for their saddle cloths and floor cloths for their tents, but I do not believe that they had any objection to it, and no doubt many of the principal men in the Mahratta army might occasionally use it; but it was certainly not a general dress.

It was only used by the richer chiefs?—Only by the richer; quilted cottons and silks were a much more usual warm dress among the Mahratta chiefs and soldiers.

Do not the natives of eminence in India, both Hindoo and Mussulmen, use considerable quantities of broad cloths in the housings of their elephants, camels, and horses?—They use it in the trammels and housings of their state elephants and state camels, not in those that are employed for burthen.

Have you ever been at Poonah on any great festival day, when the natives appeared abroad in great state?—I have been at Poonah several times, and I was on one occasion there on the Dessera feast, which is the festival at which the army at that city go out to plunder a field of grain, as a type of their national policy.

Is there not on those occasions a considerable display of woollen broad cloth, particularly scarlet, used in the manner above described, by the natives?—I took no such particular notice at the period I have mentioned as would enable me to answer the question minutely; but I have no doubt they make a display of every showy article they possess on that occasion, and such they would consider scarlet cloth.

Be pleased to state how the Seiks, and the other northern nations of India, commonly dress, or whether they use woollens, particularly among the richer orders?—There is very little difference in the dress of the Seik chiefs from those of the other Hindoo nations in India, and I do not think that woollens were (when I saw them) a very common article of dress, certainly not more so than amongst other classes of the natives of India.

Are not great quantities of iron, steel, copper, lead and tin, now in common use among the natives of India of all casts?—Certainly, all these metals are in use amongst them; I have no means of stating in what quantity.

Is not the cut glass ware of England very much admired by the richer natives of India, and are not their houses occasionally furnished with chandeliers, lamps, mirrors, and other articles of European manufacture?—The richer natives of India perhaps admire our mirrors and cut glass more than any other article we possess; and I have observed at the principal cities, such as Hyderabad, Poonah, &c. that a few of the princes and the richest officers of the court, used to purchase enough of those articles to make what they term an innah khanah, or room of mirrors. The walls of this room are covered with mirrors, and it is hung round with chandeliers; but cut glass and mirrors certainly are not articles generally possessed, even by the richest, and are always considered as articles of great shew and luxury.

Were not those articles, when they were procured, considered as objects of luxurious gratification?—Certainly, they appeared to be desired only as objects of gratification and curiosity.

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Are not watches, prints, pictures, carpets, elegant fowling-pieces, pistols, and other articles of highly finished execution and workmanship, also deemed objects of luxurious gratification by the richer natives of India?—The richer natives of India generally desire a watch or watches; as to pictures, they have so little taste that they often prefer the daubs of China to the finest works of the artists of this country; but perhaps China pictures are also recommended by their comparatively low price; the carpets made in India, and those imported from Persia, are I believe generally preferred to the European manufacture; fowling pieces and pistols are desired by the principal chiefs; but with the exception of one or two princes, I have hardly ever known those articles purchased, though all the military chiefs in India are desirous of obtaining them in presents.

Have not you, particularly during your residence at Bombay, seen several of the richer natives dressed in Irish linen or Scotch and Manchester cambrics?—I am almost ashamed to confess, that I am so very bad a judge of such articles, that I could not distinguish very well between the manufactures of India and those of the cloths described in the question; but I have no doubt many of them did dress in them, if they were cheaper, and the fabric equal to those of their own cloths.

Do you recollect whether they used the printed cottons of this country frequently in furniture, and the lower classes in articles of dress and in turbans?—I have frequently seen the printed cottons of this country in articles of furniture at the houses of the superior Parsee merchants, which were fitted up like those of Europeans, and many of the lower classes (particularly those called Portuguese) were very fond, when they could obtain it, of wearing a fine printed cotton jacket, but I do not think this was, as far as I have observed, a general wear; the Masulipatam printed chintzes, were I believe much cheaper, and were an article of very great consumption both at Bombay, the Persian gulph, and other countries in that quarter of India.

Are you quite sure that they were cheaper than the printed chintzes of England?—I am almost positively certain of the fact; I carried great numbers of both European chintzes and Masulipatam with me in all my different missions to Persia, to give in presents to different people who rendered service to the mission, and also with the view of giving them patterns of the different manufactures of England and India; and I can recollect, that the common reward of any small service was a piece of Masulipatam chintz, while I am sure that I never gave a piece of English chintz to any man who had not a title, or who was not a person of some consideration: The Masulipatam chintz is an article of very general wear over all Persia, and there is a considerable trade carried on between that port and the gulph. I did not observe, when on the last mission to Persia, that there was a demand for European chintz as an article of trade, or that it had become a common wear, though every means had been taken by me ten years before to give the Persians a taste for it, and as it seemed to me much handsomer and of better quality than the Indian manufacture; I can only refer its not being in equal use to its bearing a higher price.

Were you at Bombay when Sir Robert Peel's consignment of those goods came out?—I am not aware that I was; I know nothing of the consignment.

Be pleased to state, whether the richer natives at the different presidencies of India do not commonly drive European carriages?—Some of the richer natives at our principal settlements drive carriages made in the English style; some of which are from England, and others, particularly at Bengal, made at the settlement.

Do you recollect, when you were last at Bombay, a carriage driven by Pestengee, a Parsee?—I do; it was a very fine one.

Just before you left Bombay, did not Pestengee buy another carriage that had been built for one of the Sheriffs of London, or adorned in that fashion?—I believe he did; Pestengee had a great number of carriages, in which he used to ride himself, and sometimes to accommodate his friends when they were in want; and I am grateful enough to acknowledge being one that has often received this accommodation from him.

Had not another rich merchant of the name of Dady Mooda, at this time, also a very elegant carriage?—He had; I have had the use of his carriage also, when in distress for a conveyance.

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Had not Ormagee, another Parsee, a very rich carriage?—I have no doubt he had, probably more than one. Lieut. Colonel Sir John Malcolm.

Were not the smaller carriages called gigs, in very common use among the natives of India?—They were very common, but very few of those were of European manufacture, the others were a coarser imitation of the European gigs.

During your residence at Bombay, had you an opportunity of visiting the Island of Salsette?—I often visited the Island of Salsette.

Be pleased to state your opinion of the condition of that Island, and the inhabitants, generally?—The improvement of the Island of Salsette has certainly been very gradual and slow, and it has perhaps been in some degree neglected; the most substantial improvement that I have known within my recollection, was that of forming a causeway which connected it with the Island of Bombay; there is also a good road for sixteen miles, to Tanna; and another road was, I understood, in progress when I left India, to a different part of the island; but the inhabitants, generally speaking, did not appear to me in a state of that prosperity which might have been expected from the vicinity of the Island of Salsette to such a rich commercial settlement as Bombay; I am not, however, sufficiently master of this subject, to state either the causes that promoted the improvement it has received, or those that have retarded its attaining to a higher state of cultivation and prosperity.

Was it not considered to be in a considerably worse state than what was generally understood to be the condition of the island under the Portugueze government?—I really have not that minute information which would enable me to answer that question in a manner satisfactory to the Committee: I cannot state a vague report upon such a subject.

During your residence at Bombay, did you ever visit the Mahratta district of Basseen?—I never did visit it; I have seen it from the opposite shore.

Did you not hear, during your residence at Bombay, of the general state and condition of that district?—I have always heard it was in a very highly improved state of cultivation.

Are you aware of any reason, whether from soil, or climate, or geographical position, why Salsette should be in so inferior a state to that of the Mahratta district of Basseen?—Never having visited Basseen, I cannot draw a comparison; some parts of Salsette are very hilly and woody, and would, no doubt, require a considerable degree of labour to bring them into a state of high cultivation.

Is not Salsette generally, as far as you have observed, a very fertile soil?—I have seen some very fertile parts of it; but I am not sufficiently acquainted with the general nature of the soil to give a distinct answer to the question.

Have you heard that the causeway between the Islands of Bombay and Salsette, alluded to by you, has had a prejudicial effect upon the harbour of Bombay, by interrupting the back tide, and lessening the depth of water in some places?—I have heard apprehensions stated, that such would be the effect; I have no information that enables me to say, whether it has had such effect, or not.

Are you acquainted with the manufacture of shawls in Cashmire, and the causes of their superior excellence?—I have, in the course of my investigation into the general history of India, translated what was considered as a very authentic memoir of Cashmire; and in that there is a chapter upon the mode in which the shawls are obtained, and what the natives of India deem the causes of their excellence; it is stated in that memoir, that the raw material is a wool, or I should rather say a down, that lies protected by the coarse hair of a goat which is bred in the adjoining mountains of Thibet; this raw material, after being taken from the animal, is said to be made up in a small pack, which is put upon the back of the goat, and the animal is driven with his load into Cashmire, where it is manufactured. The inhabitants of that country are in the habit of attributing some part of the singular softness of the shawls to the virtues of one of the rivers in Cashmire, in which the wool is dipped; but this is evidently an idle story, of the same character as that which informs us that the only good porter is made from Thames water. It appears, however, certain, from all the information I have been able to obtain on the subject, that neither the former kings of Delhi (who are stated to have made several attempts to introduce the breed

Lieut.-Colonel Sir John Malcolm.

of this Cashmire goat into the upper provinces of India) nor the kings of Persia, have ever been able to succeed; a goat which I have seen, and which I can told somewhat resembles that of Cashmire, is found in the country of Kerman in Persia; and from its wool or down a shawl is manufactured, which, though very handsome, and sometimes comparatively fine, has never been equal to the Cashmire shawl; and it is a received opinion among the inhabitants of India and Persia, that that manufacture can never be rivalled in any other part of the world.

From your knowledge of British and Cashmire shawls, do you suppose there is any probability of the British rivalling the Cashmire shawls in the Indian market?—From all I have ever heard or seen upon the subject, I should suppose there was no probability whatever, as I never saw an English shawl that at all approached to the excellence of that manufacture, and as far as I was able to judge, the Persian shawl made from the wool of Kerman, came nearer the Cashmire shawl than the English; and it may be judged how far inferior the Persian shawl is considered by the inhabitants of that country itself, when the king of Persia has found it necessary, with a view of encouraging the manufactures of his own country, to issue, within the last ten years, an edict prohibiting the use of Cashmire shawls to any persons in his dominions, except those of a certain rank, and who shall have the royal licence for wearing them.

What would be the penalty upon an individual who was caught in an endeavour to avoid that prohibition?—He would either be bastinadoed, have his eyes put out, or his head cut off; it is impossible for me to say which of those three punishments would be inflicted.

What do you think would be the consequence of permitting British merchants to proceed to India under any license except that of the East India Company?—I consider, that one of the greatest difficulties in the administration of our Indian government, arises out of the existing distinctions between the different classes of Europeans which its present constitution obliges us to have in that country. I allude to the distinctions which exist in the European part of the army in India, and those between the political government and the supreme courts of justice. These distinctions, however necessary, have been found liable to a collision which requires all the care and caution of the political government, and all the temper and talents of those who preside over the other departments, to prevent having a very injurious operation on the whole frame of our power; for when they come in collision, they exhibit a want of union, and a jarring in our system that is interpreted by our native subjects into weakness, and consequently, makes a dangerous impression on their minds. From this view of the subject, I should consider, that permitting any body of men to reside in India, who were not nominally as well as virtually subject to the exclusive authority of the Indian government, would be adding another class to the divisions we already have of Europeans in that country; and one which I conceive, from its unconnected form, and, if I may use the term, undisciplined character, that would come in more frequent collision with the ruling government, than any of the classes I before noticed.

Is there not a great difficulty at present in governing the Europeans in India as well as governing the natives?—There is, I conceive, an equal if not a greater difficulty in well governing the Europeans in India than the natives.

In the event of the difficulty of governing the Europeans in India increasing, would in your opinion, the difficulty of governing the natives increase also?—No doubt; those causes are so intimately blended, that it is impossible to separate their effects.

Can you form an opinion what effects the separation of commercial concerns from those hands in which the sovereign power may be vested would have on the interests of the British Empire in India?—I can only generally state in answer to that question, that, in whatever hands the sovereignty of India is placed, I conceive it will always be essential that such should have a direct, efficient, and competent controul over every branch and department of the state; and that every means which shall increase its controul and authority over those by whom the commerce with India is carried on, must be beneficial to the welfare of the state. I do not consider myself as competent to judge on the lesser parts of this question, or to decide in what exact proportion, or in what manner the commerce between the two countries should be carried on.

Are

Are you of opinion, that considering the odium at present attending the removal by the magistrates at the out stations of British subjects residing there by license from the Company, the regulations at present existing upon that subject would not be materially improved and more easily put in force, if any violation or evasion of the existing regulations by British subjects who may go there under Parliamentary enactment, were ipso facto followed by their being sent out of India, subject to the remission of that punishment by the supreme government?—I am of opinion from what I have observed, that the power vested in the local governments of India of sending a British subject to Europe, and that given to a magistrate sending him away from a district, is much seldomer exercised than it should be. It is quite impossible that any person educated in England, and whose breast is filled with the principles of British freedom, can dismiss those from his mind, so far as to exercise without feelings of great compunction, very absolute power, however necessary, such may be on the grounds of general policy. I have had occasion to remark, in numerous instances, the extreme reluctance with which this essential power was exercised; and I do conceive that a regulation, which made it the positive duty of any magistrate (leaving nothing to his discretion) to send out of his district any European settled in it, upon the commission of a transgression against the regulations, and which placed the power of remitting such banishment from the district in the government only, would be very salutary, both as it prevented any odium attaching to the magistrate, and as it compelled him to attend, on all occasions to the law, and not to his own personal feelings.

Lieut. Colonel Sir John Malcolm.

Can any judgment of the habits, characters, and inclination of the natives in the interior of India, be formed from the disposition, character, and inclinations of the population of Bombay?—Besides the settled population of Bombay, travellers and merchants from every Asiatic country, resort to that port; and no doubt, a person disposed to acquire such information, may obtain it as far as it can be obtained, from a communication with the individual natives of those countries.

Do not you imagine, from the habits, pursuits, and manners of life of this population of Bombay, which consists of so many various descriptions of merchants, almost all in pursuit of gain, must be most materially different from the character of the natives in the interior, not so employed?—I have stated before, that there is a great difference between the character and habits in society of the natives of our principal settlements (of which Bombay is one) and those of the interior; and I conceive, that a person who has only resided at Bombay, cannot have a minute knowledge and information respecting the habits and manners of the natives in the interior provinces of India.

Are the articles in metal in use amongst the natives, almost universally manufactured by the natives from the native materials?—A very great proportion of the metals manufactured by the natives themselves for domestic purposes, are obtained either in India or from the Turkish dominions; I allude particularly to iron and steel, which are found in many parts of India; the latter in great quantities in the Mysore country, and copper, which is brought in considerable quantities down the gulph of Persia, from the mines of Diabekir, and tin is, I believe, imported from the Island of Banca in the Eastern seas.

Is that iron and that tin so imported into India to be had at a much lower price than the same articles brought from Europe?—I cannot answer this question from minute information; but I must suppose, that as great quantities of those metals are imported from Europe, the importation from the Persian gulph and other places would cease, if it was not from its being cheaper, or of a superior quality.

Is the building of carriages in the European style as yet established at Bombay?—They as yet build very badly at Bombay; they build very well at Madras, but as I have, in my former evidence stated, the manufacture of carriages at Bengal is, as far as I am a judge, equal to those made in England.

[The Witness withdrew.

Adjourned to Monday, 11 o'clock.

23.

Veneris, 7° die Maij, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

William Stanley Clarke, Esq. - p. 399.
Lieut.-Colonel Sir *John Malcolm* p. 407.

(No. 12.)

Of Evidence before Select Committee.

Ordered, by The House of Commons, *to be printed,*
30 *May* 1813.

24.

MINUTES of EVIDENCE

TAKEN BEFORE THE SELECT COMMITTEE,

Appointed for the purpose of taking the Examination of such Witnesses, as shall be ordered by The House to attend the Committee of the Whole House, on the Affairs of The *East India* Company; and to report the MINUTES of such Examination, from time to time.

(No. 13.)

Lunæ, 10° *die Maij*, 1813.

The Right Hon. JOHN SULLIVAN, in The Chair.

MARTIN LINDSAY, Esq.

Was called in, and Examined as follows:

Martin Lindsay, Esq.

Mr. Jackson.] YOU commanded a ship in the Company's service, did you not?—I did.

How many voyages may you have made to India, either as commander or officer?—Five altogether.

To what ports of India did you go?—Twice to Bengal, and three times to China.

Have you had occasion to be at any other ports belonging to the Company, either the ports of India or in the eastern seas?—At Madras, in the way to China, and likewise in the way to Bengal; and one of the voyages I went what is called the eastern passage, to China.

Had you occasion, during that voyage, to touch at any of the eastern islands?—Yes, I had; I went through one of the passages into the China seas.

Which of the islands did you visit in that passage?—In going through the Straits of Alass, at the island of Lomboch.

What were the principal articles you used to take to India?—A variety of articles; some of what are called the staple articles, and a variety of other articles, such as were commonly used by Europeans.

What articles did you take with a view to the native consumption?—Some glass ware.

Of what description?—Window glass, and some articles of table glass, tumblers and decanters, and shades; glass of various descriptions.

How long is it since you made a voyage?—The last voyage I made was in 1796, a voyage to China.

Martin Lindsay, Esq.

Are you able to say how far the more recent voyages have been successful as to their export articles?—Judging from the business which I have had to do for some captains and officers, since I myself left the sea, I am led to think they have not been very successful.

Have you been employed since your last voyage as a merchant or agent?—As an agent and ship owner.

Has such employ afforded you the means of a general judgment as to the trade of India?—It has.

Have the more recent voyages, with which you have been acquainted, been successful as to their export articles?—Judging from the accounts that I have had, I should say their profits were very moderate, extremely moderate.

Do you mean by that, that they met with a fuller market than was consistent with what you would call a good profit?—What they carried out did not meet with a ready sale, and therefore they were obliged to sell it at a very moderate profit.

Do you happen to know whether, for several years past, there has been a very full market, and rather a glutted market than otherwise?—I have reason to believe there has.

Do you mean that, for some years past, there has been a glutted market of European articles?—I do.

From your acquaintance with India and the natives, can you form an opinion whether, in case of an open trade, there would be any probability of a greater export than has hitherto taken place of British manufactures or European articles for the consumption of the natives of India?—I have no doubt there would be a considerable exportation; but I do not think it would meet with a successful market.

State your reasons for that opinion?—From the articles that have been lately taken out by commanders and officers not meeting with a good market.

Is it your opinion, that the present system of commerce to India, has even more than fully supplied all the wants of that part of the world?—I should think it has fully supplied them, allowing any fair profit to the exporter.

You of course remember the exports to India being of a more successful description than they have been for some years past?—They were formerly, during the first period of my going to India.

From about what period has the export trade to India in British manufactures or European articles ceased, generally speaking, to be a successful speculation?—I think it has been a less successful one since the facility which has been given to the general merchant, to send out in the Company's ships.

Do you mean that the facility so afforded, occasioned an export of European articles beyond the demand for them?—Fully equal, or rather more, keeping in view as a merchant, having a fair profit.

Among those with whom you have been acquainted or concerned, have any of them made losing voyages of it, as to the exporting part?—Yes, they have.

Looking to your acquaintance with the commanders and officers, has that been a frequent or a rare occurrence, that they should have lost by their export adventure?—It has not been frequent.

For some years past, are you to be understood to say, that where they have got any profit at all, it has been a less profit than you consider as a fair and sufficient profit to induce such an adventure?—I think that they would not begin a concern of that nature, though they are from their situation in life obliged to carry it on, having entered upon that line of life.

In those cases they look materially to the homeward investments, do they not?—Considerably; particularly China ships.

The captains and officers of the East India Company's ships are educated for that express purpose, are they not?—They are obliged to be a certain number of voyages in various situations, in order to enable them to get the command of a ship.

How

Martin Lindsay, Esq.

How many voyages must they go before they can be commanders?—Four voyages, before they are eligible to the command of a regular ship.

Before being chief officer of them?—Three voyages.

Supposing, from so material a change of system as an open trade, the Indian trade should be conducted by other persons from the out ports, would the commanders and officers of the East India Company have the means of easily resorting to other professions, or do you think they would be thrown out of employment?—No doubt they would suffer very materially from the competition that must come in against them.

You have stated, that you think the export trade to India has ceased to be advantageous since the increased facilities which were given by the East India Company, be pleased to state how those increased facilities have operated, so as to produce that effect?—By enabling them to send out a quantity of goods of various descriptions.

Did you attempt to make any sales in your passage, at either of the islands in the eastern seas?—In the last voyage I made to China, knowing I should go the eastern passage, sailing late from this country, I took out three or four articles which I supposed were most likely to meet with a sale in the eastern islands.

Name those articles?—Cutlery of different descriptions, and pullicat handkerchiefs made at Manchester; the red and blue check handkerchiefs, in imitation of the Madras pullicat handkerchiefs.

Any other British manufactures?—Some remnants of cloth; I do not recollect any others particularly.

Was the quantity considerable?—No, it was a few hundred pounds worth only.

Did you dispose of those easily and successfully?—No, I did not.

State the result of that adventure?—The cutlery I disposed of a small quantity of for supplies or ships provisions; the handkerchiefs I disposed of a very small quantity of; I was obliged to bring the greatest part of them back again, not being able to dispose of them at all, not even in the way of barter for provisions.

Did you try the Indian articles of the same kind there?—I had not any; it was in my way from Europe, and it was the first place I touched at from Europe.

You did not dispose of all the cutlery?—No, I did not.

What did you do with it?—I brought some of at home, some little of it was disposed of in China, and some little at Saint Helena.

Do you remember the amount in value of cutlery?—About 120 *l.* or 130 *l.* and about two or three hundred pounds worth of handkerchiefs in imitation of the Indian.

Did you endeavour to get money for those articles?—Money they had very little of, therefore I had no chance whatever; I endeavoured to dispose of them in the way of barter, buying cattle and vegetables and fruits for the use of the ship; I saw very little money.

What articles could they have furnished you, supposing they had been disposed to have bought your European articles, with what articles could they have paid you besides provisions for your ship?—Upon that particular island, they had very little, but on some of the adjoining islands I could have got rattans and beetle-nut to have carried on to China.

As it was, you failed in selling a material part of your handkerchiefs?—I did.

As well as of your cutlery?—I did.

And brought the remainder of both of them back again?—I did; the principal part of the handkerchiefs I brought back again.

The articles of barter, if you had bartered them, were such as would have suited the China trade?—Yes, the rattans and beetle-nut would have suited the China market; but the island of Lomboch is a very small one.

They would not have done to have brought to England?—Not at all.

Martin Lindsay, Esq.

Supposing you could have bartered in those seas to a greater amount, it would not have consisted of such articles as you could have brought by way of return cargo to England?—No, it would not from that island: Upon some of the eastern islands there are articles, such as mother-of-pearl shells and tortoise shell, that might have been brought to Europe as an article of trade, but in a very limited degree.

Would such articles be very limited in their degree, and very uncertain as to their success?—Very limited in their degree.

Nothing that you would rank amongst the staples?—Certainly not.

Supposing that every subject in every part of the United Kingdom had access with his vessels to those seas, and that the obtaining of tea were his object, do you apprehend that he would find the means, by proper arrangements, of getting as much tea as he might require, for the purposes of his speculation in those seas, without going to Canton?—I should imagine by a previous arrangement having been made, that the tea might be brought to various islands in the eastern seas, either by China junks, or by American ships, or by country ships.

What do you mean by country ships?—Ships that have gone from other ports in India to China, and probably if there was an arrangement made, they might bring teas to those islands, and take a return of rattans and beetle-nut.

Looking to your own experience and the knowledge you have had as an agent, do you think it probable that any successful export of British manufactures could take place at all material, as to its extent, to the islands of the eastern seas?—Of British manufactures, I should think not.

Do you entertain the least doubt of its being utterly improbable that it should?—I have not the smallest doubt of it.

Have you the least doubt of every commander being able, by proper arrangement, to obtain as much tea as he might wish to have, in those seas?—I should suppose by a proper arrangement, he might get it.

Without going to Canton?—Yes, with previous arrangement.

Must not every ship homeward-bound from India be of necessity loaded with an assorted cargo of measurable or light goods, together with a certain dead weight for the purposes of ballast?—Almost all the ships that have yet gone, from their construction, require some dead weight to ballast them.

Would that dead weight generally consist of rice, sugar, or saltpetre?—Sugar I should imagine was the most likely article; rice I should imagine must be a very hazardous speculation; and saltpetre I believe is not permitted; of course sugar becomes the only article; if saltpetre was allowed, no doubt they would take it.

As the law now stands with regard to saltpetre, rice being generally regarded as an unprofitable description of ballast, it would principally consist of sugar?—I should think so; it is the only article I recollect at present.

Would that occasion the importation of great quantities of sugar?—It would increase the quantity greatly, no doubt.

There are hardly any limits to the capacity for obtaining it in Bengal, are there?—No; I believe Bengal could afford great abundance of sugar; I have reason to believe so.

In stating the necessity of dead weight, by way of ballast, you say, the ships that have been do require it, you mean it as a general proposition that all ships that come back from India must be so ballasted?—I fancy there are very few ships, let them be constructed as they may, but would require some dead weight.

(Examined by the Committee.)

Do you know, or can you judge, to what per centage on the investment the privileges enjoyed by the Company's officers may amount, what advantage such privileges give them over other merchants in respect of charges?—I should imagine about fifteen per cent.

Martin Lindsay, Esq.

Having so long left India, you, probably, are not acquainted with the state of the trade in British manufactures now exercised there?—I cannot speak from my own knowledge, certainly; only from the conversation I have had with the captains and officers returning from the Presidencies.

Do you know, from information which satisfies you, how far most of the different trades, for the supply of European articles of furniture, such as coachmakers, cabinet-makers, upholsterers, workers in metals, tailors, shoemakers, and workers in glass, are established there?—I have understood there are in Calcutta, particularly, artificers of almost every description, manufacturers of furniture of different descriptions, very good shoes and boots, and almost every article in leather, and certainly of tailors there are abundance, also manufacturers of various articles in iron and steel, gold and silver; they make a great deal of the iron work necessary for shipping.

Is not the Indian steel remarkably good?—I really cannot answer to that.

Have you heard that manufactories for preparing coarse glass are established at Madras?—No, I have not heard of that.

At present is there any establishment of revenue officers in the Eastern Islands, or any method for securing the revenue by manifests and clearances, and preventing any illicit trade in tea?—I do not know of any.

To make such establishments, would it not require in those islands very great exertion and great expense, and would it not be exposed to great risk?—I should imagine, if it is intended to prevent smuggling, it would require great numbers of vessels of various descriptions to prevent smuggling there, and illicit intercourse between ships.

Exclusive of that, would it not be necessary, in order to insure a probability of preventing smuggling, that there should be clearances and manifests brought by those ships, and could those clearances and manifests be brought without having an establishment upon the islands of revenue officers?—Not if the ships that bring the goods from China are to exchange the property.

Would it not be necessary, in order to ensure the probability of prevention of smuggling, by those vessels bringing home manifests and clearances, that there should be a revenue establishment upon the islands?—I should imagine both would be necessary to prevent an illicit trade.

And to secure manifests and clearances?—Yes.

Do you know at all the proportion the price articles manufactured now in India under British artificers, and by native labourers, bears to the price of the same articles imported from Europe?—No, I cannot speak decidedly to the question.

Do you know whether they are the same price or cheaper?—I should suppose they are cheaper.

Do you suppose them to be of such a price, as if the articles are fit for use, would most materially diminish the import of the same articles from England?—They certainly do hurt the importation from England; in shoes I can speak particularly; they are procured much cheaper, and they answer the purpose extremely well, both in China and in India, in fine weather.

Is it within your knowledge, that the owners of the country ships that frequent China from India, are bound under a heavy penalty to conform to all orders and regulations of the supracargoes at Canton, and that they are to put themselves entirely under the directions of the supracargoes during their stay there?—I do not know it, though I think it is probable that they are.

What, in your opinion, would be the effect upon the China market for teas, in the event of that trade being opened?—I should imagine that the teas in China would be increased in price from the great number of ships, and the greater demand for them, from the increased competition.

Are not you also of opinion, from the peculiar character of the Chinese, that the quality of teas would be adulterated?—I think that is very probable, as a number of what are called out-door merchants in China, would have a great deal of the trade to execute.

Martin Lindsay, Esq.

Do not the English East India Company get the choice of the teas now brought to Canton from the upper provinces?—I believe they do.

Is not the refuse sold to the Americans?—The best part being bought by the East India Company, the rest must be sold to the Americans, or any other ships that may be there to take it off.

Is there not a description of teas called the old teas, of the former season, brought down in considerable quantities, and which are always rejected by the Company?—I imagine whatever tea is bad, whether of that season or the season before, will be rejected by the Company's officer; they have a person there to examine and to taste the teas.

Has not the price of all articles of supply to the ships in Canton, increased within the last ten years, nearly double?—I should think not double; it has increased from a greater number of ships of different nations having been at Canton, particularly the English.

Do you know the price of sugars in China?—No, I do not recollect particularly.

In the course of your experience or knowledge, have any new articles of British manufacture been introduced with success to the consumption of the natives of India?—No, I do not recollect any.

Are you aware of the great increase of export to India of cotton goods, both printed and plain, within the last ten years?—I think there has been an increase of printed cotton goods within these last ten years; I understand a great deal of the printed cotton is for the Portuguese and others, not so much for the natives as for the Portuguese in various parts of India.

Have you not heard of the Hindoos using them as turbans?—I have understood that they have used some printed cottons for turbans.

In your capacity of agent, exporting the printed cottons you speak of, have you ever exported any to the other parts of India, except Bombay?—As far as I recollect the investments of the captains I have been intrusted for, they have taken some to every part of India.

Have you reason to think that they have exported to such advantage, as to encourage an increase in the export of them?—The quantity was in a very small degree; and I believe the advantage arising from them was pretty nearly equal to the other articles, not particularly profitable, nor otherwise.

Have you reason to imagine that will be an increasing article of trade?—I really cannot hazard an opinion upon that; I should rather imagine it would not increase very much.

Are not the people commonly called Portuguese alluded to in your former answer, natives of India?—They are so far natives, that they are born there, though not the aborigines.

Do you know the number of that population, or have you ever heard it?—It is considerable, I believe, though I would not venture to specify any number.

Do you consider the cotton goods mentioned in your former answer to be a new article of trade in India, compared with the use or the demand for those goods, formerly in that part of the world?—I believe it is not altogether new, but the quantity exported of late, has increased probably in some part of India; they have got them where they had not them some years ago; from the increased quantity sent out, they must have spread abroad.

Do you understand the quantity to have increased considerably?—Not very considerably, probably it has been more than double.

[The Witness withdrew.

THOMAS GARLAND MURRAY, Esquire,

Was called in, and examined as follows:

Thomas G Murray, Esq

Mr. Grant.] Are you not commander of a ship in the East India Company's service?—I am.

How long have you been in the marine service of the Company?—Between six and seven and twenty years.

Have

Have you made frequent voyages in that space of time?—I have made either ten or eleven voyages to India and China. *Thomas G. Murray, Esq.*

Have you been in the habit of availing yourself of the privilege which the Company grant to their marine officers, of exporting goods on their own account, freight free?—As much so as other persons in my situation, I believe.

What proportion of the investment which you laid in, consisted of such articles as were, in your understanding, adapted to the consumption of the natives of India?—It depended entirely upon the latest information I had of such articles being wanted, or what I conceived they would be likely to want, from the situation of the market during the time when I was there last.

In general, you have found that their demand for European articles has been extensive?—Very trifling indeed, when compared to the demand of the settlers there.

Of what description of European produce and manufactures were those articles which you conceive to be adapted to the consumption of the natives?—Of the manufactures of this country, and the Continent, (such as Germany and Holland;) the produce of Birmingham and Sheffield, of this country, being chiefly cutlery and small quantities of hardware; toys, spectacles, and beads, of Germany and Holland; and the general produce of Europe, such as quicksilver, saffron, and cochineal, as coming from Europe, being brought from the Peninsula.

Would not you include cutlery and hardware in the list of the articles mentioned?—I meant that, when I mentioned Birmingham and Sheffield, particularly, and not the whole produce of Birmingham and Sheffield.

During your experience in the marine service of the Company, have you found the native demand for European manufactures to increase in any material degree?—As far as it has affected myself, on the contrary; it is a thing I have never been able to account for to myself, nor has any reason been given by those people of whom I have enquired, that since the fall of Seringapatam, our investments at Madras have never met so ready nor so profitable a sale.

The instance mentioned in the last answers, refers to the Coromandel Coast, will you answer the former question with respect to all parts of British India?—I am not at all acquainted with the coast of Malabar, I have never been on that side of the Peninsula, except just round the southern part of Ceylon.

Has the native demand for British manufactures increased during your experience?—I have not found it so myself.

Does that fact accord with the general experience of the officers in the marine service of the Company?—I can only speak as far as my own knowledge goes.

Have you not had opportunities of knowing what degree of encouragement other officers in the marine service of the Company have found in prosecuting the export trade of British manufacturers to India?—I have found that they had the same advantages as myself, either as captain or officer respectively.

What degree of encouragement have they had from the demand in the East?—That has been very precarious indeed.

From your general acquaintance with the export trade, as carried on by the marine officers of the Company, is there, in your judgment, a growing demand on the part of the natives of India for British or European manufactures?—Speaking from my own immediate experience, and from what I have suffered, I think not.

Do you conceive that the marine officers of the Company have used every exertion to promote, as far as in them lay, the consumption of British manufactures in India?—I conceive that there are not a more enterprising body of men than those who are permitted to participate of the privileges of the Company on board the Indiamen.

In your judgment, is it not a great advantage to the class of persons mentioned in your last answer, to export free from the charges of freight and commission?—I imagine, that inasmuch as they are encouraged to speculate now, from being free of freight, their speculations would be greatly reduced if they were obliged to pay freight.

Thomas G. Murray, Esq.

Do you mean to imply, that the immunity from the charges of freight and commission has encouraged the officers in the marine service of the Company to export manufactures to a greater extent than they would have otherwise exported?—I think, that inasmuch as the freight affects the advantages attending whatever may be carried out, insomuch it would reduce the encouragement to speculation.

Is it your opinion that any private trader could export goods to India in such a manner as to sustain a competition with the marine officers of the Company?—I think quite impossible, from my own experience.

Is it your judgment, that any such increase is likely to take place in the native demand for British produce or manufactures, as may not be fully met by the existing system?—I think it is in the power of those immediately employed in the marine service, to take out a great deal more than they do at the present moment, if they found there would be a likelihood of great profit arising from it.

Is any circumstance known to you, which seems to afford a promise of any considerable increase in the native demand for British manufactures?—I know nothing of the interior of India; I am only giving my evidence as far as these things have affected my own speculations, in my own pursuits.

Are you acquainted with any such circumstance as seems to afford a hope of considerably extending the export trade, in British produce and manufactures, to India?—Not at all; I am not acquainted with any new channel likely to increase the demand.

Describe shortly in what manner the marine officers of the Company are trained to the service in which they are engaged?—By the regulations which existed when I entered the service, I was obliged to perform one or two voyages in the situation of a midshipman or a junior officer; one a fourth, one a third, and one a second or a chief officer, before I was qualified for the command.

Do you consider that species of training as necessary to the due discharge of the functions with which the commanders in the marine service of the Company are invested?—I think it absolutely necessary, to take charge of so valuable a property, that a man should have great and long experience, together with the advance of age that that period of service I mentioned would bring him to, before he should be invested with the command of an Indiaman.

If a free trade were established between every port in the United Kingdom, and every port in the British dominions in India, what effect would be produced on the marine officers in the service of the East India Company?—I do not feel a conviction that it would amount to their total ruin, but it would be attended with very great hardships.

If a ship is freighted homewards from India, must she not be loaded with an assorted cargo of light goods and of goods for ballast?—If the object in sending the ship home should be the most valuable produce of the East, I should think it almost impossible that a ship could come to Europe without something to ballast her.

Do you conceive rice would be a good article to form the ballast of a ship, homeward bound?—That it would ballast the ship there cannot be a doubt.

Would it be a profitable concern, to import rice to this country as dead weight?—I should conceive a very destructive one to the proprietor, generally speaking.

Do you know of any other article of trade than rice, excepting sugar and saltpetre, that could be used for the purposes of ballast on an homeward bound voyage?—There is none at this moment, that occurs to me, that could be laden in the ship in sufficient quantities to ballast her, speaking of a ship of 5 or 600 tons.

You are doubtless aware that saltpetre is at present out of the question by law?—No; I believe it is in the power of the Company to allow an individual to purchase it, as an indulgence; I am speaking as matter of opinion.

Do you conceive that sugar would be a profitable article of import, if used as dead weight on board an homeward bound vessel from India?—Speaking from my own experience, what has happened to me within these few years, quite the contrary.

Which would you regard as the most profitable, sugar or rice?—Sugar might, under various circumstances, yield some profit, certainly. *Thomas G. Murray, Esq.*

What circumstances are those in your experience, which induce you to think sugar would not prove a profitable article of import, under the circumstances supposed?—The period I allude to took place some years ago, ten years ago, when the warehouses of the West India merchants throughout the whole United Kingdom were quite full of the produce of the colonies.

Were the sugars of Bengal allowed a fair competition with West India sugars in the markets of this country, do not you conceive that it would sustain that competition with great hopes of success?—There cannot be a question, but, inasmuch as the sugar from India is brought to this country, it will in that degree have a great effect upon the produce of the West India colonies.

Could not the sugar of Bengal be brought to the markets of this country as cheaply as West India sugar, provided the duties on both be equalized?—At the present moment, I believe, the produce of sugar in India is very much confined, but that it is capable of producing as much as the whole continent of Europe would require I cannot doubt, and if it can be brought here as cheaply in point of freight, and the duties are equalized, I have no doubt that it would have a very serious effect upon West India produce.

Supposing sugar were brought from India as dead weight, might it not, in that case, profitably enter the markets of this country, supposing it to be placed on an equal footing in point of duties with the sugars of the West Indies?—It would affect it, unquestionably, inasmuch as it would increase the quantity of sugar in the market.

Would it not come as cheaply as West Indian sugar, coming as dead weight?—It would depend entirely upon the freight of the ship, what she was freighted at, if it was necessary to bring sugar as dead weight to ballast the ship, it would most seriously affect the produce of the West Indies, inasmuch as it would greatly increase the quantity of sugar in the market.

Assuming that saltpetre is excluded as an article of ballast, in an homeward bound vessel from India, would you choose in preference rice or sugar, for that purpose?—I have already said that rice is a very destructive article to embark in, and that sugar might, on the contrary, afford some profit.

Have you in your China voyages, or otherwise, had opportunities of becoming well acquainted with the navigation of the Malay Archipelago?—I am very little acquainted with the Eastern Islands, never having had the charge of a ship among them.

Describe precisely what you mean by the term Eastern Islands?—I mean the great body of islands, both large and small, between Acheen Head and the Pellew Islands.

You include under that term all the islands that constitute the Eastern Archipelago?—All the islands, generally speaking, the Eastern Islands are those to the eastward of Banca, including Borneo, &c.

In a China voyage outwards, by what straits do you enter the Archipelago?—That depends entirely upon seasons and other circumstances; the general passage in the regular season, and the fleet in force (a strong fleet well protected) is through either the Straits of Sunda or the Straits of Malacca.

What is the way homewards, do you come through the same straits?—Generally when a fleet is in force, and in the regular season, through the Straits of Sunda, that is the most direct passage.

You have mentioned that they go and return by these routes when the fleet is in force, what difference does that circumstance make as to the course adopted?—In going through the Straits of Sunda, for instance, you pass immediately in sight of an enemy's possession, and in going through the Straits of Malacca, it has frequently happened during this war, that the enemy's cruizers have been off Acheen head.

Have you ever landed on any of the islands of the eastern Archipelago?—If you admit Sumatra to be considered as one of those islands, I was six weeks at Bencoolen and brought home a cargo from thence, since I was a commander. I was before that about fourteen days upon the island of Sumbawa.

Thomas G. Murray, Esq.

That is to the eastward of Java?—Yes; going to China, it forms one of the most eastern straits, the Straits of Sapy.

Had you an opportunity of observing the native inhabitants of those islands?—At Bencoolen, I formed some idea of what their inclinations and habits were; at the Straits of Sapy, I was under too great a dread to have much communication with them.

What were the circumstances which rendered it so fearful a business to have communication with the natives of Sumbawa?—I know no reason, but a knowledge of their native treachery, and which appeared to be natural to them.

From any knowledge or authentic information which you have acquired, can you say whether that is generally the character of the native population of the eastern islands?—I believe universally.

Do you conceive that any considerable number of cargoes of British or other European produce would find a market among the natives of the eastern islands?—As far as my own knowledge goes, and what I have heard from the description of people called eastern traders, I apprehend not; not even one cargo.

Are not the wants of the natives very much limited by the nature of the climate under which they live?—I conceive their wants to be very few, from the very few articles that the regular eastern traders from Calcutta carry among those islands, speaking only from information, for I have no experience, also judging from what I experienced myself while at Bencoolen.

Does not the equator cross the heart of some of the principal islands?—I believe near the very spot I have just mentioned, it crosses Sumatra, somewhere near Fort Marlborough, at Bencoolen; I speak from recollection.

Does it not cross nearly the centre of the island of Borneo?—I believe it does; but that is not impressed so strongly upon my mind as the others.

During your residence at Bencoolen, did you find that the native inhabitants in the neighbourhood of the British settlement there, copied in any material degree European habits and manners?—None whatever came under my observation from actual natives.

From the treacherous and ferocious character of the natives of those islands in general, would it not be necessary that vessels attempting to trade with them, should be strongly armed?—The eastern traders are armed I believe in a very peculiar way, to prevent surprise from numbers, as well as treachery from the merchants with whom they deal; and I have been told, that immediately on any native or natives coming on board, their side-arms and all other weapons of defence are taken from them; they are also supplied with strong boarding-nettings; and I believe, I do not know, whether it is so now, but it was certainly at some period necessary that their cabins should be barricadoed, so that they might defend themselves, if they were driven to that place, from the number of natives coming on board, either by surprise or by permission.

Supposing a free trade established between the ports of the united kingdom and the eastern seas, do you conceive that the export on a large scale of British manufactures to those seas, would prove a profitable speculation?—As far as my own experience goes, I think not.

Do the Malays wear cotton in any degree?—They wear chiefly cotton, but they have a manufacture of their own of silk and cotton, they wear no other apparel that ever I observed.

Was that the case generally among the Malays?—Generally, wherever I have been.

Do they wear any other articles of apparel than are supplied by their own manufactures?—I do not recollect observing any thing but their own manufactures; I cannot enumerate exactly what they are now, I have not them in my recollection.

Do you know whether any trade is carried on between China and the islands of the Archipelago?—I believe a very extensive trade in Chinese vessels, but to what places and what islands, I am quite unable to say; chiefly to Java I believe.

Can

Thomas G. Murray, Esq.

Can you state of what articles in general the return cargo consists?—I am not sufficiently acquainted with the China market, to answer that question.

Do you know whether the eastern islands furnish any descriptions of produce which are likely to suit the consumption of Europe?—Spices are produced certainly; and I believe Java produces both sugar and indigo, but I am not at all aware what the produce of any of the other islands, except Luconia (Manilla) which produce the same.

On a supposition that a free trade were established between the ports of the United Kingdom and the eastern seas in general, except with the reservation of the China trade to the Company, is it your judgment that the vessels of private British traders could procure illicit shipments of tea on the coasts of the eastern islands?—I have not a doubt that there would be great facility in their procuring tea, and I would beg leave to state why; the great reason, I believe, that there are not more ships and more people embarked in the China trade, either from the coast of Malabar or Calcutta, is the difficulty of return, and that their ships frequently come back half laden; I dare say therefore, they would be very glad to take on board a cargo of tea, and carry it any where that may be pointed out, if it were only as a remittance from China.

Do you mean to imply, that country ships trading to Canton, might be tempted on their return homewards, to take in teas on the coasts of the eastern islands?—No; I mean that they would bring cargoes of teas from China, as a remittance for whatever they might have carried there, and deliver them at any place that might be agreed upon, purely as a remittance.

Does not the Chinese government gain a considerable revenue from the export of teas?—I cannot speak from positive knowledge, but I always understood so.

Must it not be the wish of the Chinese government, that teas of all descriptions should be exported from the port of Canton?—I have always understood that a Chinaman, to get rid of his teas, would trade with any one, and give him almost unlimited credit.

Are there not teas of a very inferior, and even noxious description, to be purchased at Canton?—I cannot answer that question; teas are frequently adulterated; but it does not come immediately under my own knowledge.

Supposing an arrangement made, by which teas imported from China into some of the eastern islands, could be there taken in by private British vessels, can you state whether it would be easy to procure such teas from China by means of Chinese junks or other native vessels?—I cannot take upon myself to answer that question; I have already said that there is a very extensive intercourse from China, through junks, with the island of Java, and I believe with those junks and Malay boats, with islands in the west; and the China junks go also to the other islands in the Archipelago.

Is it known to you that the Chinese junks import into Java teas and other products of China for the use of the Chinese colonists in that island?—I am not at all acquainted with that particular.

Supposing an open trade established, such as has been before described, would it not be easy for the captains of vessels to procure, by a previous arrangement, any quantity of tea, without going to the port of Canton?—I should conceive so, for the reasons I have already given, independent of the Chinese junks.

Is not the course of Chinese junks coming to Java, through the Straits of Banca?—I should rather think through the straits to the eastward of the island of Gaspar, or the Straits of Gaspar.

Must not vessels coming from the coast of China to Java pass somewhere near the islands of Borneo and Sumatra?—Borneo, lying to the northward of Java, they must of course pass it; but I cannot charge my memory particularly.

Would it not be a much shorter voyage for the Chinese junks to come to the north west coast of Borneo, than to come to Java?—Inasmuch as Borneo lies much nearer to Canton, of course, it would be shorter.

Can vessels sail from the coast of China to Manilla in both monsoons?—I am not sufficiently acquainted with those seas, to answer that question.

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Supposing an arrangement made, by which European vessels would take in teas on the coast of the eastern islands, could not temporary depôts, for that purpose, be very easily established on those coasts?—The only objection to that would be the treachery of the Malays, and the likelihood of being cut off by them; there is no other objection, I conceive.

Would the treachery of the natives be an insurmountable obstacle to the sort of clandestine trade of which you have before spoken?—Certainly not; if it was an object worthy of attention, the factory or establishment to be formed, could be strong enough to resist the Malays.

Are there not several inconsiderable islands, of which the inhabitants are much more peaceable than those of Celebes or Borneo?—There are some islands or some places on the islands, where there is more confidence put in the Malays than there can be in others; they are not so suspiciously treated in some of the islands as they are in others.

Would it be practicable for the British government to establish any such fiscal guards on the coasts of those islands, as should prevent the illicit practices of which you have before spoken?—They must be very extensive, and very numerous; and in the time of war, I should conceive, it would be very much subjected to the depredations of the enemy's cruizers.

Supposing a regulation made, that ships taking in cargoes any where in the Indian seas, should, on their passage homeward, touch at some intermediate port, and have their cargoes officially broken up and inspected, could such a regulation be carried into effect without immense inconvenience to commerce?—I think it would be excessively prejudicial, and very destructive to a China cargo; for it is invariably found, that a chest of tea, as it is at present constructed, would hardly bear moving after it is stowed.

Must it not, in general, be an inconvenience to inspect cargoes in that manner, after they are completed?—A very great inconvenience, I imagine.

Supposing a regulation made that ships, under the circumstances before described, should touch at some intermediate port, and that the master or commander should declare the contents of their cargoes, but without having them actually inspected; is it your opinion that such a regulation as that could afford any material security against a contraband trade?—If the temptations are great to carry on a contraband trade, and it can be done with a degree of facility, I should conceive it no more obstruction, than a man to give his word that he would not do it.

Do you not conceive that the present high duties on tea imported into this country must operate as a very strong temptation, on persons in the circumstances before described, to engage in an illicit importation of that article?—I should think that, considering the weighty penalties attached to detection from the Exchequer, the only inducement they can have to smuggle, is to evade the heavy duties.

Do you know whether the coasts of the eastern islands do not abound with bays and creeks accessible to ships of burthen?—I am not very well acquainted with the eastern seas; I can only speak from what I have understood to be the case; some bays I have seen at a distance, appeared not only accessible, but very commodious for ships of all descriptions.

Would it be possible or expedient to station British cruizers in the Straits of Malacca, Sanda, or Alass, with orders to board vessels coming homewards and suspected of being laden with contraband?—It is very possible, certainly, to station them; but I think the great dangers arising from remaining there, would prevent their being there perpetually.

Supposing a vessel to take in a lading any where in the China or Soloo seas, are there not many practicable outlets from those seas, into the Atlantic and Pacific oceans?—There are innumerable outlets; but whether there is a safe passage I am not at all acquainted.

It is your understanding that there are innumerable outlets?—I know nothing more than what I have seen upon the chart.

(Examined

(Examined by the Committee.)

Thomas G. Murray, Esq.

Is it usual for the country ships to trade in teas?—I believe not, but I have known both the settlement of Fort St. George, and Calcutta, plentifully supplied with tea through the means of the country ships.

Do they bring any teas to those places, except for the consumption of the Presidencies and the subordinates?—I have bought teas of a certain description myself, in Calcutta, which I conceived to be cheaper than they were purchased in China.

For what purpose did you purchase those teas?—When I speak of teas, I mean three or four chests for my own immediate use.

Not as an article of trade?—It is prohibited as an article of trade.

What quantity of teas do you think you should be able to purchase in Calcutta, at any one time?—If I am not mistaken, I believe there are one or two regular ships return with teas both to Madras and Calcutta; but as those may be intended to supply the Presidencies, I do not mean to say I could buy all those teas cheaper there than in China.

Is it within your knowledge, that the owners and commanders of country ships which frequent Canton, are under covenants with the government of India, by which they are bound in a penalty of double the value of the ship and cargo, to conform to all orders and regulations of the Company's supracargoes at Canton?—I am quite unacquainted with such regulations.

Supposing such regulations to be made as well in India as in China, that country ships should not trade in teas, are you not of opinion that such regulations would have the desired effect?—I should conceive the captains and officers would, like all other men, be bound to conform to the orders of their employers; but being prevented by the government, it would naturally depend upon the penalty attaching to it.

Are you of opinion, that any quantity of teas could be taken on board, in China, by a country ship, without the knowledge of the supracargoes, under proper regulations to prevent their being shipped?—Speaking from the knowledge I have of the Chinese, I conceive them to be more inclined to smuggling than any other set of men; but how far it can be done without the knowledge of the supracargoes, I am quite unequal to answering.

Are you of opinion, that teas could be landed from country ships at any port, either upon the coast of Coromandel or Malabar, and reshipped on private ships bound to this country, without its coming to the knowledge of the government of India?—I presume, that in the event of peace, the situations on the coast of Coromandel, belonging to both the Dutch, French and Danes, would be returned to them; and in that case, I think it possible that there might be trans-shipments made in those roads without their coming to the knowledge of the English government; yet the possibility of information being given to the English government must be very great.

Are you of opinion, that there would be any inducement for the owner or commander of a country ship to embark in such a traffic, under the heavy penalty of a forfeiture of double the value of the ship and cargo for so doing?—I should conceive not; my idea went only to the possibility of the thing, but not to the likelihood of it.

Upon the supposition of the trade to India being laid open to the merchants of this country, under a prohibition to import teas in the vessels sent to India, and subjecting, in the event of tea being found on board the said vessels, the cargo to confiscation, in your judgment, would not the merchants in this country engaging in such trade, be particularly cautious to select for the command of such ship a person on whose honour and vigilance they could perfectly depend, that no tea should be taken on board?—Most undoubtedly; I should conceive they would be led to do so from the great risk attending the undertaking.

Do you suppose that any large quantity of tea could be taken on board, and conveyed to this country, without the knowledge of the captain?—It depends entirely upon what description of man the captain may be, and how far people may be in-

Thomas G. Murray, Esq.

trusted who are inclined to take it on board; that there are a great many things taken on board ships, in large quantities, which the Captain knows nothing of, I am perfectly convinced.

If the trade of India were confined as at present, and the subjects and states at amity with His Majesty permitted to trade there, might not the merchants of those foreign states find profitable cargoes of sugar in India, for the supply of Europe?—I think that at all times sugar enough might be made in India to supply all demand for any foreign markets.

Have the East India Company's ships brought considerable quantities of sugar for the supply of Europe?—At one period, within my recollection, the East India Company were induced to try the effect that it would have on the markets; I am speaking only from information, as to the motives; and I believe they sent out six or seven regular Indiamen, for the purpose of bringing home such quantity of sugar as it was safe to lade in those ships.

At what period was that?—About 1793, 1794, or 1795, I was an officer in one of the ships.

Do you happen to know whether that adventure proved profitable to the Company?—I am quite unacquainted with that; I believe that a similar attempt has not been made since.

If the East India Company did not find it a profitable adventure to bring sugar from India, for the supply of Europe, do you suppose that the British merchant will find it advantageous to bring that sugar from India?—I have no idea that the private merchant will find it a profitable concern.

You conceive the importation of rice would be destructive, as to profit?—Yes.

Would not that circumstance depend upon the price of rice in India and in England?—I should conceive, that hardly any thing but a most lamentable famine in India can affect the price of rice very greatly; but it must be a continued series of distress in this country that would make rice, in my opinion, a profitable concern.

Do you happen to know the price of rice in India by the last accounts?—No, I am not acquainted with it.

Have you not known periods when rice would have been a very profitable speculation to be brought from India to this country, and that ships have gone from this country on purpose?—I believe the only period that rice has proved to be a very profitable concern, is in one or two instances in the present year, or the latter end of the last; that ships some time ago were sent for rice, I am very well aware, but the consequence was not destructive to the merchant, but I believe very serious to the government, because they undertook to pay a certain sum, and the rice did not yield one half.

Have you ever imported piece goods from India?—Yes, I lament to say in very large quantities.

Have they been a very unprofitable undertaking?—It may not be interesting to the Committee to know how I was affected, it is only necessary to say I was affected in a most destructive way; at one time in the year 1801 there appeared to be a likelihood of a great profit arising from piece goods in this country; in 1802 I was in India, at which time the information of the cessation of hostilities came out to us; I was induced to embark to the extent of about £. 60,000. in piece goods alone, about £. 40,000. of which was sent to me through the medium of a country ship; I think the last of that quantity of piece goods I have sold within these four years, making a period of seven years, during which part of them were kept in the Company's warehouse, by which I calculate I lost about £. 25,000.

Are you acquainted with the present or late prices of piece goods in Bengal, and the prices which have been procured at the East India Company's sales?—I understand there has been a profit arising from piece goods within this year or two; but the piece goods vary so much in price, both from the demand in this country, and the quantity exported from India, I cannot answer that question in any way satisfactorily.

Can you state that there does profit arise from the late purchases in Bengal, and the late sales in this country?—I cannot state it from my own experience, only what I have

I have heard; and I believe that chiefly arises from what happened at the period I allude to, and there being so few persons embarked in it. *Thomas G. Murray, Esq.*

Are you acquainted with the prices procured at the last sales of the East India Company?—Not at all; I have heard the thing mentioned, but only in the way, that there was some profit arising from it, nor do I know what prices would yield a profit.

Have the goodness to state, whether the captains of Indiamen receive any salary or pay from the East India Company; and if so, what is the amount of it?—The captains of Indiamen receive no direct pay from the Company; they are merely allowed a part of the chartered tonnage of the ship freight free; they have no payment whatever.

Is this allowance of tonnage considered as a compensation for the nonpayment of salary?—I consider it to be an allowance to them for their services, and as binding them to their interests, in making them consider themselves immediately under their employ.

Notwithstanding this grant of tonnage to the captains, are they not liable to some payment on getting the command of their respective ships?—There is no payment to the Company on getting the command, that I am aware of.

Is there not a sum of 500*l.* paid by the captain?—Yes; that is deducted from whatever monies they have in the India-house after the voyage.

Is this sum considered as a payment made to the East India Company for duties, or how otherwise?—It has never struck me as paid to them for duties, but as a charge attached to the situation of a commander.

Does every commander pay it?—Every regular commander; I believe the commander of what is called the extra ship does not pay it.

How many of the captains of regular ships, upon an average, pay this sum in the course of a season?—I do not feel myself equal to answering that question, because I do not know the whole number of ships; but certainly all the regular ships.

Is this the only sum that is paid on the return of a ship from her Indian voyage by the captain?—I am not aware of any other, from my recollection at this moment.

Do not the captains pay on the return of the China ships?—I am not aware of any sum.

Is there no sum paid, as duties, upon the teas?—I never commanded a China ship; but there are regular duties paid on teas; I never had a China privilege but one, and that was a very long time ago, and what the charges upon it were I do not recollect.

You have stated that 500*l.* is regularly taken from all the captains of the regular ships upon their return to this country; may not this sum be considered in the light of an equivalent for freight upon the tonnage granted to the captains?—That sum has been levied upon the captains (if I may use the expression) I believe, only within these sixteen or seventeen years; but I am not aware that their privilege has been increased since that time.

Whatever the privilege is, this may be considered as an equivalent for freight upon that tonnage?—I am not aware that it is so, because the sum has been levied only within these seventeen years, and the privilege has not at all increased from what it was prior to that time.

Would you not consider it as a charge on your commercial speculation in estimating the amount of the profit of the whole voyage?—In estimating my profit on the voyage, I certainly should not conceive I could do so to be correct, till I had deducted the 500*l.* from it.

The other duties payable on the return of a ship from a China voyage, whatever they may be, would necessarily be considered in the same light?—Every deduction of whatever nature, from the net proceeds, of course must be considered in the same light.

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Have you ever heard what the amount of those duties now alluded to is?—No, I have not.

Can you inform the Committee what may be the amount per cent. of the advantage which a Company's officer would have from paying no freight, no commission, and a diminished rate of insurance, over a private trader, who exported the same investments?—During three or four of my voyages to India, I always sold my privilege, till within the last voyage, at 25 *l.* or 26 *l.* a ton.

What might that amount to?—There is about 40 tons; at the period I have spoken of, some time ago, when a large consignment in piece goods came to me, the insurance upon my own ship was about five or six guineas per cent., and I think the insurance done upon ship or ships at Lloyd's Coffee House, was twenty guineas per cent. with deductions for convoy, and so forth, making the difference, if the ship could be named at any time that the articles were in, of from five or six guineas to eight guineas per cent.

Can you calculate what, upon the whole, the advantage might be, that the Company's officers have over private traders?—Very considerable, certainly; I cannot answer it more minutely.

Are you acquainted with the produce of the Island of Banca?—I have passed Banca.

Have you any information of the nature of the produce of the Island of Banca; does it produce tin?—I believe it produces tin; and that the chief part of the tin carried to China, either from the place itself, or from Malacca, or Penang, I believe is produced in Banca.

Do you know the relative value of the tin carried from Banca to China, with tin that might be exported from this country?—I recollect once asking a Chinaman the question, which was the most preferable; and he told me that the Banca tin, certainly; but as to the relative value of them, I cannot speak.

You sold your privilege for 25 *l.* a ton?—Yes, thereabouts.

Do you mean your whole privilege out and home?—No, not home; the purport of the question meant to be asked, I conceived to be the advantage the captain has over a private trader, filling his privilege himself; I have always let the produce of whatever my investment might be, together with other funds I had, upon respondentia in India, and received also a payment of 25 *l.* a ton upon my tonnage, considering the speculation from India to this country a very precarious thing, and in all probability destructive.

Do you not distinctly know, that the 500 *l.* paid by the commander, of the Company's regular ships, has no connection whatever either with duties or with freight, on their privilege, but that it constitutes a fund to repay the Company for a sum of money which they gave to do away the system of private contract for open competition?—I do not exactly know that; but it took place exactly at the period that the old system of shipping was destroyed, and that ships were agreed for by open competition.

You know distinctly that it has nothing to do either with duties or freight?—I conceive not.

[The Witness withdrew.

JAMES HOSBURGE, Esquire,

Was called in, and Examined as follows:

James Horsburge, Esq.

Mr. Impey.] You are hydrograper to the East India Company?—I am.

Were you a free mariner in India under a licence from the East India Company?—Yes, I was.

For how many years?—I was about twenty years in India.

In that capacity, did you command a Company's ship trading in the Indian and Chinese seas?—A country ship.

It

James Horsburgh, Esq.

It was not a Company's ship?—No; she did not belong to the East India Company.

Are you, from your own experience, well acquainted with the Indian seas, and with the Indian trade; by that trade, meaning the country trade?—I never traded on my own account, and am not well acquainted in respect to trade; the navigation of those seas I am well acquainted with.

From your observation, when you were in India, do you think the markets there were over or understocked with European commodities?—I believe, frequently overstocked.

Can you state any new articles of European produce or manufactures that came into demand among the natives of India during the time you were there?—I cannot.

Supposing a free trade were opened between the ports of this country and the ports within the East India Company's charter, do you, from your knowledge of India, think there would be any increase of demand for European produce among the natives there?—I really cannot tell.

What is your opinion; have you any reason to think there will be?—I think there must be a great sacrifice from this country, in the first instance.

Have you any reason to think there would be any increase of demand among the natives, for either British manufactures or produce?—I really cannot answer the question properly.

Are you acquainted with the eastern seas and islands?—Yes, I am.

Do you believe that those seas and islands, and the ports of them, have been thoroughly explored by the merchants who now carry on the trade between India and the Chinese seas?—Yes, they have.

State who are the persons by whom that trade is carried on, the trade which is called the country trade; is it not carried on by persons called free merchants and mariners, and who reside in India?—Yes it is.

Has it come within your knowledge, that those free merchants and mariners have explored every port in those seas, for the purposes of commerce?—Yes, it has.

Can you state what articles of British produce or manufactures are consumed in those islands?—I cannot say correctly; very little, I believe.

State what the articles are, as far as you know them?—A few articles of cutlery, probably a little iron and fire arms, and gunpowder, are the principal articles.

What is the assortment of cargoes sent from India to those islands?—Opium is the great staple article; some iron, salt petre, and sulphur sometimes, and piece goods, cotton stuffs of various colours.

In your opinion, could even a single ship be freighted from Europe for those islands, with any reasonable prospect of commercial profit?—I think a single ship could not sell her cargo among those islands, without going to Batavia, or to Prince of Wales's Island.

Do you think it possible to dispose, even of the cargoes of two European ships of 350 tons, in a season, among those islands?—No; I do not.

Is not the climate of those islands extremely hot?—The equator passes over the middle of the Archipelago.

What is the dress of the natives?—Very little, if any thing at all; without it is the Rajahs and chiefs; they wear pelisses of different kinds; but the lower class of people wear very little dress; a small wrapper of cotton about them, and a bit of a silk handkerchief for a turban.

Is their dress supplied from their own manufacture chiefly?—In great part.

Do you conceive it is possible to dispose of English woollens to any amount among them?—No; I think not.

Can you state to the Committee what is the character of those natives, with respect to the ferocity or mildness of their dispositions?—They are very cruel and treache-

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rous, and would take any man's life for the sake of a dollar or two, at any time when there was an opportunity.

Are the Rajahs, who are the chieftains of those islands, very jealous and suspicious of Europeans?—Yes, of Europeans trading with them.

Have many instances come to your knowledge of ships that have been cut off and destroyed among those islands?—A great number; I have got a list of nearly thirty in my pocket, of the ships I have known cut off at different times.

Do you know that captains also have been assasinated by the natives of those islands?—A great number.

Are there any return cargoes that could be got among those islands for Europe?—I conceive little or nothing that would answer in the European market.

Is the Committee to collect from what you have said, that it is your opinion that the trade to the eastern islands could never be an object of fair commercial profit to a British merchant?—I think not, until the disposition of the natives is changed.

Supposing ships to go from this country with a view to profit by illicit traffic, is it your opinion, that if they were permitted to go into the eastern seas, they could procure teas there for the purpose of smuggling?—I think, not for some time.

Do you think that if they had a view to that purpose, they might in some time enter into such arrangements that they could procure teas?—Yes; I think so.

Do not many large junks come among the eastern islands, from the port of Amoy, in the southern part of China?—They go from Canton and from Amoy, to different ports of the eastern islands.

The English have no intercourse or connection with the port of Amoy, have they?—Not at present.

Do not many junks go from China to Borneo?—To Borneo, and to Sooloo, to Mindanao; I believe also to Timor; particularly to Batavia, and to Rhio and Lingin, and to Prince of Wales's Island.

Could not those junks, in your opinion, bring any quantities of tea to the eastern islands?—They carry a good deal of tea to Batavia at present, and to some ports of the eastern islands.

Could they not procure them and carry them in any quantities that might be demanded?—Certainly.

Are you of opinion that by previous arrangement, depots of tea might be established through those junks among the eastern islands, for the purpose of smuggling?—I think so.

Do you think such smuggling of tea might be carried on by means of Portuguese or Spanish vessels, by previous arrangements?—I think they could.

Supposing the private merchants of this country were permitted to go to Manilla, do you think there is any more convenient port for procuring teas from China, and smuggling them into this country, than the port of Manilla?—I think not.

Is not Manilla so situated that a regular communication may be kept up between that and China, at almost any period of the year?—At all times.

You are of opinion then, that Manilla is peculiarly well situated for smuggling teas from China?—Remarkably so.

Do you know whether the Company's supercargoes, are not exposed to very great difficulties and dangers sometimes, from the irregularities even of the seamen of the Company's regular ships?—I think they have been so formerly.

Are not the country ships which sailed to China, under the strictest regulation with respect to their conduct in China, and under the controul of the supracargoes?—Yes, they are.

If the Chinese trade were thrown open to the private merchants of this country, is it not your opinion that the Company's supracargoes would be put to the utmost difficulties by the irregularities and promiscuous influx of seamen, that would then go

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to the port of Canton?—I think so, unless there was some other method to regulate their conduct.

Are you acquainted with the produce of the island of Banca?—Yes.

Do you know that the island of Banca produces tin of a very fine quality, and in very great quantities?—I understand it does not produce so much now as it did formerly.

Do you mean that so much is not exported from it, or that there is any defect in the produce of the country?—There is not so much procured, I understand.

Have you understood that tin is extremely easily procured in that country, and very easily smelted?—Yes; I understand so, it is near the surface of the ground what they procure, in small pits; it is of a very soft quality, easily smelted.

Have you understood, that during the time that the Dutch power prevailed in that part of India, the Chinese were in a very considerable degree supplied with tin by the Dutch from the island of Banca?—Yes; I believe they were.

Have you any doubt that the Chinese might still be supplied with the same article from that island at a much cheaper rate than they can from England?—I really do not know the relative difference of prices.

You do not know the comparative prices of tin from Banca and from England?—I do not.

Do you know whether iron is a produce of one of those eastern islands?—I have heard that they have iron in some of the islands.

Do they not manufacture their cresses, which are offensive weapons, and other iron utensils and arms from their own iron?—They temper their own cresses themselves, and manufacture them; whether all from their own iron, I cannot say.

You know, from having seen those instruments, that they are their own manufacture?—Certainly.

In freighting a ship from India to Europe, it must be loaded with an assorted cargo of light goods, and of dead weight of ballast, must it not?—No; I do not know that; I have come home three times from India, sometimes without light goods at all, sometimes with rice; ships can load with rice, without light goods.

Supposing the ship to be loaded with an assorted cargo of light goods and dead weight, what are the articles you must take from India to Europe for that dead weight?—I imagine sugar, or saltpetre, or rice.

As the law at present stands, saltpetre can only be imported by the Company, or by their licence, into this country?—I have understood so.

Can you state whether, generally speaking, rice would be a profitable article to bring from India to this country?—I should think not profitable.

Supposing it were necessary to take in as ballast, either rice or sugar, which do you think would be the more profitable article to bring to this country by way of ballast?—I really do not know.

Do you know whether Bengal is capable of producing sugar to almost any amount?—I believe it is.

(Examined by the Committee.)

ARE the country ships employed in the trade between India and China, in the habit of bringing teas to India, except for the consumption of the Company's settlements?—I believe not.

What quantity of tea do you think each ship usually brings from China to Bombay?—I imagine from one hundred to two hundred chests.

Do not the owners and commanders of the country ships employed in the trade with China, enter into covenants with the government under a penalty of double the value of the ship and cargo, to obey all the orders and regulations of their supra-cargoes at Canton, among other provisions in these covenants?—I have understood so; I never saw the covenant.

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Do not you recollect having signed such covenants as commander, upon a ship's being registered in Bombay?—I think I remember signing a covenant; but I do not recollect the tenor of it, or what was the penalty.

Were the trade in teas in country ships to be forbidden by the government in India and the supracargoes at Canton, or the supply to the different settlements, to be confined to one ship selected for that purpose, do not you think such a regulation would be effectual to prevent teas being brought from China in country ships for the purpose of being sold to private ships going from this country?—I really cannot say.

Could any quantity of teas be shipped on board the country ships in China, without its being reported to the supracargoes, provided they were to express their desire to that effect to the Chinese?—I think some of the small Chinese merchants would still send teas on board ships, if they could get any advantage by it.

Considering the heavy penalty of double the value of the ship and cargo against such a trade, do you think it would be an object to any owner or commander of any ship to engage in it?—I think not.

Do you think that any quantity of teas might be landed at any of the ports, either on the coast of Coromandel or Malabar, from country ships, and re-shipped on board private ships bound to this country, without such an operation coming to the knowledge of some of the Company's servants on those coasts, and being reported to government?—I think not, if the Company's servants were active.

What in your opinion would be the effect upon the price of teas in China, if fifty or sixty competitors were to go into the market?—I think it would raise the price of teas in China.

What effect would be likely to be produced upon the quality of teas?—The qualities would probably be inferior.

Have you had an opportunity of observing the gradual rise in the price of exports from China to India, such as sugar, raw-silk, tutenague, and other articles?—I understand the price has risen of late years.

Have you heard that the articles of sugar and sugarcandy are now considerably higher than they were ten or fifteen years ago?—I really do not know the present price?

Have you observed the rise in the common articles of supplies to the ships in China provisions?—Yes.

Do you suppose this has arisen from any want of the usual supplies being afforded to the port of Canton, or from the competition arising from the number of ships that have gone there?—I cannot say from what cause.

Have you heard of any rise of consequence having taken place in the price of teas for a long period of years past?—I have not.

[The Witness withdrew.

Sir GEORGE THOMAS STAUNTON, Baronet,

Was called in, and Examined as follows:

Sir G. T. Staunton, Bart.

Mr. Impey.] YOU are a supracargo in the East India Company's service?—Yes, I am.

How long have you been in that situation?—I have been fifteen years in the service of the East India Company.

You accompanied Lord Macartney's embassy to Pekin?—Yes, I did.

You are also acquainted with the language of the Chinese?—I have made the Chinese language my study.

From being acquainted with the language of the Chinese, and from the time you have been in that country, have you had peculiar opportunities of becoming acquainted with the character, the opinions, and the habits of the Chinese?—I should conceive

conceive a knowledge of the language would possibly give me some advantage over other Europeans in those respects. *Sir G. T. Staunton, Bart.*

Have you also, from the situation you held in the Company's service, obtained a competent knowledge of the Chinese trade?—I consider my situation as giving me an opportunity of having a general knowledge of the commerce of China.

From your knowledge of China, can you state to the Committee, whether they are not peculiarly jealous and suspicious of strangers of all descriptions?—I should consider that the Chinese are peculiarly jealous and suspicious of strangers.

Can you state to the Committee, any principle of government or subordination entertained generally by the Chinese nation, that renders them peculiarly adverse to casual and unconnected trading adventurers?—The principle of responsibility that is exacted in China from every person in office, and the control which is required to be exercised by them, would certainly lead them to be peculiarly adverse to any trade that was not under an efficient control.

Do you conceive that that principle has been one great cause, why in former times the Chinese have been adverse to commerce with foreigners?—I should conceive that has been the principal, or one of the principal causes of their unfavourable opinion of strangers, and their unwillingness to enter into commercial connections with them.

Can you state to the Committee, from your knowledge of the history of the trade of China, what have been the impediments thrown in the way of foreign trade in that country in former times, in consequence of that principle?—The trade has been confined to one port of the Chinese empire, and is limited to a certain number of native Chinese, called Hong merchants; the Europeans are allowed to reside at that port only while their ships remain there, and various other restrictions were imposed to prevent any ill consequences arising from the trade with foreigners.

Was not the residence of foreigners confined to a small district in the suburbs of Canton?—It was.

Were not all foreign ships disarmed upon their arrival, and their arms restored at their departure?—There was an order to that effect, and I have understood it has been put in force on some occasions.

Was not all intercourse between foreigners and the Chinese strictly prohibited, with the exception of those Hong merchants and a few other persons appointed for the purposes of that intercourse?—It was so.

State to the Committee, whether in point of fact, those severe laws are not at this time, modified in practice?—There has been in practice a considerable relaxation of those laws in favour of strangers.

Do you conceive that one of the principal causes, or the principal cause of the relaxation of those laws, has been the mode of carrying on the China trade by the East India Company?—I should certainly consider, that the system according to which the trade is at present carried on, is one of the principal causes of that improvement. There may be, no doubt, some collateral causes, which have contributed to the same effect.

Do you not know that the jealousies of the Chinese have been so far subdued, that they have even made advances at Canton to a direct and confidential intercourse with the servants of the East India Company?—There have been such advances in one instance, within my recollection.

Are you of opinion, that notwithstanding the lessening of the jealousy of the Chinese above stated, very slight causes may probably bring our trade with China into great danger?—Our trade with China is certainly still upon a precarious footing, and is liable to be disturbed by provocations which might be considered of a slight nature.

Do you know that the English have been lately excluded from the port of Chusan?—I have understood that the English were formerly admitted to the port of Chusan, which they are not at present.

Do you know whether it was from any considerable provocation on the part of the English, that they were excluded from the last mentioned port?—I am not acquainted

Sir G. T. Staunton, Bart.

with the causes of the exclusion of the English from the port of Chusan, but I have not understood that there was any adequate provocation.

From your knowledge of the Chinese, do you think they consider their commerce with the East India Company as of any considerable consequence to the prosperity of their empire?—The Chinese government have always declared, that they do not consider it of any consequence to the prosperity of the Chinese empire.

In your opinion, have not the measures and conduct of the Company's servants at Canton even gained them the respect and confidence of the Chinese?—The Chinese certainly testify much greater respect and esteem for them than for other foreigners, or for any foreigners when the trade was first opened with that country.

Do not you think that the unimpeachable good faith of the Company has greatly contributed to that effect?—I should consider that it certainly has.

Has not the beneficial effect of the Company's good character in China extended not only to their own officers and other adventurers from British India, but also to foreigners, and particularly to the Americans?—I think it has, in some respects.

From your knowledge of the Chinese, do you think that the character of the Americans stands equally high with that of the Company, among the Chinese, for honour and probity?—I should think, by no means so.

Are you of opinion that the power of the Company contributes as well as their probity to the high character they hold among the Chinese?—It certainly contributes to the respect and to the consideration they receive from the Chinese.

From your knowledge of the Chinese trade, do you think it is capable of great improvement and extension upon the present system?—I should conceive it is capable of a gradual extension, and that beyond any limits which can be at present assigned.

Supposing the present system were to be broken, and the traders of this country, honest and dishonest, experienced and inexperienced, were allowed a participation in the China trade, what, in your opinion, would be the probable consequence?—I should think it extremely probable, that disputes would arise, and that additional restrictions would be laid upon the trade; that it might, in consequence of such disputes, be suspended, and perhaps altogether abandoned, in consequence of the treatment that might be experienced from the Chinese, and the new regulations that might be imposed for the control of the trade.

Do you think it probable, that in the event last mentioned, the trade being thrown open, such impediments would be thrown by the Chinese in the way of it, as would tend greatly to diminish, if not entirely to destroy it?—I conceive that the trade would be rendered much less advantageous than it is at present; but whether it would become necessary altogether to abandon it, would depend upon circumstances which it is not possible to foresee.

Supposing the East India Company's power to be destroyed, what would be the state of British subjects in China, without the protection they now receive from it?—I should conceive they would be liable to considerable embarrassments and vexations in the conduct of their trade, and in a much greater degree than they are at present.

Supposing that a King's Consul were established at Canton, is it your opinion that he could exercise the same authority that the Company now does in the protection of British subjects?—I should conceive not; as the power and influence of the Company's servants is chiefly derived from their having the direction and management of the trade.

Is it your opinion upon the whole, that it is of the utmost importance, if not of absolute necessity, to the preservation and improvement of our trade with China, that the present system should be continued?—I should think it is certainly highly important to the preservation and improvement of the trade, that the present system should be continued.

Is it from political causes only, or from commercial causes also, that you think it would be inexpedient to throw the China trade open?—I should conceive there are likewise some commercial causes that would prevent the trade being carried on so advantageously on any other system as the present.

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In your opinion, have the Americans, and other foreign traders who have been to China, been able to enter into competition, in any degree, with the East India Company, in the Chinese market?—They do in some articles of trade to a certain extent. *Sir G. T. Staunton, Bart.*

Are those, with respect to the commerce in general, superior or inferior articles?—They have entered into competition in respect to some species of teas, and also in some of the inferior articles.

When you speak of their having entered into competition with the Company, in some species of teas, are those superior or inferior species of teas?—I can hardly distinguish them by the term superior or inferior; they are peculiar species of teas.

What are they?—Some kinds of green teas chiefly.

Do you consider the uniform price of teas as one of the consequences of the present system?—I should certainly impute it in a great measure, or entirely to the present system.

State to the Committee in what manner you suppose that effect to be produced by the present system?—I conceive, that as the Company bid singly in the market of China for the produce of that country, they must necessarily obtain it cheaper, and at more uniform prices, than if a great number of individuals entered into competition with each other.

In point of fact, the monopoly of teas in China is in the Hong merchants, is it not?—I consider it so.

According to the present system, do you consider that the East India Company, notwithstanding the monoply of tea in the Hong merchants, is enabled in a very great degree, to regulate the price of it?—They have generally the refusal of all teas, and other principal articles brought to market for foreign consumption; and in respect to those articles in the purchase of which they have not to meet with any competition, they are certainly enabled, in a great measure, to regulate the price.

Are you of opinion that a free market with China would have the effect of raising the price of tea in that country?—I should conceive it would necessarily do so.

Do you think that the Americans, or other foreign traders who have traded to China, have traded with equal or greater advantage than the East India Company?—I am not able to speak to the advantages which individuals have derived from their trade, but I should conceive that the credit and reputation of the Company in China does give them, generally speaking, considerable advantage in carrying on their trade in that country.

Are you of opinion, that the advantages which have been derived to this country, from the sale of British manufactures and produce in China, has been entirely owing to the present system?—I should conceive that the present extent to which British manufactures are sold in China, is in a great measure or entirely owing to the exertions of the East India Company.

Can you state what, or whereabouts is the amount of that sale at present?—I believe at least a million sterling in value.

In what articles?—Chiefly woollens and metals.

Can you state to the Committee what difficulties the East India Company have had to contend with, in producing the present sale of those commodities in China?—The Chinese generally entertain considerable prejudices against any new article, and it is therefore often necessary to dispose of it for a considerable time at a loss; but after a time those prejudices wear off, and the merits and value of the articles are known, and the sale extended.

Do you mean to state, that in point of fact, the sale of British woollens to a large amount in China, has been produced by the Company having sold them, in the first instance, at a loss?—I conceive that that is one of the causes of the present extent of the sale of British produce; in addition to which the Company enter into contracts to dispose of those articles, in return for teas purchased of the China merchants.

Do you know, in point of fact, that in the commencement of that trade with China, the East India Company disposed of our woollens in that country at a loss?—It appears by the accounts of the East India Company, that the woollens have been sold at a loss, and I have no doubt that has been the case.

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Do you know whether a taste for the woollen manufactures of this country is now established to a considerable degree in China, by the means the Company have taken for that purpose?—The taste for British woollens has certainly been introduced to a considerable extent in China.

Can you state to the Committee the nature of the contracts made between the Company and the Hong merchants, by means of which the sale of our manufactures has been, in a considerable degree, forced into that country?—As the Chinese merchants derive their profits chiefly from the sale of teas, they are willing, for the sake of those profits, to contract to receive the woollens, with little or no profit to themselves upon them; those contracts are accordingly very essential to the sale of our British manufactures in that country.

You mean, that from the advantage they gain in selling their tea to the East India Company, they have been willing to contract with the East India Company for taking off our manufactures, even without a profit to themselves?—I conceive that is the principle or understanding upon which the contracts are made.

Do you know whether, in consequence of such measures having been pursued by the Company, their trade with China in our woollen manufactures is now profitable to them, as well as to the nation?—To the best of my recollection, it has become decidedly profitable to the Company in some articles of the woollens.

Has the reception of British woollens in China been procured in a considerable degree by the Company's attention to their quality?—The attention of the Company to the quality of their woollens, and also to the prevention of any irregularity or deception in the packages in which they are contained, has contributed in a very important degree to their circulation and reception throughout the empire of China.

Is not the Company's mark, in all parts of China, admitted as full proof, both of the quality and the quantity of the goods that are sold under it?—I have always understood so.

Do the Americans, and other foreigners, who trade to China, carry out manufactures, or bullion, to exchange for the commodities they get there?—They carry out bullion to a considerable extent, and some articles of native produce; but few, if any, manufactures, as far as I am acquainted.

Can you form any idea of the average annual importation of tea to this country?—The cargoes are provided in China, upon the assumption that the demand is from twenty-four to twenty-five million of pounds.

Considering that tea is become almost a necessary of life among the lower as well as the higher ranks in this country, do not you think that very great distress in this country would be the consequence of a great reduction, either of the quantity of the tea imported, or of any great deterioration in its quality?—I should conceive it certainly would be attended with distress and inconvenience to the country, under the present circumstances of the universality of the demand.

Do you think, that if the trade between this country and China were thrown open, it might be a probable consequence of it; that either the quantity of tea would be ill proportioned to the demand, or that the quality of it would be deteriorated?—I conceive the measures now taken by the East India Company for regulating the supply in proportion to the demand, in respect to the aggregate amount, and also in respect of the different species of tea of which that aggregate consists, could not be taken by individuals; and therefore that it is very probable that teas of an inferior quality would be imported, and that the supply would also fluctuate in a manner that would be very inconvenient and prejudicial to the interests of the consumer.

Are you of opinion, that any material derangement of, or inroad upon, the tea trade might be attended with great danger, as well to the revenues of this country as to those of the East India Company?—I am not able to speak to how far smuggling might be practicable by individuals, but I conceive it would be certainly much more practicable than under the present system, and therefore probably attended with the effect stated in the question.

Can you state, from your own knowledge, whether there is any peculiar nicety required in adjusting the supply of tea to the demand, and in selecting the various kinds of tea?—I should conceive, as I have already stated, that it is very important

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to the consumer that the supply should be regular and uniform; there is also a very considerable nicety requisite in the selection of teas, which is attended to under the present system, and which probably could not under any other. *Sir G. T. Staunton, Bart.*

Is not tea an article that requires the nicest examination to prevent its adulteration?—It does so, more than any article with which I am acquainted.

Can you state what becomes of any damaged tea, that may be in the Company's possession, even supposing it might be saleable?—I have understood that in many instances, damaged teas are sent down in barges to the mouth of the Thames, and there thrown into the sea, in the presence of the officers of the revenue who attend to see the tea so destroyed.

Do you mean to state that it is the practice of the Company to destroy all damaged teas, even though they might, if they pleased, sell them at an inferior price?—So I have understood.

Do you know what becomes of tea of a bad quality, if it should turn out that the Company are in any instances imposed upon by the merchants in China, or have by accident purchased such teas?—Teas of a bad and objectionable quality, have, in many instances, been returned on the hands of the owners and original merchants, of whom they were purchased, and the prices paid for those teas deducted from their accounts.

Do you mean that without any dispute the Chinese merchants are accustomed to allow the price of such teas of inferior quality, in account with the Company?—The Chinese merchants, have, generally speaking, such confidence in the honour and good faith of the Company, that they are in the habit of submitting to such charges with little or no opposition.

Do you think that such a practice could possibly be pursued by any private merchants dealing in the same article?—I should conceive not, I know of no instance in which it has been practised.

Are there not certain kinds of tea, the growth and manufacture of which are encouraged by the East India Company, though not in a very great degree profitable, that are imported in general with other teas, the growth and manufacture of which, individuals would not probably encourage?—There are certain species of tea, the growth and cultivation of which the Company encourage to a much greater degree by higher prices than individuals would be likely to do; this is on account of the advantage of a portion of those teas being included in the supply for general consumption. These teas are probably mixed with other teas by the teamen in England.

From your knowledge of the tea trade, do you think it of great general importance to that trade that the growth and manufacture of such species of tea should be encouraged?—I cannot speak from my own knowledge; but I conceive, from the information of others, that it must be a considerable advantage to the tea trade in general.

Are you of opinion, that upon the present system, the quality, the quantity, and the appreciation of the annual supply of tea to this country is carried to the highest pitch of perfection?—I am not aware of any change from the present system by which it could be improved.

Are not you of opinion, that upon this subject, the East India Company are guided by more liberal motives than in the nature of things it can be expected any individual traders can be?—I should think that, as the Company look forward prospectively to the future success and extension of the trade, they must act frequently upon different and more enlarged principles than individuals who have only their present interest in view, in the sale of their respective cargoes.

If a free trade were opened with China, do you think it would be possible for the East India Company to make any calculation for suiting their tonnage for the supply of the article, or the supply to the demand in this country?—Every competition, in proportion to the extent of that competition, would necessarily disturb the arrangements and calculations of the Company.

Supposing the same event of a free trade, are you of opinion that it would be possible to prevent inferior and damaged teas, by direct or indirect channels, from

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finding their way into the British market?—I am not aware of any regulations that could prevent such tea being introduced into the British market.

Is it your opinion, that such inferior or damaged teas, if introduced in any considerable quantity into the British market, might prove very pernicious to the health of the people who used them?—I am not aware of any tea at present procurable in the Canton market, that is peculiarly prejudicial to the health—but if inferior and objectionable teas were introduced, it would be certainly likely to diminish the taste for that article, and therefore to decrease the consumption.

If private ships fitted out from British ports, were allowed to navigate directly to and from the eastern islands, are you of opinion that they would by indirect means find methods of securing to themselves a participation in the tea trade?—I have no doubt that means would be found of procuring teas in the Eastern Islands, and that therefore it is probable they might be introduced from thence into this country.

Are not the eastern seas and islands full of Chinese vessels and colonies?—There are Chinese vessels and colonies, I understand, in almost every part of the Eastern Archipelago.

Have you any doubt that by means of these colonies and vessels, private ships from hence who are allowed to enter the eastern seas would be enabled to obtain teas from China?—I have no doubt that they would.

Have you any doubt that teas so procured, though of inferior quality, would in a great degree supersede the use of the East India Company's teas?—As they would be purchased under an evasion of the Chinese export duties, and particularly if they were sold under an evasion of the English import duties, they would come to the consumer upon much cheaper terms than those of the Company, and would therefore necessarily interfere with the sale of the Company's teas, though of an inferior and less acceptable quality.

Are not you of opinion that the high duties upon tea in this country hold out the strongest temptations to smuggling in every way?—I should conceive that they must.

Are you of opinion, that if a free trade were opened between this country and India, to the exclusion of China and the Chinese Seas, means would be found by the private trader to smuggle tea from India?—Certainly not to the same extent as if the trade to the eastern islands were opened; but I am unable to say whether smuggling would be actually impracticable in that case.

If British vessels were permitted to go to Manilla, are you of opinion that that situation would be peculiarly convenient for the smuggling of tea from China to this country?—It would have a peculiar convenience from its proximity to the port of Canton, and from its being frequented by Chinese vessels.

Do you know whether there would not be another peculiar facility from vessels being enabled to pass to and from Canton and Manilla at all seasons of the year?—They are certainly enabled to pass and repass at all seasons of the year, with some difference in point of time.

State to the Committee, supposing a trade opened with India, and that the smuggling of tea took place, by cargoes being taken up in India by the private traders, in what way do you imagine those cargoes would be conveyed from China to India?—Teas are at present purchased by the country ships trading between China and India without any sort of difficulty.

(Examined by the Committee.)

Do you know what is the Chinese duty upon tea?—I am not acquainted with the exact amount of the duty; but the imperial duty on tea is not considerable.

Whereabout is the duty upon the export of tea supplied by the Hong merchants?—I have never seen any certain and authentic document on this subject, and therefore cannot give an opinion.

Is it known to you whether the Chinese private traders find means to evade those duties?—The Chinese junks do not clear out generally, for foreign ports; and there-

fore they are not liable by the laws of China to the same duties as foreign vessels. Chinese vessels are not allowed by the laws of the country, to proceed with very few exceptions to any foreign countries. *Sir G. T. Staunton, Bart.*

An evasion of the Chinese duties is possible?—Yes; because they do not clear out to a foreign port.

Do you know whether the island of Banca supplies much tin to the Chinese market?—It is a considerable source of the supply of tin to the Chinese market.

Do you know the relative price of the tin supplied from Banca, and that imported from England?—I do not recollect.

[The Witness withdrew.

Adjourned to To-morrow, eleven o'clock.

24.

Lunæ, 10° die Maij, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Martin Lindsay, Esq. - - - p. 419
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(No. 13.)

Of Evidence before Select Committee.

Ordered, by The House of Commons, *to be printed,*
12 *May* 1813.

25.

MINUTES of EVIDENCE

TAKEN BEFORE THE SELECT COMMITTEE,

Appointed for the purpose of taking the Examination of such Witnesses, as shall be ordered by The House to attend the Committee of the Whole House, on the Affairs of The *East India* Company; and to report the MINUTES of such Examination, from time to time.

(No. 14.)

Martis, 11° *die Maij*, 1813.

The Right Hon. JOHN SULLIVAN, in The Chair.

DANIEL BEALE, Esquire,

Was called in and Examined, as follows:

Mr. Jackson.] YOU resided some time at Canton?—I did. *Daniel Beale, Esq.*

How long did you reside there?—From the latter end of the year 1787 to the middle of 1797.

About ten years?—Yes.

In what situation or capacity did you reside there?—I was Prussian Consul at Canton, and in that situation carried on a very extensive business as merchant and agent.

For what description of persons were you agent?—For many of the mercantile houses in Bombay and Bengal.

Did that afford you full and ample opportunity of understanding the general nature of the Chinese trade, as between the Chinese and Europeans?—No doubt I had ample opportunity of knowing every thing respecting it.

Describe to the Committee the general mode of carrying on the trade, as between the Chinese and the East India Company?—The trade between the Chinese and the East India Company is carried on by a set of merchants called Hong merchants, who are licensed by the Chinese government; they are also called security merchants, from the circumstance of their being security for the Company's ships as they arrive in rotation; the senior Hong merchant generally securing the first ship arriving, the second the next, and so on in rotation till the whole number are secured; the number of Hong merchants being about nine, when I was in China, as nearly as I recollect.

What do you mean by securing the ships?—Responsible to the Chinese government for the duties, as well as for the good conduct of the commander and officers belonging to the respective ships; they are responsible for the duties on imports and exports.

Daniel Beale, Esq.

Does the Chinese government require that for every ship that is allowed to take harbour in the river, their security shall be given?—It is impossible that any trade can take place with any ships arriving in the port of Canton till she is secured; the reason why the Company's ships are secured in rotation is, that the Company's trade is sufficiently extensive to give employ to all the Hong merchants; that is, all the Hong merchants have more or less to do with the Company's ships arriving.

You mean all the nine Hong merchants?—Yes, the security merchants.

Have those Hong merchants any particular privilege given to them from the Chinese government, with respect to trade?—The exclusive right of importing or exporting; no other Chinese can import or export, except through them.

Does that apply to the trade with Europeans, or generally?—With the Europeans.

Are there other Chinese merchants resident at Canton that deal with the Europeans?—There are other merchants that trade with the Europeans; but we consider them what we call outside merchants, and that there is no security to any individuals trading with them, whereas in trading with the Hong merchants, there is the security of the Hong, and their known character in that situation.

Do those outside merchants deal under the privilege and license of the Hong merchants?—I do not consider that to be exactly the case; I conceive, if I purchase a quantity of teas from the outside merchant, that outside merchant is under the necessity of applying to the Hong merchant for permission to ship the teas off in his name.

Then the outside merchant would require the Hong merchant's sanction for making the shipment?—Yes; it is only the needy Hong merchants who will permit them to ship off in their names; the advantage is, that they receive the duties immediately from them.

Are there any particular rules, laws or regulations, enacted by the Chinese with respect to the European ships when they are there, as to their means of defence, such as their arms being deposited, or any rules of precaution on the part of the Chinese government?—I have understood formerly the guns of the ships used to be landed; but that has not taken place during my residence, nor during the memory of any living person, I believe.

Does the Chinese government discover in its regulations any particular degree of jealousy, with respect to the Europeans who trade there?—No doubt, by confining them to particular limits in that respect, a jealousy may be said to be observed.

Is it your opinion that the regulations, whatever they might have been, are now materially relaxed towards Europeans?—I conceive the Europeans are confined to the same individual limits now, that they were accustomed to be.

Have you had an opportunity of perceiving whether the East India Company seem to stand high or otherwise, in the confidence of the Chinese government?—There is no doubt the East India Company's representatives stand very high in the estimation of the Canton merchants, and I should suppose in the opinion of the government also, from the regularity with which they conduct their trade, and the particular good conduct of the gentlemen in their service.

Have you had an opportunity of observing whether the East India Company stand very high in the opinion of the Chinese, with regard to commercial integrity?—No doubt I have had that opportunity, and I know the Company's bales frequently circulate without being opened, merely from the regularity with which the business is transacted, and it is known from the description of the supracargo that they actually contain the articles specified; the Company's mark is established, and gives currency to every thing they deal in, and a preference to it.

Do you mean that those bales will pass into the interior parts of China, under the sanction of the Company's mark, to a considerable distance from Canton?—I consider that I can better explain what I mean by the relation of an anecdote, if it is not taking up too much of the time of the Committee:—I recollect that the late Captain M'Intosh commanded the Hindostan, and was appointed by the Company to attend upon the embassy; he expected that the ship he commanded would have an opportunity of visiting various ports in China, and in consequence laid in a very large

investment

investment of different articles that he conceived would be adapted to the Chinese market, under an expectation of being able to sell them at a greater price than such articles sold at at the port of Canton; he was disappointed in this, for he returned to Canton without being able to sell at the different ports that he went to, any individual article of his investment. Among other articles he had a quantity of cloth, and cloth being generally confined to the Company's trade, he could not appear himself to sell it; he applied to me to take it into my custody and to dispose of it for him; the cloth, as I was informed by Captain M'Intosh, had been put up by the Company's packers in this country, and I was extremely anxious to obtain for him the best price; to my great surprise, on offering it to several of the merchants, I could not obtain the prime cost. I was anxious to obtain from them the reason, and at last, with reluctance, was told by one that he had no doubt the cloth was of the same quality as the Company's, and such as I had represented it to be in all respects, but that it wanted one essential point, and that was the Company's mark; had he himself been to use the cloth, he said, he should have taken it upon my word, but as it was to pass from hand to hand, without the Company's mark, no person would believe him that it was of the quality he described it to be. *Daniel Beale, Esq.*

Does that mark indicate both quality and measure; what sanction does the mark convey, what sort of warranty?—It warrants it to be of the fineness the Company's cloth generally is, and that the bale contains so many pieces, and each piece so many yards.

Do you know whether any other European traders, of any description, have ever arrived at inspiring that degree of confidence that their mark alone should pass current, as a true indication of quality and contents of package?—I would say, generally, that the supracargoes of other foreign companies established there, are in general men of respectability and good character, and of course enjoy a certain degree of confidence with the Chinese; but I do not, of my own knowledge, know of any particular articles that have the same confidence; I know that a chest of opium, with the Company's mark, will pass in the same way as a bale of cloth.

Do you know any other instance of an equal degree of confidence?—Generally speaking I should say not certainly; but at the same time I wish not to be understood to cast any reflections upon any other companies by any means.

Are you of opinion that the Chinese trade is carried on as between the Chinese and this country, better through the medium of the East India Company, than it could through any other possible medium?—I am decidedly of opinion, that it is impossible to carry on the intercourse between this country and China to a greater advantage than it is now carried on through the medium of the Company; and I give as my reason the systematic regularity with which the Company's concerns are conducted; the regular dispatch of their ships from this country insures their arrival at the proper seasons in China; the aid the Company derive from their resident supracargoes; gentlemen who have grown up from youth to manhood in their service, and who from their being in the habit of holding frequent consultations in the season of business with the Hong merchants, obtain every information that is necessary to regulate their imports.

Is it of essential importance in the conduct of a business of that kind, that the import should be thus regulated?—No doubt, on account of the seasons; there is a particular season of business, and that past, the imports in many cases would remain till the following season unsold.

You have stated your belief that the Chinese trade could not be carried on to more advantage for this country than it is through the medium of the East India Company; according to the best of your experience, do you believe that it could possibly be carried on so well through any other given medium?—I do not think it could possibly be carried on so well through any other given medium, because I regard the principal staple from this country, as woollens; and that the trade between this country, as carried on by the Company, is at present a forced trade; that is, that no individuals fitting out a ship in the port of London, could load her with woollens, or any articles of that description saleable at Canton, and sell them there at an advanced price.

Favour the Committee with some account of the progress of the woollen trade by the East India Company; you recollect it when it was much smaller than it is now?—I recollect it in the year 1792, when it was much smaller than it is now.

Daniel Beale, Esq.

Can you state the proportions?—I cannot from my own knowledge; I have understood that the trade has been increased from a little more than 100,000*l.* in the year 1792, to, at the present period, an export nearly of a million, and I attribute that to several circumstances; independently of my situation there, I traded to Canton from 1777 to 1787; I have already stated, that I attribute it very much to the regularity and systematic manner in which it is carried on; the period from 1792 to the present period has been particularly fortunate, because in that period there has been excluded from the port of Canton, the French, the Dutch, the Danes and Swedes, all of whom imported woollens and European manufactures more or less.

You have stated, that to some extent the export trade of this country through the medium of the East India Company was a forced trade; what do you mean by that?—I mean by a forced trade; as I have already stated, that no person fitting out a ship from hence, and loading her with woollens, would be able to sell at a profit.

In what way has the East India Company induced the Chinese to buy those woollens?—Their trade is divided into shares, to the best of my recollection, and those Hong merchants have the opportunity of supplying most teas that take most cloth; I do not mean by that to say, that it is a barter of so many bales of cloth for so many chests of tea.

Do you mean to say, that the supracargoes regulate their prices of tea, in some measure, according to the quantity of cloth the Hong merchants will buy?—The Company's import of woollens is divided into shares, and the Hong merchant that takes the greater number of shares of the cloth, has the greater number of shares in the export trade.

Is that regular rule observed, in order to encourage the Hong merchant to take a quantity of cloth?—There is a considerable discretionary power in the breasts of the committee of supracargoes, and I do not suppose they act on any general rule; they are governed by discretion in their purchases and sales.

Has that discretion, in its operation, held out a material encouragement to the Hong merchants to buy the woollens of this country?—No doubt, I conceive it has; those who take the greatest quantity of woollens will have most teas taken from them.

Does not the Hong merchant understand that it is expected, as a sort of condition, that he will take the woollens of this country, if the teas are bought of him to any material extent?—I believe, if the Company's documents were referred to, it would be found that the trade is in a great degree regulated from season to season, and that they contract for a quantity of woollens and a quantity of camlets, and the advantage of the resident supracargoes is great; from those consultations it enables them to regulate their trade by a correspondence with the committee of correspondence in this country, and the representations of the supracargoes is, I conceive, paid attention to by the committee of correspondence in this country; I speak of the effect.

The effect of this has been the encouragement of the Hong merchants to purchase the woollens of this country?—No doubt; and the policy of the Company has been I presume, such as to have a large stock, so as to prevent any individual importing woollens, and selling them at an advance.

According to the best of your judgment, as a merchant, did the Company sell those woollens, looking a little to the earlier part of the history of it, to a loss or to a profit?—In the earlier part, I do not conceive the Company were regulated by the same policy exactly, as I now perceive they are; I judge of the effect when their imports were small; no doubt they would have greater advantage in proportion, from a smaller quantity than they have from the sale of a larger; their object has been, I conceive, very plainly, to force the sale of woollens as I have described.

Do you mean by forcing it, that they subjected themselves to any degree of loss, rather than not press the article?—I mean, most distinctly, by forcing it, to say this; it has always been an object to have a quantity there, that they should never know the want of the articles.

The Hong merchants themselves are persons of sufficient capital to enable them to keep the woollens by them for a considerable time?—Some of them are, and some

Daniel Beale, Esq.

some are not; the wealthy Hong merchants have kept woollens for several years, while the more needy have been glad to dispose of them at a very inferior price, indeed.

Have you any means of knowing whether the Hong merchants have disposed of their woollens above prime cost, or at a loss, or how?—I have known that they have sold them considerably under prime cost.

Will the Hong merchants run that risk, in order to have an opportunity of selling their teas to such a customer as the Company?—No doubt they know they must each take a certain quantity of woollens, in order to enable them to sell a quantity of teas to the Company.

If the Company were to cease to press the purchase of British woollens in this way, could individual traders in this country, do you apprehend, if the trade were opened, effect such a sale of them?—I conceive, if the trade were opened, the export of woollens from this county to China would immediately diminish; because no merchant would take a quantity of woollens upon the chance of selling them again, and at a loss, if he had the option of receiving money instead of woollens; and individuals, exporting from this country, if they found any difficulty in the sale of their woollens at Canton, upon another speculation to that country, would avoid taking woollens, and would take dollars.

Do you think that the diminution of the sale of woollens from this country to China, under the circumstances of an open trade, would be material?—I have no doubt it would be very material, for the reasons I have described.

Has the effect of the connection between the Hong merchants and the Company been to establish an uniform price of tea, or nearly so?—The operation of the Company's resident supra-cargoes has been to keep down the prices of the teas delivered to the Company; I am speaking now from memory merely; and I think, in the period of five-and-thirty years that I have known China, the advance of the price on teas has been very small.

State to the Committee to what you impute this non-advance of price?—I impute it to the operation of the Company's supra-cargoes resorting to their former contracts from year to year, and watching with great jealousy any advance on the part of the Chinese, the next reason is, that the Company are the purchasers of at least four-fifths of the tea exported from Canton.

Do you mean, that the Company, from the magnitude of their purchase, and the authority of their station, have been able thus to keep down the price of tea?—I mean to say this most distinctly, that the purchase of the Company's teas being made by one committee, on one hand, if I may so term it, has tended to keep down the price of teas, and will continue to keep it down while it so remains, but if the Company's trade were thrown open, and instead of one committee being the purchaser of four-fifths of the tea exported from Canton, there were, as there would be at least, eighty purchasers, because I conceive there would be eighty ships, where there are now only twenty; in that case, the prices of tea would immediately materially advance, for this plain reason, a supra-cargo of one ship would be induced to give a higher price in order to have a particular chop of teas, (chop signifying a mark;) another would be induced to give a higher price, in order to secure an immediate dispatch of his ship; another probably, from the particular circumstances under which he was trading, would be under the necessity of giving a higher price, from requiring credit; and when once high prices were established, it would be very difficult to bring them back, as the Chinese would always quote the last high price he had obtained from one supra-cargo, to the next person coming to purchase of him.

Describe more particularly what you mean by the word chop, in your last answer?—By the word chop, I mean the Chinese mark indicating a particular growth of teas, containing a quantity of tea of one uniform quality in a number of chests all of one chop or mark.

What other leading article of British manufacture is successfully exported from this country to Canton?—Lead, tin, camlets, which are considered among woollens; the Company do not trade in smaller articles; they leave them to their commanders and officers, who have a certain portion of the tonnage on board each ship, and carry out such articles as are suited, in their opinion, to the Chinese market.

Daniel Beale, Esq.

Are the commanders and officers at liberty to carry out lead and tin?—Yes; but not woollens.

Do you think, if the trade were opened, the quantity would be materially decreased?—I do.

Do you think that which was exported, under the circumstances of an open trade, would fetch as good prices as that now exported by the East India Company?—I have already stated, that were the trade thrown open, the quantity of woollens exported would very sensibly diminish, because I am very sensible that the trade the Company now carry on, is a forced trade; I conceive that any private merchant carrying out a quantity of woollens and losing by them, would not be induced to repeat that speculation; that is, if he took out this year a hundred bales, and lost ten per cent. by them, he would be induced next year to take out fifty only.

Do the Hong merchants act so far in connection as to make it in fact a monopoly of trade among themselves?—No, by no means, every man is governed by his own individual interest.

Each Hong merchant trades as much as he can for himself?—No doubt.

But no other person, without their sanction or permission?—Certainly not; they cannot import our manufactures, nor can they purchase but under the sanction of his chop or licence.

Supposing a large number of persons at the market, do you think that would lead to any deterioration of quality?—Most undoubtedly; the deterioration of quality would be very considerable, from the want of judgment in the persons purchasing; at present, the Company have the advantage, not only of their own resident supra-cargoes, but they are also assisted by a tea-inspector, a gentleman conversant in the tea trade in this country; and no teas are received from the Hong merchants and shipped on board the Company's ships on the Company's account but what undergo a very rigid inspection from this gentleman.

Do you mean that the Chinese are that sort of people, that when dealing with Englishmen not so conversant with the business, they would take advantage of their want of judgment, and materially lower the quality of the teas?—I have a perfect recollection when the Company first sent out an inspector to Canton, for the purpose of inspecting the teas; the advantage they derived from that inspector was, that he immediately classed the teas, and he distinguished those chops that were of a particular quality, and those that were of an inferior; those that were of an inferior he rejected altogether, on account of their false package, and they were subsequently purchased at an abatement of about one third of the price; I do conceive this had the effect of making the Chinese more circumspect in the package of their teas; and that the delivery of teas to the Company always takes place of a superior quality.

Do you recollect what description of purchasers those teas met with?—They were sent to this country, under the denomination of superior hyson skins.

Do you think the high prices you suppose the open trade would induce, might also induce material admixture or deterioration of the article, in order to bring down the price nearer to the level of the present prices?—I have no sort of doubt that an open trade to China would tend to deteriorate the quality of teas; for they would no longer undergo the rigid inspection they now do from the Company.

Do you think they would deteriorate them to bring them down so as to meet the convenience of all the purchasers at low prices?—I think this, that there would not be so much attention paid to the package of the teas, and the teas would be deteriorated in quality in consequence of their not undergoing the same inspection as they now do.

Do you think they would be tempted under such circumstances, in order to meet purchasers at a low price, to mix any other drug or vegetable with tea?—They certainly would mix the teas, and would falsely pack them, as I before stated.

Would any material deterioration make a difference in the wholesomeness of the article?—That I cannot say; one cannot say what they would substitute.

Do you apprehend substitution would follow this open trade?—I have already stated, that a consequence of an open trade would be a deterioration in the quality of the

the teas; the Company now have the refusal of all the best teas that come to the market; all the best teas arriving at Canton, are now tendered to the Company. *Daniel Beale, Esq.*

Since your acquaintance with Canton, can you say, whether either by the Company themselves, or their commanders or officers, every degree of enterprize has been used to increase the exports of this country in British manufactures?—I have no doubt of it; for in every Company's ship going from this country, I believe there is to the extent of about ninety tons allotted to the commanders and officers of the ship, which they fill up in any manner they please, except with woollens.

In the course of years, and in those assorted cargoes, has every rational attempt been made to increase the export of British manufactures to China?—I am satisfied every experiment has been made, and is continually making by the commanders and officers of the Company's ships who are men of considerable enterprize; and if any articles were saleable in Canton, they would carry them out.

Do you apprehend, that opening the trade to China would materially increase the Chinese consumption of British manufactures?—In no degree whatever, in my humble opinion; I do not think the Chinese are to be induced to wear buckles, or to use knives and forks; I mean by that sort of answer to state, that their habits are fixed.

Do you mean, that from the fixed habits of their life and their general character, you would entertain no hope of increasing the export of British manufactures, under the circumstances of an open trade?—I conceive, that the privilege afforded of ninety tons in each ship, filled up by the commanders and officers, gives every opportunity of experiment that can be made from this country to China.

Have those experiments been made, in point of fact, more or less during the number of years you have resided at Canton?—Every year there is some new article attempted to be carried out, which turns out favourable, or otherwise.

Can you state what articles of British manufacture were consumed by the natives of the eastern islands?—I should not suppose that the natives of the eastern islands consume any articles of British manufacture.

Do they use coarse cutlery?—Coarse cutlery, Malay knives as they are called; but those articles are generally carried out to Bengal; and the trade to the eastern islands is carried on from Bengal; I once had a ship myself engaged in it, she carried nothing but opium and dollars.

Having been engaged in that trade yourself, did you adventure upon articles of British manufacture to the eastern islands:—Most certainly not; nothing but opium and dollars.

Why did you forbear such an experiment as that?—From the certainty almost, of not making any profit by it; the ship I allude to, was called the Enterprize, commanded by Captain Elmore.

If you had thought that British manufactures would find a market in the eastern islands, had you the means of exporting such, either from India or this country?—From this country, most certainly, I had not the means; because the ship to which I allude, was fitted out in the port of Bengal.

If you had not been disposed to make the adventure in British manufactures, could you have obtained the articles?—I have no doubt, that in the port of Calcutta, British articles might have been procured, if they were desirable; but they were not.

Can you state any other article of British manufacture but coarse cutlery, the eastern islands take?—I really cannot; and I should suppose coarse cutlery is in very small quantities, hardly worth sending; piece goods for the turbans, and for the comberbands of the manufacture of Bengal, are also exported; but the ship I sent, carried nothing but opium and dollars.

When you speak of articles for turbans, you speak of Indian manufactures?—Yes; the articles made in Bengal.

Do the natives of those islands manufacture themselves such articles of dress as they wear?—I cannot say; I should suppose that the Malays do not manufacture themselves, to any extent.

Daniel Beale, Esq.

Their wants in point of dress are very limited, are they not?—Very limited indeed; they merely wear something round the waist, and a turban round the head.

Do you know whether they manufacture their own cresses or side arms?—I cannot say; but I should think they do.

According to your general knowledge and experience as merchant and agent, do you believe that, in case of an open trade, there would be room for any increased export of British manufactures to the eastern islands?—I should think not.

Supposing the trade thus opened, and that every subject of the United Kingdom had access to the eastern seas, is it your opinion that, with proper and previous arrangements, and supposing tea to be the object of the adventurer, he could get supplied in those seas without going to Canton?—By proper arrangements, he might have any quantity of teas.

In what way would they obtain this supply?—Many country ships return from the port of Canton without any cargo whatever; and those ships might take any quantity of tea, a previous arrangement would induce them.

The question refers to parties who might be prohibited from going absolutely to Canton; supposing those seas to be open to all the subjects of the United Kindom, such being the object of the adventurer, could not he get supplied with teas?—The Portuguese from Macao might export teas in any quantity.

Through this medium, English country private ships might be supplied from the eastern islands?—Yes, doubtless; a considerable export might also take place in Chinese junks to Batavia; there are at present five junks sail annually from the port of Amoy to Batavia; and I am told, the emigration upon these junks amounts to 3,000 Chinese every year; there are above 40,000 Chinese established in Batavia and its dependencies; and these Chinese junks supply them with tea and other articles; but if tea were once made an article desirable to be purchased at Batavia, I am satisfied it might be made an article of supply nearly as cheap, on account of the duties and charges of shipping off.

The duties laid on the export of tea by the Chinese government are very considerable, are they not?—I cannot state the duties precisely per pecul; but I have reason to believe they are much less upon the exportation of tea by a Chinese junk than upon the exportation by an European ship.

What is the reason, the one being native and the other foreign?—The one being native; I do not believe that the Chinese government themselves encourage any foreign trade by the Chinese; and I have been told, every junk sailing from China, though bound for Batavia, makes what the French call a proces-verbal, stating that they have been driven out, to sea making out a story to fit the case.

Are the Chinese duties so considerable as would induce speculators to evade them, in the case of an open trade, and lay in their teas through the medium of Chinese junks, or Portuguese, or any other irregular medium?—The trade at present with Europeans is confined to the port of Canton: these junks do not go from the port of Canton, but from the port of Amoy, where I do conceive the export duties would be considerably less than from the port of Canton, and the charges of transhipment from the one port to the other would be less.

Speaking as a British merchant, and looking to an open trade in those seas, and adding the British duty of ninety-five per cent. to those duties which you think would be avoided in China, do you think that this universal access to the eastern seas would induce smuggling as an enterprise or adventure upon the part of those who should have access to them?—I have no doubt teas might be procured with the greatest facility in the manner I have described; but were I engaged in a smuggling transaction of this kind, I should not go that way to work, I should not employ those means, I should employ an American.

Do any means or medium occur to you, through which a British adventurer might then extensively smuggle teas?—I do conceive, that unless some regulation takes place to prevent the export of teas in country ships from Canton, tea may be from thence exported and deposited in various places in the course of their voyage from China to the ports which they belong.

Do

Daniel Beale, Esq.

Do you mean that they would be deposited, for the purpose of being met with by such adventurers as you have described?—If an arrangement of that kind took place, no doubt teas might be had in that way in any quantities, exported in the country ships sailing from Canton to Bombay; they would pass Malacca, Penang, the Port of Trenganó, and might deposit tea there, and in innumerable other ports.

Is Manilla a place or station peculiarly favourable for a speculation of that kind?—No doubt, there are Portuguese ships and Spanish ships that trade from Manilla to Macoa, and Macaó to Manilla; and in those ships teas might be exported to any amount.

Manilla is so situated that they can go and come in all states or stages of the monsoon?—Yes, I think they can.

Supposing the trade thus to be opened, and that low priced teas were the object of the adventurer, do you not apprehend that the Chinese or those that should trade from the place you have described, would adulterate the tea to such a degree as to meet the purchaser's price, if he insisted upon a low and cheap kind?—I have no doubt teas may be had of any price.

From the circumstances of a greater or a less degree of adulteration?—No doubt.

What do the Americans export to Canton, for instance?—The Americans are not manufacturers, and, of course, they export a small quantity of ginseng; some few beaver skins I have seen exported by American ships, and dollars.

They export very little manufactures?—They are not manufacturers, and, of course, they do not export manufactures; there have been instances of ships fitting out from this identical port of London, with manufactures, and proceeding to Canton; but the speculation has turned out so disadvantageous that they did not repeat it, and therefore they are content to take dollars, and purchase silks, nankeens and teas, with those dollars.

Do the Portugueze export their manufactured commodities for a return cargo?—I cannot say exactly; the Portugueze carry a quantity of snuff from the Brazils; I believe they have no other manufactured articles.

According to your experience, the East India Company, and its commanders and officers, have been the principal, and almost the only exporters of manufactured commodities to China?—Since the exclusion of the French, Dutch, Danes and Swedes, no doubt they have; all those four nations exported manufactures in a certain proportion.

What sort of teas are those which are sold to the Americans?—I have, before stated, that the Company have the offer of all the best teas that come to Canton; of course, those the Americans purchase, with a very few exceptions, are those the Company have rejected.

Whatever fine names they may be decorated with in the American market, the American purchases, in fact, have consisted of teas which have been refused by the British purchasers, the East India Company?—Generally speaking, the American cargoes are infinitely inferior to the Company's cargoes; I will not undertake to say every individual chest has been previously rejected, that would be too much to assert.

Have they been of a sort, generally speaking, that should enable the American to sell his teas at a much lower price than the East India Company, the qualities which they have kept to the purchase of?—I have no doubt, a comparison being made between a cargo of teas purchased by the East India Company, and a cargo of teas purchased by the Americans; the East India Company's teas would be of a much superior quality; but with respect to the American being able to undersell the Company, that would depend upon the terms on which he had done his business at Canton; for instance, if the American had dealt on credit, and wholly on credit, he must be content to pay a larger price for an inferior quality of tea.

The price would depend upon other circumstances; the price he should get would depend upon the judgment with which he laid in, and whether he was a money customer or a credit one?—Generally speaking, the Company's teas are much superior to the Americans.

(Examined by the Committee.)

Daniel Beale, Esq.

IS the Committee to understand, that you suppose, that in the event of an open trade, a very considerable deterioration in the quality of tea would be likely to take place?—I think that would be one of the consequences of an open trade.

Does that arise from your idea that persons well acquainted with the qualities of tea, would not enter into that commerce?—It arises from an opinion that I have, that it would take a considerable time for any set of men to enter into that commerce, and to be competent judges of the articles they were to purchase.

Do not you suppose it likely, that in the event of a free trade to China, persons well acquainted with the different qualities of tea would proceed from this country, for the purpose of engaging in that commerce?—I have no doubt they would; but my great reason goes in this way; that the Company's teas are now purchased by the Company's supracargoes, who are the purchasers of four-fifths of the whole quantity of teas that they sell; their purchases are regulated under the inspection of supracargoes, and an inspector, who are competent judges; but if the trade was thrown open, and there were eighty ships, and eighty supracargoes to purchase the same quantity, and, of course, each having an individual interest only, not a general interest, as the Company now have, the teas will necessarily become deteriorated, because there is not the same strength of judgment to bring into the general inspection.

Are not you of opinion, that a free competition in the purchase of tea, as in all other articles, will produce to the public the best commodities at the lowest possible price?—My great reasoning has been to shew, that the Company have kept down the prices of teas; that for the last thirty-five years the prices of tea have advanced in a very small degree; but I have no doubt, if the trade were thrown open, any set of men going to purchase superior teas must pay a larger price; there would not be a general standing price as there is now; and in consequence of the price being advanced for a particular set of teas, that would have the effect of advancing the price generally upon all teas, and when once a larger price was fixed, it would never get down again; another inconvenience would result from an open trade; the Company's ships are now upwards of 1200 tons burthen, with a view to this particular trade; were the trade to be thrown open to individuals, and ships of smaller burthen introduced, ships of 350 tons, there would be a disadvantage of at least £. 50,000. per annum in port charges, the port charges upon a large ship not bearing any proportion to those upon a small one.

You mean the Chinese duties?—Yes.

You mean a particular tax laid on ships in China?—Every ship going to the port of Canton is measured; but the duties on measurement are not in proportion to the size; because it amounts to somewhere about 4,000 dollars for ships of a small class, and very little more for ships of a large one; the measurement is from mast to mast, not the tonnage.

Then it would be the interest of every private merchant sending a ship to China, to send a ship of large burthen?—Yes, a ship of 1,200 tons; and as every ship of 1,200 tons costs somewhere about 60,000*l.* (I am told), of course a ship of 1,200 tons is not within the compass of every individual wishing to trade there.

Are not the ships of the East India Company fitted up by private individuals?—No doubt of it; they are chartered by the Company.

Then it may be presumed that merchants associated together, may be equally able to fit out ships of 1,200 tons, on the same terms as the Company?—It would then follow, that individuals would adopt the same plans as the Company now pursue.

You stated that you traded with China from the year 1777 to the year 1787?—I did.

In what description of ships did you trade?—An East India Company's ship, I was purser four voyages in the Company's service.

At the different times you were in China, were there many foreign vessels belonging to Americans or other states?—Yes, I can enumerate them if it is wished; the Swedes

Swedes, in general, had two ships; the Danes one or two; the Dutch five; and the French one: I am speaking now of from 1787 to 1792. *Daniel Beale, Esq.*

Was that the last period of your being in China?—No, I was there to 1797.

Had the Americans any ships there?—The Americans had very few ships in China, to the best of my recollection, till 1793; and I consider the great increase of the American trade to have taken place from that period; the war tended very much to the increase of the American trade in China.

What size of vessels were generally employed?—From 250 to 300 tons; the American trade was not entirely confined to the export of tea from China, but they exported large quantities of nankeens and silks, upon which they derived very great advantage by the sale to the French West India islands, and Spanish America; I have known an American ship take from China 300,000 pieces of nankeen in one season.

Do you happen to know whether there were many disputes or differences arising between the Chinese government and any of those persons?—I am not at all aware of any; I wish also to state, that though I do not desire to be considered as an advocate of it, yet I do conceive, that the trade between America and China has tended to facilitate the trade of the English in China, by the quantity of dollars they have imported to China; for, in consequence of the import of dollars to China, by the Americans, Portuguese, and Spaniards, the Company, I believe, no longer export bullion from this country to China, but on the contrary have imported a large quantity of bullion from China to this country; and, I believe, such generally is the advantageous trade carried on by Great Britain and its dependencies to China, that the trade, as between Chinese and British subjects, has become very nearly a barter; indeed, if it was possible to procure an exact return of all the imports, and all the exports from Canton, I have no doubt it would be found this country had made the Chinese tributary to us.

Do you mean the exports by country ships?—I mean by country ships also; for there is a considerable quantity of gold and silver exported by country ships from China to India, which does not appear.

Is it not your opinion and belief, that the Americans procure those dollars from South America by the sale of East India and Chinese commodities, which could not be conveyed there by private British merchants?—I am perfectly of opinion, that those American ships, of which I have any knowledge, procured their dollars at New York, Philadelphia, or Boston, where they were fitted out; how they came to Philadelphia, Boston, or New York, I cannot say.

Is the Committee to understand it to be your opinion, that a considerable loss has arisen to the East India Company from the exportation of woollens to China?—I did not intend to have so stated it; but I mean to say, that the export of woollens by the Company, is so considerable, that no individual can export from this country to China with any advantage, or without a loss, the market to China being continually stocked by the Company.

In making a remittance to China, will not it enter into the calculation of a private merchant, whether it is not less advantageous to him to send woollens, even under the disadvantage stated, than dollars, and that it will materially depend upon the price at which he can procure dollars, whether he will send dollars or make part of his remittances to China in woollens?—There is no doubt, at the present moment, dollars would not be to be procured on any terms; not even at 6*s.* 8*d.* an ounce; it would be impossible to carry on the trade to China under the present circumstances; China, like a common centre, has remittances of cotton, tin, pepper, sandal wood, sharks fins, &c; all those articles are centred there, and it is the produce arising from the sales of the different imports in China, which enables the Company to carry on their trade and make their purchases.

Are you aware; that in point of fact, large quantities of dollars are received at the British free ports in the West Indies, in payment for British manufactures and East India commodities sold there; and would that not therefore form a very easy and advantageous remittance from thence to China?—I am not acquainted with the trade of the British West India islands.

Daniel Beale, Esq.

Upon a supposition that dollars can be procured in the West Indies in return for commodities similar to those by which the Americans procured their dollars, which were exported from New York and Philadelphia, would it not enter into the calculation of a merchant, whether he would send woollens from this country or dollars from the West Indies, and would he not prefer to place his money in China, in that article that appeared to him the most likely to do it beneficially?—I do not conceive, in the present state of the navigation laws, that any ship could go from China, and carry a cargo of Chinese articles and sell them in the British West Indies; I conceive such a speculation as that pointed out would put the whole trade with China to extremely great hazard; from the amount of teas now necessarily imported into this country for the consumption of the country, I have no doubt that a merchant going to China with dollars would procure a cargo with greater facility with dollars than he would with woollens.

Are you acquainted with the circumstance of the Company purchasing dollars in America, and conveying them by American ships direct to China?—I have never heard that they did; I believe the dollars that were imported by the Company from China, were carried to China by American ships.

Are there any articles of British manufacture prohibited to be taken to China, as part of officers investments?—Woollens and camlets, generally, are prohibited.

Is the Committee to understand you to have said, in answer to a former question, that the East India Company did every thing in their power to promote the sale of woollens and other British manufactures in China?—I mean to say, yes, because they have an opportunity from the consultations their supracargoes hold with the Hong merchants, to know what sort of articles are likely to be desirable to the Chinese, and of course to recommend their importation.

How do you reconcile this general desire, which you suppose the Company to have evinced, to promote the sale of British manufactures in China, with their order to their officers not to take any woollens in their investments?—I reconcile it in this way; that the orders alluded to have been standing orders for the last thirty or forty years, and that the Company have wished (I speak to my opinion) to keep these articles in their own hands, to protect the quality, and also to insure a certain sale for them.

Are there always more woollens in China than there is an immediate demand for?—I speak now from hearsay; within the last ten years, I believe there have.

In the event of the price of woollens being from 15 to 25 per cent. reduced in China, do you suppose that any considerable increase would take place in their consumption?—I do not think there would.

Why do you think so?—Because a cloth coat is not within the compass of every man in China, nor but very few men in China.

If by a reduction of from 15 to 25 per cent. it were brought more within his reach than at present, do you not suppose it likely that that might occasion some increase of the consumption?—I really do not conceive that any reduction in price, such as is there stated, would affect the consumption materially, because we should consider that the Chinese only wear woollen cloths occasionally; they are not their general wear; a China man, when he gets up in the morning, may have a dozen coats on, and the outer one only may be a woollen, while all the rest may be of silk and other articles of their own produce; a coat from the manner in which it is made, also has not the same friction, the same wear as ours has, and a coat may be handed down from father to son, merely from the circumstance of its not varying in fashion.

Is the Committee to understand, those Chinese who can afford to purchase woollen cloths are desirous of doing so?—I believe every man would naturally be desirous to possess a woollen cloth, as we are always desirous of possessing property, no matter in what shape.

Did you ever take any cotton manufactures to China for sale?—Never.

What are the other description of coats worn by the Chinese?—Silk, cotton, satin coats lined with fur, their own manufacture; the furs they buy.

Are the cotton coats their own manufacture?—Of nankeens they dye them.

Made

Made from the cotton imported from Bombay?—No; the nankeens are made in a particular province, and brought down to Canton for sale; it is a Chinese manufacture exclusively, what we call Chinese nankeens. *Daniel Beale, Esq.*

Made of Chinese materials?—Yes, entirely so; they grow cotton in large quantities; and they also import cotton in large quantities; the import has been increased from 5,000 bales, since I first knew China, to upwards of 60,000 annually.

Are you acquainted with the fact, whether any security is given by the Hong merchants for foreign ships arriving at Canton?—A foreign European ship arriving in China would be secured by the Hong merchant who purchases her cargo.

Are not the Hong merchants also securities for the American ships?—No American or other ship arriving in China can transact any business there until she is secured; it follows therefore, that if the American imports a cargo, the merchant who secures her, is the purchaser of that cargo; if she arrives without cargo, and having only dollars, she will be secured by the Hong merchant who sells the American the teas and other articles he exports from Canton.

You have stated, that when you were in China, you did not happen to know of any disputes having arisen between the Chinese government, and the supracargoes and officers or seamen of any foreign ship, have you ever heard of any such disputes having taken place, though they may not have come within your own knowledge?—I have no recollection of any immediate dispute with a foreign ship.

During the period of your different stays in Canton, did you ever witness any disputes between the supracargoes, officers, and seamen of the East India Company's ships, and the Chinese government?—Certainly no serious disputes.

Have you heard of very serious disputes, threatening the existence of the intercourse between the English and the Chinese?—Yes; one very recently, in which the English attempted to take possession of Macao, in consequence of the expedition going to Macao, unprovided with an order from the government of Goa, to give up quiet possession to them; representations were made by the Portuguese government to the government of Canton, and the intercourse between the English and the Chinese was suspended for a time.

You were understood, to have stated that tea might be procured in Batavia, to any extent, nearly as cheap as at Canton?—If Batavia was to become a market where ships were to resort for the purchase of tea, I have no doubt, in course of time, any quantity of tea might be exported from thence.

In the event of the trade to India being laid open to British merchants in ships of 350 tons and upwards, the trade in tea being entirely prohibited under the penalty of a confiscation of the ship and cargo, do you think it probable that any person would fit a British ship for the purpose of bringing tea from the eastern seas to Great Britain, or any port of Europe?—I think such a speculation, under such circumstances, would be extremely hazardous; but, as the owners, of ships are responsible for the conduct of their commanders, officers, and ship's company, it is possible a small quantity might put them in danger of confiscation, though the original owner had no intention of smuggling.

Do you think any person likely to fit out a vessel on purpose to convey such tea?—There are adventurous spirits to be found, that will do any thing; for myself, as a man of property, I would not do it; it is impossible for me to say it would not be done; I would not do it with such a penalty hanging over me; but there is no saying what desperate people might do.

On the supposition that a desperate person were desirous of undertaking a smuggling operation in tea, is it at all probable, that he would employ a ship of 350 tons, burthen and upwards, excluded from visiting China, and liable to confiscation for having tea on board, rather than employ a neutral vessel of any burthen, and not liable to the restriction with respect to visiting China?—I have already said, I would prefer employing an American to employing a British ship, upon such an adventure, which I think implies an answer to that question.

You have mentioned that it is possible depôts of tea might be formed at Manilla, in the event of a demand existing, do you suppose that any depôts of that kind could be formed with any other view than smuggling them to this country?—Certainly not.

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Is it in the smallest degree probable, that persons sending vessels to those seas, supposing the penalties to exist that have been already stated, would not be active in procuring persons to command their ships, who would take every means to prevent the introduction of teas on board them?—No doubt it would be their duty, under such circumstances, to take every means of preventing teas being introduced on board.

Do not you suppose it would be the interest and inclination of every person under these circumstances?—Certainly.

Then under the arrangements which have been supposed, it is not likely, in your opinion, that any considerable demand for teas can exist, in those eastern islands?—There certainly is no demand of that kind at present; but it is impossible to say what there may be, if desperate people are found ready to enter into such a trade.

Is the Committee right in understanding you to say, that if a desperate man were to enter into such a trade it would be to his advantage, and that it is probable he would undertake the trade, in a foreign and not in a British ship, which foreign ship could enter China and procure her teas without the necessity of going to any of the eastern islands?—I think that question is already answered, by my saying that if persons were to become inclined to smuggle they would do it by the Americans in preference to having recourse to such a mode.

And therefore that no demand would exist in the eastern islands?—It is impossible for me to draw these sort of conclusions.

Is it not probable in your opinion, that the duties in the port of Canton would be raised on the export of teas in China junks, if found to increase?—I cannot answer that question.

Are not the Russians at present excluded from the port of China?—The Russians are excluded from the port of Canton.

Upon what grounds?—The Chinese having been in the habit of trading with them on the northern borders, and therefore they could not reconcile it to themselves, that the Russians should be admitted to the port of Canton by sea.

Are not the Danes also excluded, is there not some obstacle to their visiting China?—I never heard that there was.

Are not ships under the imperial flag, excluded from China?—Any ship going to China under the imperial flag, I conceive, would meet with a considerable embarassment, in consequence of the debt existing now from the former imperial company (the Ostend company) to some of the Chinese merchants, to Puan Khaqua, particularly.

Is it not understood that the Americans are at present very considerably in debt to the Chinese Hong merchants?—I do not know that they are, but it is very reasonable to suppose so, as they leave debts from year to year.

In the event of its being so, and of that debt not being paid, is it not very probable that the same obstructions would arise to American ships frequenting the port of Canton?—No, in my opinion not; because they are debts due from individuals to individuals, and not from a company.

Having stated that the late misunderstanding, between the English and Chinese government at Canton, arose from an expedition having been sent to Macao, without an order from the government of Goa to receive an English garrison, are you of opinion, that such an order would have been sanctioned by the Chinese government?—I think eventually it might, but I conceive it a very fortunate circumstance for this country that it was not.

State your reason for that opinion?—From the restrictions imposed by the Chinese upon the Portuguese, who, though they are in possession of Macao, cannot even repair a house without a licence from the Chinese government, they are completely in the controul of the Chinese; I think such circumstances would have brought about quarrels and disputes between the English and the Chinese.

You have stated that goods having the Company's mark, have been received in China without examination as to quantity or quality, according to the marks upon the

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the bales or packages, have you heard that the article of opium, sent from Bengal, has latterly not met with that favourable reception from the Chinese?—I cannot speak as to latterly; but during my residence there, I was a considerable dealer in opium; and invariably an order to deliver a chest of opium to the Chinese, was always received by them, and the opium taken away without any inspection, in consequence of its bearing the Company's mark, and my assuring them it was of the description it purported to be.

Is not opium a prohibited article by the Chinese government?—Opium is a prohibited article by the Chinese government; but, at the same time, it is perfectly well known that it is imported into China in large quantities, and the government officers derive considerable benefit from the smuggling of it; I believe the importation into China annually, of opium, by Portuguese and English ships, amounts to somewhere about 2,000 chests.

At how much per chest?—About 1,200 dollars a chest.

Do you allude to opium, the manufacture of Bengal?—Yes.

Is there not a restriction on the part of the Company, against the importation of any other opium in China?—I believe the Company restrict generally the exportation of opium to China; they do not allow the commanders and officers of their ships to trade in opium; there is a late regulation for that purpose, that arises from extraordinary care on the part of the Company to avoid embarassment to their ships.

You have stated, that you believe the natives of the eastern islands use cotton cloths, the manufacture of Bengal, for turbans and comberbands; in the event of such cloths being supplied lower from this country, do you not think that the natives would prefer those of the manufacture of Great Britain?—I do not think that any ship going from this country, under such circumstances, having cloths only, trading to the eastern islands, would procure her returning cargo; I consider opium and dollars to be essentially necessary for that purpose.

Are not the country ships secured by the Hong merchants, in the same manner as the Company's ships and others are?—The country ships are secured by the Hong merchants, who purchase their cargoes.

Is not that security tantamount in every respect to the security of the Company's ships?—The Hong merchant, who secures the ship, is merely responsible to the government for the duties on import and export of that ship, and the good conduct of the commander and ship's company.

Are not the country ships, which go to China, placed under the orders and regulations of the Company's supracargoes there?—The country ships arriving in China, immediately after their arrival, receive certain instructions from the Company's supracargoes, to which they are to attend.

Can you, from your recollection, state the tenor of those regulations?—The general tenor is admonitory as to their good conduct, to prevent their getting into any disputes or disturbances with the Chinese; with respect to the disposal of the cargo, the Company's supracargoes have no controul.

Are you aware of the covenants entered into by the owners of country ships with the government of India, by which they are bound to attend to all orders and regulations of the supracargoes at Canton?—I believe such covenants exist.

Have you heard that a penalty of double the value of the ship and cargo is attached to the breach of those covenants?—I do not know the exact extent of the penalty; but it may be to the amount mentioned in the question.

In the event of a regulation being made by the supracargoes at Canton, that no country ship should receive on board teas, do you not think that such regulation would be effectual, to prevent the export of teas from Canton by country ships?—No doubt it may be rendered; but that will depend upon the disposition of the parties to comply with the covenants.

Is it usual to ship any considerable quantity of tea upon the country ships for India, or only a small quantity, for the use of the different settlements in India?—I have, in my recollection a quantity of teas belonging to an American, being

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shipped on board a country ship bound to Bombay; and, I believe, from Bombay they were afterwards exported to America.

Has this been a usual trade, or is it only a solitary instance to which you allude?—No doubt it is a solitary instance to which I allude; but still it is evidence of the practicability of the exportation of teas from China; and it shews also, that Company's supracargoes take no cognizance of the shipment of teas on board country ships; for there is no particular register kept of the exports from China to the settlements in India; there is no doubt regulations might be made to fit the case of exports of tea in country ships.

You are no doubt aware, that there is at present no regulation to prevent the export of teas from China, in country ships?—There is not at present, to my knowledge, any regulation to prevent the export of any quantity of tea in a country ship.

Do not you think, that in the event of such a regulation being made, with a penalty attached to the breach of it, such as before stated, of the forfeiture of double the value of ships and cargo, it would be effectual to prevent teas being carried to India for such purposes?—I think it would.

Is there not a regular account kept of all goods exported from Canton in the linguists' office?—The linguists no doubt take an account of all goods exported, and on board of what ships; but I believe it would be extremely difficult to have recourse to such documents, if they exist, after the goods are shipped off.

Are not you of opinion that the Company's supracargoes in China, from their great influence with the government there, would be enabled to frame such regulations as would effectually prevent any goods being shipped on board the country vessels, without being reported to them?—If the question goes merely as to the influence of the Company's supracargoes being able to prevent the Chinese from exporting on particular ships, I should say not; because they may always smuggle on board ships any thing they please; the prohibition must arise from the penalty inflicted upon the ship exporting.

Are you not of opinion, that if the Company's supracargoes were to require an account of all goods regularly shipped off from China, it would be delivered in by the linguists to the supracargoes?—The linguists, upon the requisition of the supracargoes, would give an account of every article shipped on board a particular ship, no doubt.

Are you aware of a very considerable rise having taken place of late years in the prices of goods exported to India from China, such as sugar, tutenague, and raw silk?—I have no doubt there may have been a considerable advance upon the articles mentioned.

In case of disappointed views from legal commerce by any of the numerous vessels of 350 tons, from British out ports, trading to the Eastern Archipelago, would the means of procuring teas, brought from other parts of China by Chinese junks at less charges than are paid at Canton, be easy, if disappointed commanders of those vessels could be tempted to embark in an illicit commerce?—It is not at all likely that any considerable quantities of teas would be exported and deposited in any particular place, unless there was a previous arrangement.

Supposing this previous arrangement to have taken place, would the means of procuring teas from other parts of China than Canton, at less charges than those paid at Canton be easy, if disappointed commanders of those vessels could be tempted to embark in an illegal trade?—I do not think that would be easy; there must be a previous arrangement, and that previous arrangement would require great time; and there must be a great capital embarked; the question is so speculative, that I should prefer not answering it.

Is not tin brought to Canton by the Chinese traders, and other persons, from the island of Banca?—Considerable quantities of tin are imported annually by the eastern traders from the Straits of Banca.

Do you know pretty nearly, the relative prime cost and charges on which tin is brought from Great Britain, and what is brought from Banca?—No; I cannot speak

to

to that; but it is much cheaper from Banca, generally speaking, and the quality is far preferable, being much more malleable and soft. *Daniel Beale, Esq.*

Supposing the trade was opened, and a greater resort of private ships from England to take place, do you or do you not think that matter of itself would be likely to give umbrage to the Chinese government?—From my experience, I should rather think the Chinese government would prefer the trade to China being carried on, in the present mode, rather than in any other, from the extreme regularity with which the business is at present conducted, from the high respectability, from the honour and probity with which their transactions are conducted by the present supracargoes.

Do the Chinese government regard the supracargoes as having any magisterial authority over Europeans, so as to resort to them in case of dispute, and consider them responsible?—The medium of communication between the Europeans and the Chinese government, is, generally speaking, the Hong merchants, and no doubt the chief supra cargo is applied to in all cases of disturbance.

You have stated, that some difficulties in trading would arise, if an imperial ship was to arrive at Canton?—I think, until the debt was liquidated there would be a difficulty, and that difficulty would arise from the representation made by the creditors of that Company.

Do you recollect a ship called the Etrusco, having arrived in those seas?—Yes.

Under what flag was she;—The flag of the Duke of Tuscany, to the best of my recollection; there was a distinction which the Chinese perfectly understood between that ship and Imperial ships; they never attempted to confound her with them.

Did she always bear that flag?—Always at the port of Canton.

In any other part of the world?—I can only speak from hearsay as to that; I believe the ship that arrived at Canton, was not the original ship that sailed from Europe under Tuscan colours.

Have you understood that there have been ever any complaints made against the commanders, officers, or crews of the country ships at Canton, or has not their conduct been at all times peaceable and orderly?—Generally speaking, Yes; but the great dispute between the English and Chinese upon the occasion of the gunner, which is in every body's recollection who knows any thing of China, originated in a salute fired from a country ship.

Having alluded to that unfortunate circumstance, was it not understood that the Chinese having lost his life upon the occasion of firing that salute, was entirely accidental?—Entirely accidental, from the wadding of a gun.

[The witness withdrew.

Mr. JOSEPH RANKING,

Was called in and Examined, as follows:

Mr. Grant.] HAVE you not dealt extensively in cotton piece goods from India?—I have, for more than twenty years. *Mr. Joseph Ranking.*

Can you state what is the ad valorem duty on piece goods sold at the East India House?—The duty on the class called calicoes, is 3*l.* 6*s.* 8*d.* per cent. upon importation; and if they are used for home consumption, there is a further duty of 68*l.* 6*s.* 8*d.* per cent.; there is another class called muslins, on which the duty on importation is 10 per cent.; and if they are used for home consumption, of 27*l.* 6*s.* 8*d.* per cent.; there is a third class, coloured goods, which are prohibited being used in this country, upon which there is a duty upon importation of 3*l.* 6*s.* 8*d.* per cent.; they are only for exportation; this session of parliament there has been a new duty of 20 per cent. on the consolidated duties, which will make the duties on calicoes on importation, amount to 3*l.* 16*s.* 8*d.* per cent, and if used for home consumption, 78*l.* 6*s.* 8*d.* per cent.; upon the muslins for home consumption, 31*l.* 6*s.* 8*d.*, and the prohibited goods will be chargeable with 3*l.* 16*s.* 8*d.*; I am not quite certain what the consolidated duties on muslins are on importation; I rather think it will make them about 12*l.* per cent.

Mr. Joseph Ranking.

In what manner is the amount of the ad valorem duties on goods of this description ascertained at the India House?—It is chargeable on the amount the goods sell for at the East India Company's sales.

The value of goods to pay duty is ascertained by the actual sale?—Yes, by the actual sale at the East India Company's sale room.

When ad valorem duties are imposed on goods sold elsewhere than at sales of the Company, in what manner is the duty ascertained?—The merchant values his goods, and if the king's officer is satisfied with that valuation, he pays the duty accordingly; but if the king's officer thinks the goods are undervalued, he has an option of taking the goods himself, and paying the amount at which the merchant values his goods.

Is that the single or the chief security against the fraudulent valuation of the article by the importer?—I believe there is no other.

Do you conceive that it would be easy to set an accurate average value on piece goods from India, in any other mode than by the actual sale of the article?—I should think it would be nearly impracticable; there is such a variety of classification, that I do not think persons would be found with sufficient judgment to know the value of different articles.

Do the piece goods apparently of the same quality, in point of fact, differ very greatly in value?—Not apparently of the same quality; there are goods of the same denomination that differ very much in value; for instance, the goods imported by the East India Company are very superior in general to those imported by private traders; the qualities are very much debased by the private traders in general, they are goods of the same denominations, and called by the same names; it requires judges to know the difference.

Can you at all state what difference of price you have known upon piece goods of the same denomination, in the same sale?—Goods of the same denomination are of various qualities; I have known goods of the same denomination, and the same quality, differ as much as from 5 to 10 per cent. in the course of the sale; it very often happens in the course of a sale, orders come from abroad, and people want to purchase a greater quantity, and there is more competition; it drives up the prices very much.

Can you state from your experience, whether such variations as you have described, are of frequent occurrence?—The variations are not very great, but they frequently occur to the extent of 5 per cent.; but I have known them go as far as 15 per cent. where there has been a great deal of competition; it is not a frequent case by any means; it occasionally occurs.

The slighter differences of which you speak, are very frequent; Yes, they have occurred, and do in most sales.

Supposing that the trade in piece goods for exportation were laid open to the out ports of the United Kingdom, do you conceive, that the collection of ad valorem duties upon the article could be conveniently effected?—I think that would be almost impracticable, and that the London merchants would be labouring under a great disadvantage; they would be obliged to pay a duty upon the price at the East India Company's sale, where people assemble in time of peace, from most parts of Europe and Africa, and things are driven up to their full value; if they were permitted to be valued at the out ports, where persons could not detect fraud, the merchants there would have a much greater advantage.

Is it your opinion, that under the circumstances in question, the revenue might be defrauded to any considerable amount?—I think it extremely probable that that would occur; I do not think persons could be found competent to know the real value of those goods.

Can you state what would be the general effect on the trade from India, in piece goods, of having private traders admitted to that trade?—As a dealer in piece goods, I conceive, we should find our confidence very much shaken; we should not be able to judge of the quantity that might be brought to sale at the East India Company's periodical sales; the goods are all under one roof, we know the quantity in the market, and can act with confidence; but we could never tell if private traders were acting

acting in the out ports what quantity might be brought into the market, and we could not act with the same safety and confidence.

Mr. Joseph Rankling.

On the suppositions before made, do you conceive it probable that any number of piece goods, taken out of warehouses at the out ports, for the purpose of exportation, will be illicitly introduced in the home consumption?—I am of opinion that it would increase the facilities for smuggling very much; the commissioners of the customs, some time ago, prohibited the white calicoes which are permitted to be consumed at home on high duties, being shipped at the out ports, and sent by land carriage; I suppose in consequence of their conceiving it would give a facility to smuggling.

On the supposition that India piece goods, in any great numbers, could be fraudulently introduced into the home consumption, what effect, in your apprehension, would be produced on the cotton fabrics of this country?—I think it would lessen the consumption of our own cotton fabrics, if those cottons were fraudulently introduced.

Can you state the comparative excellence of the coarser piece goods from India, and similar cotton goods manufactured in this country?—I am of opinion that the East India goods, where a great weight of material is required, are cheaper and better than those manufactured in this country, but that the middle classes are very much interfered with, or are surpassed even by the British manufactures of the middle qualities.

Do the British goods of those descriptions, wear as well as the Indian goods?—I suppose they do; I have not much experience of that, but I conceive they do.

You have stated, that on the supposition of the trade in piece goods being extended to the out ports, a considerable quantity of such goods might be smuggled back into this country for home consumption; do you think that such illicit practices could be carried on profitably to the smugglers, in spite of the risk and charges with which all attempts to evade the revenue laws are known to be attended?—I should think it might to a certain extent; the duties are very high, the duties are prohibitory on those calicoes; if the duty was twenty per cent. or forty per cent. less, it would still be very high, and I think, many of those classes of goods would be consumed in this country.

Do you know what is the difference between the prices per yard of British white calicoes from the manufacturer, and Indian white calicoes of nearly the same dimensions and quality?—Comparing the goods sold at the East India Company's Bengal sale, in March, with the prices of nearly similar goods of British manufacture, I should think, on an average, the India goods were from twenty to twenty-five per cent. dearer than the British goods are at present; in many instances the difference is greater than even fifty per cent.; I could collect particular instances, but I have spoken of an average price, when I say from twenty to twenty-five per cent.

You have before spoken of the comparative merit of Indian and British piece goods, of the coarser and middling qualities; can you state what is the comparative merit of such goods, from the two countries, of the finest qualities?—The very finest qualities of East India goods are decidedly superior, and cannot be imitated with success in this country; the goods of the manufacture of Dacca I particularly allude to.

You have before stated, that the admission of the out ports to a participation in the piece goods trade would be inconvenient to the fair British consumers in the metropolis?—Rather to the dealers, because those goods are principally exported that we buy at the East India Company's sales, or to the importers; if we are to have the same liberty to import piece goods which they have at the out ports, which we should of course have, and we should be under a great disadvantage in having to pay full duties, while they pay what they chuse, in fact, according to my opinion of the effect.

Can you form any opinion what effect would be produced upon the foreign consumption of piece goods, under the circumstances before described?—The foreigners who resort to the East India Company's sale, would suffer the same inconvenience we should, who are buyers of those goods; they would have their confidence shaken, they would not know how to act; by the present system, we know what the East India Company and private trade mean to bring forward at their sales, and we have them under one roof, and know how to regulate our purchases by the quantity and market, which we should not be so well informed of, if the goods were distributed among five or six out ports; we could not act with the same confidence.

Mr. Joseph Ranking.

At what interval of time before the sales, do the Company give notice what goods they intend to put up?—As soon as the Company receive the manifest from the ship, within a week from the arrival of the ship, the Company publish an account of her cargo; and we then distribute that among our correspondents in various parts of the world, and receive orders from them before the sales.

Do the Company state precisely of what species the goods are which they intend to put up at their sales?—Yes, it is very accurately stated, as far as relates to the goods belonging to the Company; those goods belonging to individuals are stated in bulk; so many bales of calicoes; we do not know the sorts, and it would be difficult to describe them, because they are of a debased species of goods in general.

Are not the goods intended to be put up, both those belonging to the Company and to private traders, previously exhibited for inspection?—Yes, for a considerable period, perhaps for two months.

Has not the foreign consumption of piece goods been promoted by the effect of that regular course of proceeding, in regard to the sales of the Company, which you have described?—I should conceive it has been very much promoted by it.

Are the foreign merchants in the habit of sending declarations of the goods which are to be sold to their correspondents abroad?—Yes, they are.

Would this course of proceeding, with respect to foreigners, be consistent with an arrangement which should admit the out ports to a participation in the piece goods trade?—As a dealer in piece goods, I anticipate great inconvenience from that system being adopted; it would be impossible for a foreigner to come here, and travel to Hull, and Glasgow, and Liverpool, and various other ports; I do not know to what ports this liberty may be extended, but it would distract his attention, and prevent his acting with the confidence with which he can now act.

You assume, that the goods are to be sold at the out ports by private contract?—Even if they were to be sold by public sale, the quantity might not be sufficient to draw people four hundred miles; and they would not act with that confidence they can now act.

Are you of opinion, that the circumstances you have described would materially derange the sales of piece goods by the East India Company?—I think they would.

From your knowledge, have not foreigners, receiving from their correspondents here declarations of the goods about to be put up at the sales of the Company, occasionally visited this country for the purpose of making their purchases in person?—In time of peace, I have seen more foreigners in the East India Company's sale room from the different parts of Europe, than there are persons in this committee room at present; from Germany, Switzerland, Russia, Holland, and France.

Can you say whether that circumstance has promoted the consumption of the manufactures of this country among foreigners?—I think it has very much; for those foreigners, when they come to England, have purchased large quantities of British manufactures.

Do you speak from your experience?—From my own dealings with them.

(Examined by the Committee.)

YOU are acquainted with the British manufactured goods?—Yes, I am.

Do you find that the prices fluctuate very much in the market?—Considerably.

To what do you attribute that?—To the state of the demand.

You never attributed it to a greater importation of East India goods, did you?—No, never.

Are not they used for the same purposes, those imported from the East, and those manufactured in this country?—Yes, there are similar goods manufactured in this country, but the East India goods for the consumption of this country, are liable to enormous duties; the callicoes, for instance, are liable, besides the 3*l.* 6*s.* 8*d.* to a duty of 68*l.* 6*s.* 8*d.* if they are taken out of the East India warehouses for home consumption.

You are aware that the piece goods are not intended to be consumed in this country?—Certainly not.

That

Mr. Joseph Ranking.

That you consider as the reason why the protecting duty was established?—I look upon it as a protecting duty to encourage our own manufactures.

Then there would be no danger, provided the out ports were open to East India goods, from the circumstance of East India piece goods being sold in the country?—They would be subject to the same duties; and I do not imagine any of them, or to any extent, could be consumed from this country, from the duty being so high.

You were understood to say, that the revenue was in danger of suffering from the duties not being so clearly ascertained in the country as in London, do you know any defect that would arise from the same system of an ad valorem duty being established there, as is here?—I think the danger would be this, that the ad valorem duty would be levied by the merchant himself; I do not think a merchant would be able to be detected if he was disposed to commit fraud; for he might value articles at 10*s.* a piece that would sell at the East India Company's sales at 15*s.*; owing to competition, every thing fetches its utmost value, and every imposition might be practiced; I think, even at a public sale, things might be collusive; that the merchants might put up their goods, and buy them in themselves, and pay a smaller duty than they would in London, where people attend from all parts of the earth.

Are you not aware, that competition would prevail at the out ports as well as in London?—I am of opinion, there would not be a competition.

Does that arise from the out ports having but few traders in them?—I should imagine the traders would be attracted to that place where they conceived the greatest assortment, which would be London.

You are understood to have stated, that the great advantage arising from the East India system was, that foreigners were attracted by the great shew of goods at their periodical sales?—I did.

If there was an open trade in this country, if the East India goods were exposed to sale in the way that the British goods are, both in London and the out ports, are not you aware, that the gentlemen concerned in diffusing the manufactures of this country to every part of Europe, would not include the East India manufactures in the orders that they received, and in the orders that they executed?—I do not think they could act in that way with the goods that are imported by private traders, the qualities are so uncertain, and so much beneath the standard qualities of those goods manufactured for the East India Company; I do not think they could be so described that people could have a confidence to order them; they could not buy them without a previous examination.

Do not you know, that the goods imported from the east, vary very much in quality?—Very much.

Do not you know, that some of the East India goods, are full as low in quality as any manufacture in this country?—Quite as low; some of the goods imported by the private traders are very much debased in quality; they call them by the same denominations, but they are totally inferior to the Company's goods, which are made up to a certain standard, and a certain length and breadth; we can buy those goods with very little examination from their uniform quality, upon the Company's description of them, the Company's mark, the characters they give them; they are very ably classed; the same denomination of goods are divided into letters, and we can write to our correspondents abroad, and state a particular article, letter A. B. C. or D. and the person can, with full confidence, order, if we tell him the mark, and say what class or letter he will have; that has not been done in the private trade.

You mean by debasement, a species of goods of an inferior quality, adapted for the consumption of the lower class of people?—I mean, that they are very inferior goods, and sold at an inferior price; goods of the lowest price.

There is no other debasement, there is no dishonesty practised?—No; but we cannot depend upon the quality of those goods at all; we buy them with our eyes open; we go and examine them previously; but I would not write to Hull or Liverpool, and say buy 500 bales, or one bale of such a class, I must go down to examine them.

Will not goods that are likely to be sold at the country ports be as open to inspection as they are when sold in London?—I suppose they will be, or they will not find any buyers if they will not allow them to look at the goods.

Mr. Joseph Ranking.

If the system was so much altered, as that foreigners were content to have their goods by order, have not the sellers of the goods a character to maintain, and would they not be careful in executing those orders so as to give satisfaction?—I have no doubt every respectable merchant would act to the best of his judgment, and would give very faithful advice to his correspondents; but there would be a great difficulty in describing those goods, when the East India Company print a price-current, the goods are classed and put in letters, they are described from all the different facts, perhaps there will be twenty sorts of battaes; we know by practice what they are, and we can correspond with people abroad, and give them those accounts which would be quite impracticable with private trade.

Do not you know that goods, assuming the same name in the east, differ very much in quality?—Very much.

If they differ very much in quality, there must be some manufacturers that make a debased article?—There are the individual private traders; I could elucidate what I am stating, by saying, at the East India Company's sales we give for the battaes manufactured at some manufactories, 12*s.* perhaps to the East India Company; when we purchase battaes in the private trade, at from 7*s.* to 7*s.* 6*d.*, so that I mean to shew we could not fairly describe those goods.

Are not you of opinion, that the goods imported from the east are sometimes sold in large quantities, more than the usual quantity some years?—Yes; they fluctuate very much.

Suppose three times the usual quantity were offered at their sales, would not the prices be very much depressed?—Certainly; I look upon it, the price is regulated by the quantity of goods brought to market, and the state of the demand.

Would not that depression very much affect the home manufacturers?—Those goods, I believe I explained, were all exported when the home manufacturers are depressed; they are depressed; they keep pace pretty much with each other; the home manufactured goods have advanced, I believe I speak within compass, when I say twenty per cent. within the last few months; and there has been a very trifling rise in the Company's goods, even after the sale.

You attribute that to the East India goods being for exportation, and the goods made here being for home consumption?—Yes.

Are you not of opinion, that under all the advantages stated by you, of ordering goods to be purchased at the Company's sales, and the disadvantages which would attend ordering similar goods to be purchased at the out ports, the port of London would always have the preference?—I believe I stated that I thought so, because there was a greater choice in the port of London; greater assortments of the East India Company's goods will also be sold in the port of London; they are of a very respectable quality, and command attention of the buyers.

Are you of opinion, therefore, that any material injury can arise to the interests, either of the Company or the port of London, from opening the trade to the out ports?—As a dealer in piece goods, I am of opinion, material confusion would be occasioned by it, and goods of bad qualities may sell at nominal low prices at the out ports, and may have an influence upon the prices of goods sold at the East India Company's sales; if those goods were all exposed to sale in London, they would find their level; people would examine them and pay according to the quality; there could be no misrepresentations then.

Will not the value of the goods be estimated according to their quality?—I suppose they will, but the people at the out ports, in general, are not very familiar with the qualities of those goods; and it would scarcely be worth the while of any extensive dealers to go for any trifling object several hundred miles.

In the event of a foreign merchant sending an order to either of the out ports, and being disappointed in the quality of the goods, is it probable that he would repeat that order?—I should think, if it did not answer his purpose, he would not send a second order.

According to your reasoning, is it not therefore probable, that the whole of the trade, or the greatest part of it, would centre ultimately in the port of London?—I am of opinion that it will centre in the port of London; I speak to piece goods.

Do

Do you conceive, that in Glasgow and in Liverpool, in the neighbourhood of which there are cotton manufactories established, people would not be found equally skilled in Indian piece goods as in the port of London, and equally judges of their value?—I think they would have an opportunity of comparing them with similar goods manufactured in this country; and they might certainly form a pretty correct opinion of their value, by comparing them with British articles; merchants might, certainly.

Mr. Joseph Ranking,

[The Witness withdrew.

Adjourned to Thursday, Twelve o'Clock.

25.

Martis, 11° *die Maij*, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Daniel Beale, Esq. - - - - - p. 447.
Mr. *Joseph Ranking* - - - - - p. 463.

(No. 14.)

Of Evidence before Select Committee.

Ordered, by The House of Commons, *to be printed,*
12 *May* 1813.

26.

MINUTES of EVIDENCE

TAKEN BEFORE THE SELECT COMMITTEE,

Appointed for the purpose of taking the Examination of such Witnesses, as shall be ordered by The House to attend the Committee of the Whole House, on the Affairs of The *East India* Company; and to report the MINUTES of such Examination, from time to time.

(No. 15.)

Jovis, 13° die Maij, 1813.

The Right Hon. JOHN SULLIVAN, in The Chair.

Mr. ROBERT BROWN,

Was called in, and Examined as follows:

Mr. Jackson.] YOU are a wholesale dealer, I believe, in what are called piece goods?—I am. *Mr. Robert Brown.*

Describe to the Committee what articles you comprise under the denomination of piece goods?—By piece goods, we understand every article manufactured in the loom.

Describe the sort of piece goods that you yourself deal in; silk piece goods are manufactured in the loom?—Silk goods are piece goods, certainly.

What are the piece goods in which you deal?—Both cotton piece goods and silk piece goods; piece goods generally.

Do goods of the same description frequently vary very much in price, at the same sale?—They do occasionally.

Do you mean that goods, of precisely the same quality, vary very much in price at the same sale; or that goods apparently of the same quality, but not so in fact, vary in price?—I mean, that goods of the same quality precisely, vary occasionally; in goods of the same denomination, there is, of course, a great variation generally.

Do goods of the same denomination vary very much in price at the same sale, according to the places that they come from, or the factories in which they are known to be made in India?—No; the reason of it is, the fancy of the buyers more than the variation of the place from which they came, and a local demand arising from various circumstances, and frequently the competition between one buyer and another at the Company's sales.

Mr. Robert Brown.

Do you mean, that the effects of an open sale, and the emulation of purchasers, create this difference of price?—I do.

State about what per cent. that variation amounts to sometimes?—I have known a variation in goods, of precisely the same quality, of from 15 to 20 per cent. at the same sale; in goods of the same denomination, the variation is frequently 150 per cent.; I mean by that, that articles that come from India have a general denomination, as for instance, the article of mulmulls, one description of which sells from 19 to 20 shillings per piece, and another from seven to eight pounds a piece; still they are goods of the same denomination.

Do you impute the difference of 15 or 20 per cent. to the fact of considerable competition?—To the fact of the competition at the East India Company's sales.

To what duties are those piece goods subject?—There are various duties; they are divided into three classes.

Can you state the respective duties of the three?—There is the article of muslins, which pays a duty of 10 per cent. on importation, and 26*l.* 13*s.* 4*d.* when taken out of the warehouses for home consumption; the article of calicoes pays a duty of 3*l.* 6*s.* 8*d.* upon importation, and 68*l.* 6*s.* 8*d.* per cent. when taken out of the warehouse for home consumption; coloured and silk piece goods pay a duty of 3*l.* 6*s.* 8*d.* per cent. on importation, and being prohibited, are not allowed for home consumption; on the payment of any duty, the new impost of 25 per cent. is to be added, which, at present, we have not been called upon to pay; it has had therefore no effect at present upon goods sold at the East India Company's sales.

To what is it to be added?—Upon the consolidated duties.

The 25 per cent. applies to home consumption, as well as import?—Yes; but I believe it applies only to goods sold subsequent to the passing of the act.

Is the amount of those high ad valorem duties strictly ascertained by the mode of the Company's sales?—Most distinctly, and most clearly; without a possibility of fraud.

What checks do they seem to be under at those sales, which should induce this opinion of yours, that there is scarcely a possibility of fraud?—The goods being publicly sold at the East India Company's sales, the officers of the customs attending, as well as officers of the East India Company, to take down the prices; the import duties are paid by the East India Company themselves; the duties on home consumption are paid by the merchant when he takes them out for the home trade.

In fact, the Company, were it even so disposed, has no interest in defrauding the revenue as to the high duties on home consumption?—They have nothing to do with them, I apprehend.

On the contrary, their officers are assisting the revenue officers to prevent frauds of any kind?—Most clearly.

Are there any cases in which the duty upon those articles is determined by the declaration of the parties?—There is, I believe, in the case of presents that come from the East Indies; but only in those cases.

At present, all commodities of this description, whether public or private adventures, come through the medium of the East India Company?—They do; whether imported by the East India Company on their own account, or imported by the private traders, they must be sold at the sales of the East India Company, and the duties ascertained in the way I have stated.

They are all subject to the same degree of security you have described, as to the safety of the revenue?—They certainly are.

You have been in trade for a good many years?—Yes; twenty-seven years I have been in that particular branch of trade.

Exclusively in the wholesale line?—I have.

According to the best of your judgment, can you state to the Committee, whether those high duties could be collected safely to the public through any other medium than a public sale?—I think it would be impracticable.

State

Mr. Robert Brown.

State why you think it would be impracticable?—From the very great variety of the sorts, and the variation in quality, as well as in the demand, so much so, that I think, if valuations were made at different places, we should invariably find different valuations, according to local circumstances; we should have goods valued at one port at one price, and at another port at prices extremely different.

What would occasion this difference of valuation at different out ports; are you considering the circumstances of a public sale at the out ports, when you suppose that likely to take place; or, when you speak of this great variation taking place, have you in contemplation the declaration of the merchant as to the value of the thing?—That was the first impression; but whether it was so, or by a public sale at the out ports, there would, I conceive, be a very great variation in the prices at which the duties were collected.

Supposing, that instead of those duties being thus ascertained at public sales in London, their amount were to depend upon the declaration of the party; according to your judgment as a merchant and trader, do you think that mode of ascertaining duties of such magnitude, by the declaration of the party, would be a safe one for the public as to revenue?—I think it would be very much otherwise.

State why you think it would be otherwise?—From the various and precarious nature of the goods depending so much upon the demand of the buyers, as well as the opportunity it would give to the importer to make his valuation so particularly low, if the plan at present proposed was adopted; and I do not know, in case of seizure, what the officers would do with those goods that are intended merely for exportation.

Does it not require great skill and long experience, to ascertain the value of such commodities within perhaps many pounds per cent.?—It does so.

How much might men of ordinary judgment, such as the officers, for instance, vary in opinion as between themselves and practiced judges like yourself, upon the same article?—It is impossible to define it exactly; but even among the best judges, a variation will take place of from 10 to 15 per cent.; men who are constantly in the habit of it; we may therefore very fairly say that officers who are not in that practice, would very much exceed that variation made by professional men.

Generally speaking, could the officers tell upon such articles within from 25 to 30 per cent. whether the declaration was a true or a false one?—I should doubt myself very much, whether they could tell within 25 to 30 per cent., particularly in the finer description of goods.

Supposing that public sales were to take place at the out ports, do you think that mode would be as secure to the revenue as the public sales here are?—I should think decidedly not; because it is not probable there would be the same competition among buyers at a small sale where there is but a very small quantity of goods that would induce a variety of buyers to attend, as there is in the sales of the East India Company which, from their magnitude, draw buyers from every quarter of Europe; and from the amount of goods sold by the East India Company, it is almost impossible for a combination to be formed to injure the sale prices.

Do you mean, that from the magnitude of the Company's sales, and the great degree of emulation that prevails at them, artificial purchases for the sake of keeping down the price, and so to lower the duty, never find their way into practice in the Company's sales?—I think such things never are practised.

Do you think that one consequence of this comparatively small degree of competition at the out ports would be, that the articles would be sold lower at them than they are here?—I do.

Besides the evil of government losing so much duty, what effect would that have upon the Company's sales?—In time, the effect would be the lowering the price in some degree at the East India Company's sales, though I do not fear that the prices at the Company's sales would be at any time so low as at the out ports.

Do you mean, from the great attention the Company pay to constantly having the most superior articles?—I mean not that alone, but from the resort of the great number of buyers to the sales in London, which their magnitude makes it an object to them to attend.

Mr. Robert Brown.

If the out ports were at liberty to import those piece goods are you apprehensive that any evil might arise from their being shipped outwards, under pretence of re-exportation, and being smuggled into the country again?—I think the thing is very probable; sometime since, we had an opportunity of sending to the out ports white piece goods as well as coloured piece goods for exportation; that order was rescinded about eighteen months past, and now coloured piece goods only are allowed to be sent to the out ports for exportation, which from being a marked article, and prohibited for home consumption, are seizable wherever they are found.

When you send those coloured piece goods to the out ports, do you send them by sea or land-carriage?—By the canals, or by land.

Such piece goods as you are now allowed to send to the out ports for the purpose of exportation, are you allowed to send them to the out ports by sea?—I believe the law would allow it, but it is not the practice.

You are now prohibited from sending the white piece goods even to the out ports, for the purposes of exportation?—We are prohibited from sending the white piece goods from London to the out ports, the exportation of white piece goods is directed to be made, by their being sent direct from the warehouse of the East India Company to the ship on which they are to be exported.

What have you understood always to be the grounds and cause of this prohibition that took place a year and a half ago, that no white piece goods should be sent to the out ports for the purposes of exportation?—I conceive it to be from the risk of their being so smuggled; and if they should be smuggled, not having paid the heavy duties for home consumption, they would interfere in a certain degree with the British manufactures.

Would the coloured piece goods interfere with the British manufactures, if they were smuggled in, they are liable to seizure wherever they are found?—Yes, wherever they are found in any part of Great Britain; but white piece goods not being liable to seizure, it would not be so easy to say whether they had been smuggled or had paid the home consumption duties, by coloured piece goods; I mean, not coloured alone, but coloured and silk, both of which are prohibited.

Those articles being subject to seizure wherever found, the revenue would be so far safe in your opinion; but do you imagine the white piece goods might be smuggled in again after a pretence of exportation, without their being subject to discovery when once got into circulation?—With respect to coloured and silk piece goods, no duties are paid on them for home consumption, and consequently the revenue is not materially injured, provided they are smuggled in. The manufacturer of those articles in this country would be injured to a certain extent, but not the revenue; for the import duty being paid, there is no further claim on the part of the Crown; white piece goods pay an extremely heavy duty for home consumption, consequently, if they were smuggled, the revenue would be materially injured, and the manufacturer would be also materially injured; for they would, without the duty, materially interfere with the British manufacturer; I conceive the duty on white piece goods, to be a protecting duty to the British manufacturer.

How much is the duty upon those particular kind of goods, the white piece goods?—68*l.* 6*s.* 8*d.* per cent. for the home consumption, and that is independent of the new duty of 25 per cent.

That is the description of goods which you, a wholesale dealer in London, are prohibited from sending to the out ports, for fear they should find their way into home consumption?—Those are the description of goods; but not those goods alone, muslins and nankeens also which pay a duty for home consumption of 262*l.* 13*s.* 4*d.* per cent.; I do not allude to the 25 per cent. upon them, because it has had no effect upon them yet.

Are you prohibited sending those two-latter articles to the outports?—We are.

Is the manufacture of India very much preferred to the manufacture of this country in regard to those piece goods?—In the finer descriptions it may be; in the middling and lower qualities, I think the British manufactures really in some cases surpass them, and in many, equal them.

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Mr. Robert Brown.

Is there a material difference sometimes in the real value between the Indian manufactures and the British manufactures, when the appearance of the article is nearly the same?—In goods sold for exportation, I have known East India manufactured goods of an ordinary quality sold at from 50 to 60 per cent. less, even in London, than the same article can be purchased for from the British manufacturer; I mean by the same article, the same description of goods in point of breadth and quality.

The East India article is sometimes sold from 50 to 60 per cent. lower than the British made article?—Yes.

The quality and measure being as nearly the same as possible?—Yes, as nearly similar as possible.

Explain how you apprehend that to happen?—I can only account for it from the want of a general demand for the East India manufactured goods of the description I have mentioned for the Continent; the British manufactured goods are saleable throughout every part of the United Kingdom as well as for the Continent, and the East India manufactured goods, in consequence of the extremely heavy duty, would come dearer in the home market when the duty was paid upon them, than the British manufacture; but without the duty, they are materially lower.

The British manufacturer saves this immense duty to which the East India article is subject?—He is not liable to any duty, of course.

Is the heavy duty paid upon the exportation of the Indian article?—No; the goods sold at the East India Company's sales are purchased with the option to the buyer to use them for home consumption or exportation, as he may find it most to his interest; the goods to which I have been particularly alluding, are seldom or ever used for home consumption in consequence of that heavy duty, which is in fact prohibitory, but they are exported free of duty: the import duty, which we call the warehousing duty, is paid; but there is no duty paid when they are taken out of the warehouse for exportation.

How does the purchaser get them into his possession without paying the duty?—The goods I allude to are never taken out of the warehouse for home consumption; for if they were, they could not be exported after paying that heavy duty (no drawback being allowed), consequently the buyer must make his election before he removes them, either to pay the duty or to export them, as he finds it most to his interest.

If he means to export them, he leaves them in the warehouse?—Yes.

Or, if he means them for home consumption, he may leave them there till he is ready to pay the duty?—Yes.

Supposing the import trade of India piece goods to be opened to the out ports, referring to that description of piece goods which you are prohibited sending to the out ports, from the fear of their making their way into the home consumption, do you apprehend any mischief might arise to the British manufacturer from such privilege of universal importation at the out ports; and if so, state what it is?—I think there would be a very great risk of it; and if those goods could, by any contrivance of the proprietor, be introduced into the home consumption trade, they must most materially affect the British manufacturer; and one particular reason which induces me to apprehend the danger, is, that the buyers and the proprietors of goods at the out ports would be a completely different class to the buyers and importers of those goods in the port of London; for, if the importers of those goods at the out ports did not meet with a ready market for them, in the natural course of trade, they would endeavour to make the best of those goods, either by exporting them on their own account, or by other means, which might turn the goods to a more beneficial account.

Supposing this general license of import to the out ports, and that they might sell when they pleased, and in what quantities they pleased, what effect do you suppose such a circumstance as that would have upon the regular sales of the East India Company?—I think it would be almost impossible to preserve that steadiness and regularity which is at present adopted in the East India Company's sales.

Mr. Robert Brown.

Do you think that this variety as to place of sale and time of sale would particularly derange and disorder the great sales of the East India Company?—I think it would.

Do you happen to know whereabouts the amount of any one of the Company's sales of piece goods may have been?—I think the last sale was something about one million sterling.

At one sale?—Yes, at one sale of piece goods. We have generally two sales in the course of the year; the one we call the March sale, and the other the September sale. All the goods sold from March to September, come under the denomination of the March Sale; and all the goods sold from September to March, come under the denomination of the September Sale.

Do you think that this proposed license as to time and place, would not only thus derange the Company's settled sales, but would materially distract and inconvenience the different orders of purchasers, including the dealers?—I think they would very much so; for I am of opinion, that it will not be practicable for foreigners to attend small sales at the various out ports; whereas, when they attend the sales of the East India Company, they come at stated and certain periods: they have notice of the period for three or four months prior to the sales taking place, and they are enabled to make their arrangements accordingly.

Describe the nature of that notice which is thus given to foreigners of the approaching sale of the East India Company?—About three months prior to the sale, the East India Company issue a declaration of the kinds, qualities, and description of goods they mean to sell, fixing the day of sale, and the period of prompt, which is the day of payment.

Does such description advertise any marks at the same time, that such and such lots will be put up of such and such marks?—The declaration by the East India Company does not include the marks and descriptions, but a facility is given to the brokers who attend the sales of the East India Company, to make themselves acquainted with the marks and different descriptions of the goods intended to be sold; and those descriptions of the broker are the descriptions generally sent abroad, in addition to the general description given by the East India Company.

Whether the foreign merchant is apprized of those marks himself, or through his broker, are they such as to convey a precise definition and idea of the quality and nature of the article?—The goods imported by the East India Company are in general so correspondent, so exact to the same descriptions of goods of former sales, that a man who resides abroad is enabled to form a very accurate judgment of the goods by the descriptions or declarations sent to him by the foreign merchant; so that if it does not suit his convenience to attend the public sales of the Company, he is enabled at all times to send his orders.

Has the East India Company, during your twenty-five years experience, observed such uniform good faith, that those marks and descriptions and declarations are implicitly relied upon and confided in by the foreign merchant?—They have; occasionally the goods may vary a little, but most unquestionably such a guard is kept upon the fabric of the goods in India, that they attempt to improve, rather than deteriorate the quality.

Can you imagine any mode of private sale at the out ports, or other mediums, than that of the East India Company, that could inspire the same degree of confidence in foreigners; any description of private sale whatever?—I cannot fancy that any description of private sale could give the same confidence to the buyer that the descriptions issued by the East India Company and the brokers convey; for my own part, I should not be a purchaser of any goods at a distance from London, by any description that could be given of them; it would be indispensably necessary for me to attend upon the spot myself, and to examine strictly and closely the goods.

You mean, that this general liberty of import would probably occasion an import of articles of such a description as would call for a close personal inspection, before you venture to purchase?—I do; and the reason of my supposing so is, the description of goods imported occasionally by the merchants residing in India, and officers

of

of the Company's ships, which are in every sense so inferior to the same description of goods imported by the East India Company, that it is impossible to be a purchaser of them, without examining very minutely every bale; whereas, in many goods imported by the East India Company, the sample of five prices is the sample of ten, fifteen, or fifty bales, as the case may be. *Mr. Robert Brown.*

As far as your experience has gone, have importations, generally speaking, that have not been the immediate importations of the East India Company, consisted of comparatively inferior articles, although of the same denomination?—They have.

Do you apprehend that this might take place in any material degree under such an universal licence of import from India to the out ports?—I think it would be almost invariably the case.

Supposing such importations, now or hereafter, to consist of inferior articles, what effect do you apprehend that an increased importation of the inferior article might have upon the general trade of the country in such articles?—I think, if a very considerable quantity of those articles, of an inferior sort, were to be imported to a spot where the foreign merchant did not attend, it would be almost impossible to sell them; and in all probability, the importer would be under the necessity of exporting them on his own account.

Supposing that, by any means, any material quantity of those inferior articles were to get into the home consumption, would there be danger of its inspiring disgust, and inducing a forbearance of the articles of that denomination in any material degree, would it put the thing out of fashion in any degree?—It might in some degree, certainly; but I do not apprehend the danger would be very great in those respects, unless the articles were sold at the out ports at so low a rate, that the home consumption duty could be afforded to be paid upon them; I have known instances, when, from the general depression of the market for the Continent, we have been enabled to pay the high home consumption duty of 68*l.* 6*s.* 8*d.* per cent., and have been enabled to sell the article for home consumption.

Supposing by this, or any other means, a material influx of an inferior article, say muslins if you please, were to find their way into the home consumption, would not it endanger the general taste for and adoption of that article among persons of affluence and fashion?—I think it would in a certain degree, but it must be observed, that persons of affluence and fashion, want only the finer description of goods that come from India, and not the common sorts, to which the question refers; in fact, there are very few of the common description of goods that come from India, that are used in any degree whatever in the market of Great Britain; they are almost altogether supplanted by the use of British manufactured goods.

At present you are understood to say, that the magnitude of the Company's sales, and its vast assortment, induces a considerable number of foreigners to come over to attend those sales in person?—It is so, at all times when there is free access from the Continent.

Supposing the same quantity of imports as come now to London, to be divided between London and the out ports, would the inducement to foreigners to come in person be the same?—If they could depend upon the sales being at times equally convenient to them; I do not see any material difference it would make to them, unless it was the expense and trouble of dancing over the various parts of the kingdom.

That is, supposing uniform public sales?—Just so.

If it were to become necessary for the safety of the revenue, under the circumstances of this licence of importation to the out ports, to change the duties upon those various articles from an ad valorem, to a rated duty; looking to their great variety of character and price, do you suppose such a change could be easily effected?—Such change, I apprehend, would infallibly prevent anything of a middling and low price being imported from India, and it would be materially in favour of the finer descriptions of goods imported from India, and which, of course, would pay a less duty than they now pay.

Do you mean, that the prices of one denomination are so various, that a rated duty would press so hard upon the low, as almost to amount to their prohibition, while

Mr. Robert Brown.

the fine only could meet that sort of duty?—That is the impression I wish to convey.

You have stated it to be the practice of the brokers to send the marks in their advices to their correspondents which they gain from the India house, in which marks you have been understood to have said, very implicit confidence is placed, is not the confidence you have described, a confidence placed in the East India Company itself, rather than in the personal character of the broker who sends the mark?—Certainly; for the brokers know nothing but what they obtain from the East India Company; they have no opportunity of examining the goods; they merely take the account from the invoices of the East India Company.

If the brokers were to say that a merchant, A, B, at an out port has so many bales of muslin, it does not become a question between the integrity of the broker at Liverpool and the broker at London, but between the East India Company and the importer at the out ports?—The question of integrity would be between the East India Company and the person in India who made out the invoices for the private trader importing to the out ports.

(Examined by the Committee.)

The goods to which you allude, when you state that they have been sold 50 or 60 per cent. under the goods manufactured in this country are the white calicoes?—Yes.

Do you imagine they could be made in India so as to be profitably sold in this country 50 or 60 per cent below what the same description of goods could be manufactured for at the same period in this country?—I am not exactly informed of the cost of the goods in India, but to the best of my belief, the goods to which I alluded are sold without a loss, at the prices mentioned; I do not think there is any great profit upon them.

From your general acquaintance with the prices of piece goods in this country, do you conceive that any profit has accrued to the importer, from the importation of those goods for the last two or three years?—I believe for the last two or three years the East India Company have made a profit upon their imports; four and five years ago they certainly sustained a considerable loss, and with respect to the private trader who does not purchase goods in India upon so good terms as the East India Company, he has sustained a very material loss which has in a very great degree reduced the importations by the private traders to a very insignificant amount.

At the period the East India Company, according to your judgment, did sustain a loss upon the importation of piece goods to this Country, was their importation materially less than it had been when a profit was obtained in former years?—The East India Company continue their importations upon a general uniform principle; the goods are put up at certain prices; if the buyers cannot afford to give those prices they remain over till the ensuing sale; they are then exposed again, and the same result will take place if the buyers cannot afford to give those prices; when I say the same result, I mean their being left over for an ensuing sale.

Of course you do not suppose that any loss arises to the Company from the exhibiting their goods for sale, but from a sale actually effected; you were understood to say that the loss accrued to the Company from the goods actually sold?—The loss must arise from the goods actually sold; but if those goods are put up at the protecting price, and part only are sold, and a part remain over, the loss upon the part that is sold is the loss to which I particularly allude.

During the period at which the Company did sustain that loss in sale, was the importation from India on the Company's account materially diminished?—When the Company found that their goods did not sell for a profit, they reduced their importations, and by that reduction, and the opening of the Continental trade, in a certain degree, the prices have increased.

Is the Committee to understand, that according to your opinion the upset price, or protecting price, established by the Company at their sales, is formed upon any calculation of profit or loss, or rather according to what they conceive the buyers are likely to pay?—In general, I apprehend, it is according to what they suppose the buyers can afford to pay.

Then it does not necessarily follow that it is a protecting price, so as to protect them from loss?—No, not so as to protect them from loss.

Explain

Explain upon what grounds you conceive the East India Company can profitably have been able to import East India piece goods for the last two or three years?—I am not able to answer that precisely, not having myself imported from India.

Then your opinion is more from hearsay than any actual remark made by yourself?—From the general information we receive from the warehouse keeper and others who have access to the invoices, the buyers of the goods have not access to the invoices.

Have the private investments consisted much of piece goods in the course of the last two or three years?—I think I mentioned that the import of piece goods in private trade has nearly ceased in consequence of its being an unprofitable trade to the importers.

If it is evident in consequence of a falling off of the trade, that the trade is no longer profitable to private persons, upon what ground do you conceive that it is profitable to the Company?—The East India Company I understand have their own manufactories; they have the weavers in their own employ, and they are enabled by advances made to those weavers, to obtain goods upon much cheaper terms than a private trader could buy them in the markets of Bengal, Madras or Bombay.

Then you conceive that the money of a private individual who may resort to India for the purchase of East India piece goods, will not procure to him investments at as cheap a rate as the money of the Company will do that under the present regulations?—The Company seldom or ever make their purchases in the markets; they, I understand, make advances to the weavers who manufacture solely and expressly for the East India Company; the goods purchased by the private trader will not be sold to him unless he pays a further profit to the manufacturer beyond what the East India Company pay.

Is the Committee to understand that you have stated in your answers, an opinion extremely favourable to the present mode of selling goods by public sale?—I think no other mode could be adopted that would so completely answer the purpose, both of the East India Company and the importer of piece goods from India in private trade; and were I an importer of goods from India, I should give a decided preference to their being sold at the public sales of the East India Company, to any private sales, or by private contract or public sales elsewhere.

Are you aware of the amount of cotton piece goods sold in this country by private sale, the manufacture of this country?—No; I cannot attempt to say; it is very large.

Have you any doubt it amounts to more than twenty millions?—I think is is very probable.

Are you a dealer in British piece goods also?—Yes, I am.

Have you any doubt that it amounts to upwards of fifteen millions?—I think it is very probable it may be a good deal more than fifteen, or even twenty millions.

Are you aware of any marks established by different manufacturers of cotton piece goods, by which those qualities are as regularly sold as any other goods whatever, and the denomination established and known in foreign markets, as well as in England, upon the faith of the marks?—I think I am: In goods manufactured for us at Manchester, by a description either by mark, letter, or number, we know the same goods; and can depend, when in the hands of a respectable man, upon having the same goods, if we send an order, without looking at them ourselves.

Are not the manufacture of Mr. Horrocks, of Preston, (to take one instance), perfectly known at home and abroad, by the marks affixed to them?—I believe they are.

If British manufactured goods were to be wrongly described, or prove not suitable to the sample, when sold by private sale, does it not consist with your knowledge, that the purchaser will exercise his right of rejecting those goods?—I think he would unquestionably do so.

Would not the same right of rejection exist in the event of a private sale of East India goods?—I think it is possible it might, as far as might relate between one merchant and the other.

Mr. Robert Brown.

Is there any right of rejection of goods purchased at the public sales of the Company, which may accidentally turn out not just equal in every piece to the samples exhibited?—There is no right of rejection; because that is one of the articles in the declaration of sales of the East India Company, that the goods are to be taken in the state in which they are found.

Can you, of your own knowledge, say upon what principles the Directors of the East India Company determine the upset prices of piece goods?—I cannot.

[The Witness withdrew.

Mr. EDMUND LARKEN,

Was called in, and Examined as follows:

Mr. Edmund Larken.

Mr. Adam] You are a tea broker?—Yes, I am.

Have you been all your life accustomed to examine tea?—I have been thirty years accustomed to it.

Were you engaged to go to China at any time to assist in inspecting teas?—Yes, I was, by the East India Company in the year 1803.

You returned from thence in the year 1808, did you not?—I did; I was four years in China.

Ever since you have been employed as a tea broker, and still carry on that business?—No; I had not made up my mind at first, whether I should return again to China; I remained here in the Company's service two years longer; I was very unwell, and the Company gave me liberty to remain a season or so.

Are you perfectly acquainted with the trade, and the mode of carrying it on?—I am.

Have the Company's supracargoes in China the first offer of all teas?—I think they have, inasmuch as they make very large contracts with the merchants the year before it is necessary to ship the teas; for at the sailing of the fleet of this year, they enter into a new contract for the teas for the next season, and as the merchants are paid for those teas according to their respective qualities, they are very anxious to tender the best they have, in order to get an advance of the highest price upon it, they therefore send in musters of a great deal more tea than the Company want, for the express purpose of getting the best prices; I have frequently examined twice as much tea of some kinds, or very nearly so, as the Company wanted for their investment; therefore I judge from that, we have the refusal of the market.

Have the Company by that means, the selection of the best teas?—No doubt they have; the merchants send one chest as a representative of a chop of tea.

The Americans or other dealers must take the second rate?—The Americans and other nations, such as the Swedes, the Danes; and while I was in China, there were two Russian ships arrived there.

All of them have the second rate?—They have.

Are teas divided into general classes first, and then afterwards into particular denominations?—Yes, there are in the article of Congou tea, as many as a dozen classes; all of which are valuable more or less according to their different qualities, beginning from very ordinary, up to good.

The general classes are known by black and green?—Yes.

Into what subdivisions is the black divided?—One kind of tea, the Congou into twelve.

There are other classes of black tea besides the Congou?—We put all the different sorts of tea into classes, Bohea tea, the most common tea, we do not class so very exactly as we do the others; but there are three or four classes of that kind of tea.

Look at that book [handing a book to the witness]; that is the East India Company's sale book; is it not?—It is a book published by the tea-brokers from the Company's

pany's catalogue, with their remarks upon the qualities of every chest of tea the Company sell; in examining the tea almost every sense is employed more or less. *Mr. Edmund Ker*

Can you, upon looking at that book, state with more particularity the nature of the teas?—Perhaps in this book there are not so many classifications as I made use of in China, but there are a number of different sorts of characters, by the different chops or breaks; there is a difference in this very book in the price of Congou tea of 1 *s.* a pound, one part contains Congous of an ordinary quality which sold at the Company's sales at 2 *s.* 9 ½ *d.*, and there are others of so much better quality as to produce 3 *s.* 10 *d.*

At the Company's sales are the teas ranked according to their different qualities, and set up accordingly?—The Company put up their Boheas at a certain price, and their Congous at a certain price; their Boheas I think at 1 *s.* 6 *d.* a pound, and the congous from 1 *s.* 8 *d.* to 2 *s.* 7 *d.*

Are they divided into good, middling, ordinary; good, middling, flaggy, woody, dusty?—Yes, and many others.

Have each of those qualities a different value?—Certainly.

Can any person distinguish easily between the qualities, except a person used to, and expert in that business?—I should think not, certainly.

Does it require particular attention on the part of a person accustomed to the business, to distinguish those different qualities?—A person must be in the business a considerable length of time before he can be a judge of teas.

Does it require minute examination?—It does very minute examination.

By the eye, the smell, and the touch?—Yes.

And even by the sound?—Yes.

By the crumbling in the hand?—Yes.

By the crackling in the hand?—Yes, by the noise of the pressure.

Likewise by the taste?—Particularly by the taste.

When those qualities are ascertained, they have certain values put upon them?—Yes, they have.

Does the value of Congou tea vary, and can you state to the Committee how much it varies; whether from 2 *s.* 8 *d.* to 3 *s.* 9 *d.* a pound?—It does.

Does the Hyson tea vary in the same manner?—The Hyson tea varies fully as much, indeed more; Hyson teas we buy from 4 *s.* 7 *d.* to 6 *s.* according to their quality.

Do you conceive that it would be possible to apply a rated duty in imposing the duties upon teas, so as to produce the same effect as an ad valorem duty?—No, I should think not; because I think Bohea tea could not bear so high a duty as the more valuable teas, or the finer sort.

You conceive it would be difficult to apply rated duties to the sale of the teas?—I should think it very difficult, indeed.

The ad valorem duty is ascertained at what the teas actually sell for at the Company's sale?—Yes, the lower Boheas are generally consumed by the lower classes, and they would pay the same duties as those consumed by the higher classes; I think the present is by far the best mode of levying the duty.

In what manner are the Company's teas put up, and at what biddings are they knocked down to the purchasers?—They are put up at certain prices, beginning with Bohea tea at 1 *s.* 6 *d.* the advance is one farthing a pound, therefore any person who chooses to bid a farthing upon the upset price, may have the lot, provided nobody bids higher; the advance continues at one farthing, till the price rises to 3 *s.* 4 *d.*; the advance is then a halfpenny a pound.

When tea is put up at any certain price, if there is a bidding upon it to the extent of one farthing per pound, and there is no farther bidding, that lot is knocked down to the buyer at that price?—Certainly.

That is at the upset price, and one farthing?—Certainly.

Mr. Edmund Larken.

After the bidding of one farthing, supposing there is a further bidding, at what further price is that bidding?—At one farthing till it comes to 3*s.* 4*d.*, after which it is one halfpenny instead of a farthing.

You know, that by the Act of Parliament, the tea put up by the Company is put up at a profit not exceeding a certain sum beyond the prime cost and charges?—So I have understood.

Do you know, in point of fact, at what the Company do put up their tea?—I know the putting up price of the tea, but I do not know whether there is any profit attached to it; I should suppose there was.

Can you state, from the information and knowledge you have acquired during your residence in China, whether, in point of fact, the Americans buy in China a quality of tea inferior to that which the Company buy?—I am convinced, in my own mind, that their teas are inferior to the Company's teas.

Do you know whether they buy inferior Congou particularly?—I do not know particularly that they buy inferior Congou; but it must be inferior, if we have the preference which we have.

Do you know what the current prices of Congou have been at New York lately?—No; I do not.

Supposing the current price at New York has been tenpence halfpenny per pound?—I should think it would cost full that money in China at the cheapest rate of Congou tea, the lowest description of tea.

If the current price at New York has been tenpence halfpenny per pound, does that establish to your satisfaction, that they must have purchased teas of the lowest description in China?—Most assuredly.

(Examined by the Committee.)

When you examined tea in China for the Company, you say they used to send you one chest as a sample of the chop?—Yes.

Supposing you approved of that, was the whole chop taken upon the faith of that approval?—Not in the first instance; that muster chest is compared with the whole of the chop, a chop consisting of from 150 to 1,200 chests; they are supposed to be of the same quality, and if approved, the price is given accordingly: at the time of viewing the whole chop, that muster chest is taken down to the Hong merchants' warehouse, where it is opened, and where I used to examine five chests in every hundred chests; if the chop contained a thousand chests, I opened fifty, taking them as it happened, a chest here and a chest there; the whole of the chests were there; and all those fifty chests were turned out into as many cases made on purpose, and I compared the muster chest with the fifty, and if they agreed they were taken; but I have known instances where there have been three or four sorts in a chop; they have not all turned out equally good.

Do you conceive that a classification of tea with a view to the collection of duty, is at all practicable?—I think it would not be practicable, unless it was done by a very good judge; there are so many different qualities of the same description of tea, particularly Congou.

Making green tea pay one duty, and black tea another duty, would be liable to the same objection, supposing a great difference in price?—Yes; a duty upon green tea comprizing all sorts paying the same duty, would be liable to objection; the difficulty would be the putting the same duty upon all teas of such various values; if a rated duty were to be made, it could be done only in that way; so much a pound on black tea, and so much upon green tea; but that would put the same duty, say two shillings a pound on teas worth 2*s.* 8*d.* and upon teas worth 7*s.*

Are there not some plain distinctions that without going to a general average, you would be able to take a nearer mark?—They must be selected by very good judges in that case.

Are there no marks affixed in China which denominate the value of the tea?—No; it would be liable to great impositions, if a small duty were put upon Bohea tea, those who are interested in that trade might very easily pass Congou teas or even inferior Souchongs, and call them Bohea; the Chinese would pack them and call them whatever their employers liked [The Witness withdrew.

CHARLES

CHARLES CARTWRIGHT, Esquire,

Was called in, and Examined as follows:

Mr. Grant.] You are Accountant-general to the East India Company?—I am. *Charles Cartwright, Esq*

How long have you filled that office?—Ever since the year 1798.

How long did you hold the office as deputy previously to that?—I think from the year 1785 or 1780 up to the year 1798.

State what may now be the amount of the pecuniary engagements on account of the Indian territory, which the Company have to discharge annually in England?—The Company will probably have to pay for interest on the Indian debt, One million five hundred thousand a year; and I judge they will have to pay that sum, because the rate of exchange is so advantageous, that though the persons who will be entitled to receive the bills in the first instance may not be inclined to remit, still there will be persons who will purchase those bills, perhaps at a premium, for remittance. The Company will have to remit for the pay of military retired officers in England 200,000*l.* a year; they will have to pay for passage of military to India, political freight and demurrage 150,000*l.* per annum; the Company will have to pay for political charges general a sum equal to 230,000*l.*; they will have to pay to the pay office general on account of recruiting about 300,000*l* a year; they will have to pay for interest on the Carnatic debts when they shall be all liquidated 136,000*l.* a year; they will have to pay for interest and for the sinking fund on the loan of two millions and a half, an annual sum to the amount of 242,820*l.*; these several sums will amount to £. 2,758,820.

Can you state what is the nature of the political charges general, which constitute one of the heads enumerated?—It consists of a great variety of payments.

Upon what account generally are the political charges incurred at home, are they on account of the Company's establishment in India?—Yes, they are.

State what may be the annual amount of the exports made by the Company in goods and stores, for which the returns must be made to England?—The Company have hitherto exported to the extent of one million nine hundred thousand and odd hundred pounds.

Upon what average do you take this?—I think upon the average of the three last years.

Does that statement include the exports both to India and to China?—Certainly; but I presume that in future, if the private traders should much interfere with the Company, a very considerable reduction must take place in the Company's exports; and therefore I assume, that they will only export to the amount of one million and a half, annually.

What is the annual amount of the bills drawn by the governments in India on the Company at home, in favour of the commanders and officers of the Company's ships?—That question I cannot exactly answer; because I think in future the commanders and officers will not require the draft they have formerly done; if they have money to return in the shape of bills, they will purchase the bills that will be in the market of India; but the case will be otherwise in China; the commanders and officers there probably may take the full allowance, which is 5,000*l.* per ship, amounting to 80,000*l.* per year.

Do you conceive that a due and punctual discharge of the pecuniary engagements you have described, is essential to the welfare of the Company?—Unquestionably so.

For the discharge of all these obligations, amounting to upwards of 4,000,000*l.*, in what manner will the funds be most securely and conveniently remitted from India to the Company in England?—I conceive by goods, on the Company's account.

Is it your opinion that the consignment of goods is the most secure and certain mode of furnishing the Company with funds for the purposes in question?—I know of none so secure.

Charles Cartwright, Esq.

In your judgment, could the remittance of bullion from India be adopted as a regular method of furnishing those funds?—I conceive not.

State why?—As India does not itself produce the precious metals, I conceive it has not a sufficient floating capital to spare such a drain as would be required.

If it were proposed that individual traders in India should grant to the local governments there, for money to be received out of the public revenue, bills payable in England, do you conceive that the Company could safely confide in such a resource for the punctual discharge of the weighty political engagements you have before described?—I think certainly not to the full extent.

Would it be safe to continue to trust to the regular payment of those bills?—To a small amount it might be very safe, because the goods would be consigned to the Company; they would not part with the proceeds of those goods till the bills were paid.

You have assumed that the goods in question are to be consigned to the Company; answer the question, on the supposition that the goods are not to be consigned to the Company?—Certainly not; if the goods are not consigned to the Company, what security have the Company, but the credit of the individual house; it would be carrying on the trade in a way the Company never have yet done.

Is it your opinion that such a mode of carrying on the trade of the Company would be extremely injurious to their interests?—I think it would be extremely injurious; and such, as I conceive, no prudent individual would trust to.

Comparing the rate of exchange per sicca rupee which the Company realise for Indian goods sold in London, with the rate of exchange which they would obtain by purchasing bills in India, which would, in your judgment, be the most advantageous method for the Company?—I must first know at what rate the Company are to purchase their bills, and whether they are to purchase bills at all there; if I am asked at what rate it is probable the Company will obtain them, that is certainly what I could not answer; it rests with the individuals who have got the money to remit.

Do you understand what rate of exchange the Company realize for their goods sold in London?—They have, upon the average of the last three years, in the sale of piece goods and silk, realised a remittance of 2*s.* 8*d.* and a fraction, almost 2*s.* 9*d.*; interest of the money is deducted, insurance deducted, and all charges; the insurance is taken at the rate of the actual loss from the years 1793 up to the present time, which is 2*l.* 8*s.* per cent.; and the losses have been unusually heavy in that period: I believe ten years previous to that, the actual loss was not above one per cent.

Were the company to adopt the mode of remitting home by private bills, what effect would that practice produce on the rate of exchange?—Is it meant, whether the Company are to give up their commercial establishments altogether, and to remit their surplus funds, or the funds they have to remit through the hands of private individuals; answering on that supposition, I conceive that would be very detrimental; it would reduce the rate of exchange, from the immense sum that would necessarily press upon the remitters.

Supposing the Company were in India to invest eighty lacks of rupees in piece goods, or in private bills of exchange on England, can you form any estimate what would be the difference, in the two cases, of the product received at home?—I must first know the rate to be offered for the remittance.

Can you form no opinion upon that?—No, I cannot; I enquired yesterday of a gentleman who is in the habit of remitting, what sum he would give here for the sicca rupee, to be repaid him in Bengal, and he said 2*s.* 2*d.*; if you follow the operation of this 2*s.* 2*d.* and carry it to India, with interest for the time till he is put into possession of the sicca rupee, I suppose it will be an operation of eight months; the passage requiring six, and the bill perhaps two months; if you give him the sicca rupee in a Company's bill, at half a crown; the bill is drawn at twelve months date, of course he gets back his 2*s.* 2*d.*, with the advantage that that remittance affords at the end of a twelvemonth; and he would make a profit, I conceive, of a penny, and 71-100th parts of a penny; it amounts to upwards of 6 ½ per cent.; To answer the further part of the question, grounded upon this data, that is to say, instead of

realizing

realising the 2*s.* 9*d.*, the sicca rupee here, which would be done probably by the goods there, would be a loss evidently of seven pence in each rupee, by the sum you received here, instead of investing the amount you would have in India in goods. *Charles Cartwright, Esq.*

If the Company were subjected to the necessity of relying on private bills for the remittance of their funds to England, would it not, in their large concerns, very much expose them to the exorbitant demands of individuals?—No doubt; I have not the least doubt the gentlemen in India would combine together; we know they are perfectly equal to do the best for themselves, and they certainly would make the remittance as advantageous to themselves as merchants can do; it is natural.

How far, in your judgment, would it be practicable and expedient to the Company to raise funds at home by selling bills of exchange on the different governments of India, for money received in England?—I have already stated, it is very detrimental, in the instance I have given, of 2*s.* 2*d.*; and if they were to rely totally on that mode of realisation, I suppose it would be much reduced, and that they would get less than the 2*s.* 2*d.*

Were the Company to relinquish the present mode of remitting home by the consignment of goods, and to adopt that, either of purchasing in India bills on London, or selling in London bills on India, is it your opinion that they could, at a future period, resume with convenience their present mode of proceeding, by the consignment of goods?—If it is supposed by that, that the Company are to abolish all their commercial establishments, and trust to those private means of remittance, certainly I think it would be highly detrimental, for the Company would be wholly in the hands of private remitters, their commercial establishments would be annihilated, and the restoration of them again, should it be necessary, would certainly be a work of great time and great expense, and a great disappointment to the Company; a disappointment amounting to ruin, I conceive.

Were they to discontinue their present mode of sales, could they, on another change, resume that mode, without great inconvenience and difficulty?—We know that when any material change takes place in any commercial establishment, it is very difficult to bring back former customers; and it would be exactly, I conceive, the same with the Company; if there was a demand for the goods, and the Company had the goods, and no other persons had the goods, of course the buyers would come for the goods; but if there was very great competition, if persons at Liverpool had goods to sell, persons at Glasgow had goods to sell, and the Company had goods to sell of the same description, the buyers being dispersed, they would certainly buy them much cheaper than they do face to face; when a person attempts to rival his neighbour, and he fancies if he does not give the price his neighbour will, and that has an effect upon the sales of the Company; if you deprive the trade of this advantage, you make it advantageous to no one, and the remittance would be much worse than it ever has been.

Describe what are chiefly the goods through which the Company derive the funds before mentioned, as being remitted home for the discharge of the pecuniary obligations incumbent upon them?—The Company receive by means of the tea trade, in the prime cost of the goods, and the profit upon the goods, 2,536,000*l.* a year; in like manner the Company, by their investment of piece goods, realising the prime cost and the profit, after deducting the customs, charges, and freight, receive 957,000*l.*; and by raw silk, in like manner, they would realise about 477,000*l.*

Upon what average are those taken?—Upon the actual amount of the last year's sales; they are rather larger than the sales of former years.

Have you enumerated all the articles?—There are other articles sold at the Company's sales, but they are very trifling.

What is the total of the produce in England of articles sold at the Company's sales?—About four millions.

Does the produce of the articles sold at the Company's sales amount to the sum of their pecuniary engagements, as stated by you?—They fall short nearly 300,000*l.*

How is the difference supplied?—That is a very difficult question to answer; I am afraid we must be obliged to the public for it; I do not know where we have any other resource.

Charles Cartwright, Esq.

The estimate you have made as to the amount of the pecuniary engagements of the Company is prospective; they have not amounted to that sum in time past?—No; but they probably will; if there should be a surplus revenue in India that surplus could be so invested as to furnish goods that would find a sale here; the remittance I presume would be increased, and this deficiency might be met.

Has not the transfer of the interest of the Indian debt made a difference?—No difference; it is taken both ways; we suppose India will furnish goods to the amount of a million and a half; that she draws bills upon the home funds for.

According to your former answer, a great part of the funds on which the Company are to rely for the due discharge of their political engagements, must arise from their profits upon the tea trade; on a supposition that those profits should be materially impaired, either by a legislative abolition, or by an unlawful invasion of the monopoly of the trade with China, what effect, in your opinion, would be produced upon the interests of the Company?—A deficiency to the amount of such interference, to what extent the profits should be diminished; of course the fund out of which the payments I have stated are to be made, will be lessened to that amount.

Do you know the proportion between the quantity of piece goods sold for home consumption and the quantity for exportation?—I do not accurately; but I conceive the quantity for home consumption is very small, indeed; as to calicoes, there are very few for home consumption, the duties being so high; muslins, there may be some, but not above one tenth part of the whole; the British manufacturers have driven them out of the market nearly.

Were the trade in piece goods for exportation transferred to the out ports of the United Kingdom, can you state what would be the consequences with respect to the interest of the Company?—Unless the trade should be increased, which it does not strike me as very probable it should, any quantity that goes to the outports must reduce the quantity the Company would sell; there can be no question of that, and the price of the article at both places, I conceive, would be reduced by the operation of the divided sale in the way I before mentioned.

Would the regularity of the sales of the Company be deranged by the transfer of sales of piece goods to the outports?—Certainly.

In what manner?—By the quantity not being required by the prices not being so good; and I think the temptation that causes foreigners to come to this country to attend the Company's sales will be removed, if there is not a very large assortment at one place, which probably may not be the case if the out port trade should be at all material in the articles, it is impossible for me to say to what extent it may go.

Would not the last effect described by you, take place in an aggravated degree in time of peace?—I think it is very likely it might.

Have you in your official capacity, drawn up any account or estimate of the profit or loss on the trade of the Company during the last nineteen years, distinguishing between the Indian and the China trade?—I have drawn up an account, which certainly was not done with a view to profit and loss solely; it was drawn up upon this broad principle, to see what the commercial transactions of the Company, after paying all the commercial charges, the Company's dividend and interest on the bonds, and every other payment that was deemed not to be a political payment, had afforded to the territorial expenses of the Company; the result of that statement, which I conceive to be very fairly made up for that purpose, was, that the sum of 6,289,000 *l.* had been positively afforded from the commercial transactions of the Company, to their political expenditure.

Do you understand the statement of profit and loss contained in the estimate which you hold in your hand to be a correct one?—Yes.

The Paper was delivered in, and read as follows: [Vide Paper marked A.]

State from that estimate, the amount of the profit and loss during the last nineteen years on the India and China trades of the Company respectively; and also the principles on which the computation proceeds?—The cost of the goods are converted into sterling at the rates of exchange mentioned in the head of the account; for instance the

(A.)—ESTIMATE of the PROFIT or LOSS upon all Goods sold by The East India Com... from the Year 1793/4 to the Year 1811/12 inclusive:—Distinguishing *India* and *China*, and specifying the Invoice Price, C... Freight and Charges, respectively; also the Sale Amount; and calculating the Invoi... Exchanges of 2*s.* the Current Rupee, 8*s.* the Pagoda, 2*s.* 3*d.* the Bombay Rupee, 5*s.* the Spanish Dollar, and 6*s.* 8*d.* the Tale.

	INDIA.								CHINA.					GRAND TOTAL.						
	Prime Cost of Investment, or Goods.	Customs.	Freight.	Charges of Merchandize, calculated at 5 per Cent. on Sale Amount.	Total Cost and Charges.	Amount Sale of Goods.	Profit on the Trade.	Profit on Outward Trade.	Prime Cost of Investment, or Goods.	Custo...	Charges of Merchandize, calculated at 5 per Cent. on Sale Amount.	Total Cost and Charges.	Amount Sale of Goods.	Profit on the Trade.	Profit on Outward Trade. (Red Ink Loss)	Prime Cost of Investment, or Goods.	Customs.	Freight.	Charges of Merchandize, calculated at 5 per Cent. on Sale Amount.	Total Cost and Charges.	Amount Sale of Goods.	Profit on the Trade.
	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.
1793-4	1,220,106	584,792	289,563	117,257	2,211,718	2,345,151	133,433	54,305	1,336,739	41,2..28	125,729	1,921,780	2,514,594	592,814	62,553	2,556,845	626,076	707,591	242,986	4,133,498	4,859,745	726,247
1794-5	1,288,059	571,074	290,673	130,571	2,280,377	2,611,522	331,145	27,734	1,595,493	27,3..46	143,072	2,138,233	2,861,422	723,189	70,645	2,883,552	598,396	663,019	273,643	4,418,610	5,472,944	1,054,334
1795-6	1,821,512	744,569	581,214	177,164	3,324,459	3,543,236	218,777	54,756	1,408,087	25,8..37	148,636	2,055,012	2,972,664	917,652	[illegible]	3,229,599	770,371	1,053,701	325,800	5,379,471	6,515,900	1,136,429
1796-7	1,708,379	856,204	556,669	169,777	3,291,029	3,395,564	104,535	51,514	1,285,765	20,3..4	133,417	1,960,597	2,668,346	707,749	[illegible]	2,994,144	876,545	1,077,743	303,194	5,251,626	6,063,910	812,284
1797-8	1,025,204	384,442	422,644	104,873	1,937,163	2,097,468	160,305	100,531	1,292,803	18,5..3	128,895	2,041,700	2,577,890	536,190	9,911	2,318,007	403,031	1,024,057	233,768	3,978,863	4,675,358	696,495
1798-9	2,019,265	1,154,876	777,903	233,169	4,185,213	4,663,390	478,177	121,073	1,601,606	43,7..4	182,614	2,591,351	3,652,283	1,060,932	8,456	3,620,871	1,198,603	1,541,307	415,783	6,776,564	8,315,673	1,539,109
1799-1800	1,665,689	429,312	651,173	178,234	2,924,408	3,564,694	640,286	47,725	1,830,569	7,4..7	139,749	2,814,264	3,794,982	980,718	8,138	3,496,258	436,751	1,437,680	367,983	5,738,672	7,359,676	1,621,004
1800-1	2,013,975	201,817	837,423	198,940	3,252,155	3,978,800	726,645	46,410	1,783,254	7,3..4	180,819	2,668,881	3,616,381	947,500	5,807	3,797,229	209,151	1,534,897	379,759	5,921,036	7,595,181	1,674,145
1801-2	1,425,168	140,402	451,920	154,344	2,171,834	3,086,943	915,109	39,341	1,669,103	9,9..0	176,970	2,579,546	3,539,404	959,858	20,085	3,094,271	150,365	1,175,430	331,314	4,751,380	6,626,347	1,874,967
1802-3	1,133,526	71,337	499,900	114,463	1,819,226	2,316,384	497,158	23,464	1,741,007	6,8..0	187,663	2,655,152	3,753,252	1,098,100	80,128	2,874,533	78,159	1,219,560	302,126	4,474,378	6,069,636	1,595,258
1803-4	1,187,707	71,460	549,376	111,820	1,920,363	2,236,396	316,033	41,419	1,771,947	5,9..2	181,483	2,691,527	3,629,677	938,150	25,967	2,959,654	77,445	1,281,488	293,303	4,611,890	5,866,073	1,254,183
1804-5	1,088,400	68,268	371,355	97,651	1,625,674	1,953,026	327,352	16,014	1,559,286	7,9..0	165,375	2,351,343	3,307,495	956,152	4,755	2,647,686	76,230	990,075	263,026	3,977,017	5,260,521	1,283,504
1805-6	1,335,860	70,966	532,023	112,622	2,051,471	2,254,899	203,428	55,888	1,706,225	7,6..8	187,035	2,545,447	3,740,699	1,195,252	[illegible]	3,042,085	78,595	1,176,581	299,657	4,596,918	5,995,598	1,398,680
1806-7	986,310	47,471	443,258	73,604	1,550,643	1,472,074	*78,569	35,264	1,677,652	7,4..7	185,452	2,530,085	3,709,046	1,178,961	4,697	2,663,962	54,955	1,102,755	259,056	4,080,728	5,181,120	1,100,392
1807-8	887,119	36,048	542,117	65,510	1,530,794	1,310,215	*220,579	71,943	1,688,470	1,3..7	192,338	2,603,634	3,846,756	1,243,122	40,472	2,575,589	37,437	1,263,554	257,848	4,134,428	5,156,971	1,022,543
1808-9	1,013,740	57,189	418,070	87,887	1,576,886	1,757,754	180,868	39,364	1,722,000	7,9..2	199,414	2,675,987	3,988,267	1,312,280	69,895	2,735,740	65,140	1,164,692	287,301	4,252,873	5,746,021	1,493,148
1809-10	1,240,315	63,727	508,977	112,708	1,925,727	2,254,164	328,437	78,274	1,487,060	18,5..8	186,154	2,378,883	3,723,116	1,344,233	99,193	2,727,375	82,228	1,196,145	298,862	4,304,610	5,977,280	1,672,670
1810-11	963,429	56,833	411,230	97,383	1,528,875	1,947,653	418,778	86,775	1,564,915	3,4..1	200,760	2,619,921	4,015,207	1,395,286	131,110	2,528,344	52,918	1,262,391	298,143	4,148,796	5,962,860	1,814,064
1811-12	1,110,909	64,916	359,513	106,063	1,641,401	2,121,261	479,860	† 65,268	1,569,497	8,1..9	185,014	2,556,063	3,700,285	1,144,222	52,405	2,680,406	73,019	1,152,962	291,077	4,197,464	5,821,546	1,624,082
£.	25,134,672	5,675,703	9,495,001	2,444,040	42,749,416	48,910,594	6,161,178	1,057,062	30,291,478	276,..7	3,280,589	46,379,406	65,611,766	19,232,360	449,919	55,426,150	5,952,415	22,..25,628	5,724,629	89,128,822	114,582,360	25,393,538
AVERAGE £.	1,322,877																					

INDIAN TRADE.

	£.	£.
Profit on Sales - brought down		6,...
D° - Outward Trade - d°		1,...
Profit on Stores consigned to India, and issued from the several Departments at the Invoice Cost, which is £. 10. per cent. above the Prime Cost		4...
	£.	7,7...
Deduct Payments made in India and in England on account of the Indian Trade; viz.		
Commercial Charges in India, not added to the Invoices ‡	£. 3,251,592	
Loss upon the Law Tonnage	439,063	
Losses at Sea	1,409,195	
Half the Profit on Spices, allowed Government in the Settlement of Accounts	423,395	
		5,5...
Profit, after deducting Payments in India and in England, which are presumed to attach exc... to the Indian Trade		32,267

CHINA TRADE.

	£.	£.	£.
Profit on Sales - brought down		19,232,360	
D° on Outward Trade - d°		449,919	
D° on Consignments of Merchandize from India		403,020	
	£.	20,085,299	
Deduct Payments made on account of the China Trade; viz.			
Difference between the Rate of Exchange at which Bills have been drawn on the Company, and the Rate used in the calculation of Profit	1,009,308		
Losses at Sea	548,881		
		1,558,189	
Profit, after deducting Payments made, which are presumed to attach exclusively to the China Trade			18,527,110

TOTAL PROFIT - £. 20,719,377

	£.	£.
Total NET PROFIT, India and China - brought down		20,719,377
Add: - PROFITS, of which no separation can be made; viz.		
Charges and Profit on Private Trade	2,769,315	
Interest on the Annuities	701,682	
		3,470,997
		24,190,374
Deduct: - Commercial Payments in England, of which no separation can be made, whether applicable ...China Account:		
Surplus Commercial Charges General beyond the rate per cent. deducted in t... the Profit on the Sales	1,544,399	
Freight Outward, and Remuneration to Commanders of worn-out Ships - -	800,373	
Advances of Freight to Owners of lost Ships, many of the Ships having been employe... outh to India and to China at the period of loss or capture	659,910	
Dividends on Stock, and Interest on Bonds -	14,896,287	
		17,900,969
Ultimate SURPLUS PROFIT, 1793/4 to 1811/12		£. 6,289,405

* Loss on the Trade.

† Bengal Books not received.——The Sums in Red Ink are the Amounts of Loss on Outward Trade.

‡ The whole of the Commercial Charges in India, not added to the Invoices, are included in this Account ... Salt, Opium, and other branches of a Territorial nature.

... is claimed as to such part of those Charges as may be supposed to attach to the several Branches of Trade in the Management of the

Charles Cartwright, Esq.

the current rupee is valued at 2*s*, the pagoda is valued at 8*s*. the Bombay rupee at 2*s*. 3*d*. and the China tale at 6*s*. 8*d*. the cost so found is stated; the customs that the goods pay, are stated; the freight that the goods are liable to is stated also; the charges of merchandize in England are taken at five per cent. upon the sale value; the amount of the sales of course is taken, and the difference between the total of those charges and the sale value, is either the profit or loss; the actual cost of the goods sent out is taken without any charge at all upon it; it is usual for the Company, when an invoice is made out, to add to the cost of the goods ten per cent., and, when the total of the invoice is found, an additional half per cent in a round sum is added to that total; this ten per cent. I conceive (it has been a very ancient custom, long before I was in the service, more than a hundred years, I dare say) is to cover interest of money, and also insurance; the Company do not insure; but it is right their agents abroad should have some idea what the cost would be, if the interest and insurance were added to the goods; the half per cent. is for petty expenses here, such as cartage, hoyage, and many others; and in drawing out the profit upon the exports in this account, we left out this ten per cent for this substantial reason; that as the Company have debited themselves in this account for the actual losses they have sustained, and debited themselves for all the interest of the money they have used in the business at home, and for the dividend to the proprietors, of course there is the full sum charged in the account for interest upon the capital; the profit upon the outward trade arises after the sale of the goods, or after the goods are taken out of the Company's warehouse abroad, provided they are not sold; such as stores, which are served out to the different boards, the military boards, and others; of course, we take the credit for ten per cent upon that, assuming that we should have got the ten per cent. if they had been sold; and therefore it is not really and positively a gain, but it is an assumed gain upon those stores; and if the stores had been sold at the public sale, no doubt they would have been sold for more profit than we take credit for in that ten per cent.; there are many items in this account that cannot be so separated as to be charged to the India trade, or the Chinese trade distinctly; such as we could separate, have been separated; and the sum stated to be a profit upon the Indian trade, after such deduction, amounts to 2,192,267*l*.; and upon the China trade, to 18,527.110*l*.

There is an item in this account for losses at sea, do you conceive that such an item should enter into the account, to the full extent at which it does enter there?—I think it very proper to come into this statement; it necessarily should come into this statement, to show the sums afforded from the commercial to the political expenditure; but if a commercial statement of profit and loss was to be made up, if it was to govern for future years, I think we could hardly look to such terrible loss as the Company have sustained within the last three or four years: my reason for assuming that, is, that from the year 1790, I think to 1800, the actual loss was only one per cent.; and if the total loss sustained in this unfortunate period, taking the average from 1793, and taking also the India trade with the China trade, the loss per cent. is, I think, then only 2*l*. 8*s*.; and therefore my opinion is, that if the India trade was looked at for the purpose of establishing a correct idea, whether it was a gaining or a losing trade, I should state, that if the commercial capital employed is stated singly, and interest charged on it at the rate of 5 per cent.; if 5 per cent is added to the capital, and if it should be thought right to charge the interest upon two years capital to afford time for manufacturing the goods, and for the voyage, still I think the profit stated in this account of 2,192,000*l*. would not be materially reduced.

Is there any material difference between the amount of the losses at sea incurred in the India and in the China trades respectively?—There is a very great difference indeed; the loss upon the Indian trade amounts to nearly 6 per cent., whereas upon the China trade, it amounts to short of 2 per cent.; I conceive principally it arose from this circumstance, altogether a political one; that is, that the India ships are more frequently detained for military purposes, for expeditions, transport business, and matters of that sort, which divert the ships from the regular course of the voyage, which has occasioned them to be dispatched at improper seasons, and I conceive has been the prime cause of this very heavy loss, when compared with the China trade.

Charles Cartwright, Esq.

Do you mean to imply, that in a purely commercial view, the amount of the extra losses by sea in the India trade ought to be deducted from the charges upon that trade?—I conceive, that unquestionably they ought.

Have you computed what difference that would make in the total amount?—The difference amounts to 954,677*l.*

The further Examination of this Witness, was postponed.

[The Witness withdrew.

Adjourned to To-morrow, Twelve o'clock.

26.

Jovis, 13° die Maij, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Mr. *Robert Brown* - - - - p. 471.
Mr. *Edmund Larken* - - - p. 480.
Charles Cartwright, Esq. - - p. 483.

(No. 15.)

Of Evidence before Select Committee.

Ordered, by The House of Commons, *to be printed,*
14 *May* 1813.

27.

MINUTES of EVIDENCE

TAKEN BEFORE THE SELECT COMMITTEE,

Appointed for the purpose of taking the Examination of such Witnesses, as shall be ordered by The House to attend the Committee of the Whole House, on the Affairs of The *East India* Company; and to report the MINUTES of such Examination, from time to time.

(No. 16.)

Veneris, 14° die Maij, 1813.

The Right Hon. JOHN SULLIVAN, in The Chair.

CHARLES CARTWRIGHT, Esquire,

was again called in, and further Examined as follows:

Charles Cartwright, Esq.

Mr. Grant.] YOU yesterday gave in an Account of the profit and loss for the last nineteen years on the Indian and China trades respectively, with regard to which you stated, That, not having been drawn up exclusively with a view to ascertain the profit and loss upon those trades, it contained some charges on the Indian Trade which were not of a commercial nature, and that it did not distinctly charge interest upon the capital employed: Can you state how that Account will stand with respect to the Indian Trade, adding the interest upon the capital, and deducting the amount of the charges not commercial?—It is so stated in this paper.

[The Paper was delivered in, and read as follows:]

(A.)——REMARKS on PROFIT and Loss on INDIAN TRADE.

Total Profit on Indian Trade, as per account of Profit and Loss		£. 2,192,267
Deduct, £ 5 per cent Interest, on £. 25,134,672, the prime cost of the Indian Investment	£. 1,256,733	
£. 5 per cent. on £ 1,322,877, the average annual amount of home Investment, supposing that two years are invested before a return be made	66,143	
		1,322,876
		869,391
Add, Loss upon the Law Tonnage, which it is presumed is not a transaction of a commercial nature, but which has been deducted from the profit of the Indian trade	439,063	
The difference in the rate of Insurance between the losses at sea on the Indian trade, and the losses at sea on the China trade, the China trade being £. 1. 16s. 2d. per cent. on the prime cost of Investment, and the Indian trade being £. 5. 12s. 1d. per cent. on the cost of Investment, the increased losses on the Indian trade, arising greatly by reason of political detentions causing unseasonable periods of dispatch, to which the China trade has not been to so great a degree subjected	954,677	
		1,393,740
Total Profit in this view of the account, being an addition to the Profit, stated in the account laid before Parliament of £. 70,864		2,263,131

Charles Cartwright, Esq.

Are you aware of representations having been made, according to which the Company, instead of being gainers on the Indian trade to the amount of nearly Two millions Three hundred thousand Pounds, have been losers upon it to the extent of more than Four millions?—I am.

Do you understand in what manner that statement of loss is made up?—It is impossible for me to understand it. The statement I have put in, to the best of my judgment, is as correct as the nature of things will allow.

Can you form any opinion upon what grounds that computation has proceeded which results in making the Company losers to the extent stated in the last question?—I certainly have heard it said the calculation has been drawn in this way: there is a sum stated in this Account for payment of dividends on stock and interest on bonds 14,896,287*l.* It has been stated to me that the way in which that calculation was produced was, that as the total cost of the India Trade and the China Trade added together, incurred this expense for dividends on stock and interest on bonds, the India Trade should bear its due proportion, and in that way there would be the sum of upwards of Six millions apparent loss, from which the apparent profits stated in this Account would be deducted, leaving a balance of about Four millions. It is necessary I should point out that the dividend on India stock cannot be considered a commercial interest, it is about Eight per centum upon the capital raised, and a commercial interest cannot be reckoned at more than Five, and therefore I have made out the Account in that way.

Have not the Company professed that their dividend did not arise from the India, but from the China trade?—I never heard any such profession made, not from the China trade exclusively; if I am asked, will the profit on the China trade afford a profit equal to the dividend, I should answer with great safety I think, yes, for upon it the Dividend principally depends.

You stated yesterday, that the produce of the articles sold at the sales of the Company fell short of their pecuniary engagements by a sum amounting nearly to 300,000*l.*; explain the cause of this apparent difference?—The cause I conceive to arise from the very large drafts that will be made upon the Company to pay interest upon the Indian debt, being as stated a Million and a half a year; this sum is in a great degree new; the annual amount perhaps previous to this period has not exceeded 500,000*l.* for interest, and it is not to be expected that the commercial profits of the Company, or any thing arising out of the trade, can find a sum to pay an annual sum of a Million; in answering the question I did not advert to a circumstance that I ought; in showing the amount that was to be realized from the sales of the articles stated, and comparing that with the amount that the Company would be called upon to pay, I did not advert at all to the extra quantity of goods that ought to be invested in India, in consequence of those payments being transferred from India to England, and in consequence of that circumstance there appeared to be that deficiency; but I conceive if we could find vend for the goods that would be additionally purchased by those funds so taken there would be no deficiency, but that is still matter of doubt; if the private traders under new regulations should interfere very much with the Company's regular trade, there must be a deficiency, I conceive, or the Company must revert to this circumstance, which will certainly be highly detrimental to the nation; they must be obliged to reduce their exports of the raw materials of the country, and the woollens of the country, in some degree; they cannot afford to benefit the country to the extent they have if they cannot find a return for the goods they send out.

Are the Committee to understand that the ordinary means at home are equal to the ordinary demands of the home concern?—I conceive they have been; whether they may be under any new system, it is impossible for me to answer.

You are doubtless aware that the Company are by law obliged to put up all imports from India and China at public auction?—Yes, they are.

You are aware also that, by the Commutation Act the Company are obliged to put up their Teas at a sum equal to the prime cost, together with the freight, charges of importation, common interest from the time of arrival in Great Britain, and common premium of insurance; and are likewise obliged to sell without reserve to the highest bidder, provided an advance is offered on that sum of one penny per pound?—They are.

Do they in point of fact uniformly require an advance to that extent before they sell, or are they in any case content with a smaller advance than a penny?—I do not exactly know when the regulation took place; but on the low Teas, which are chiefly for the consumption of the poor, if a farthing instead of a penny is advanced, the Company is obliged to let them go: upon the high-priced Teas, that is above 3*s.* 4*d.* it is a halfpenny instead of a penny. *Charles Cartwright, Esq.*

Do you mean to say that they are obliged by their own regulations?—Yes, by their own regulations.

(Examined by the Committee.)

ARE you acquainted with the accounts annexed to the third and fourth Reports of the Select Committee?—Such accounts as I have put my name to.

Are you acquainted with the account in the Appendix, No. 51?—This account is not signed by me; I cannot answer for any accounts not signed by myself, the auditor no doubt can; I do not vouch for the accuracy of the figures, that account is compiled from papers that may have been furnished by me.

In that account, the territorial charges paid by the Company at home are stated at 9,655,000*l.*, and the amount repaid by His Majesty to the Company in England for advances made by them in India at 9,544,325*l.*; is not this latter sum to be considered as a remittance from India, with which the territorial charges at home are discharged?—I conceive it is. I can perhaps save some of the time of the Committee by reading an account I have in my hand; it is an account of the balance of supplies between India and England, from the year 1792-3 to the year 1809-10, in England, corresponding with the year 1793-4 to 1810-11, in India; the result of this account is, that taking the exports sent to India, the bills of exchange drawn from India, and paid in England by the Company, taking also the profit or loss upon the exports, the balance of it, it appears that the total supplies in those eighteen years amount to 43,265,976*l.*; the supplies from England to India, including the payments made by England on account of India, for bills of exchange which ought to come into the account, taking the imports from India to the same period, taking the commercial charges paid in India, not added to the invoices, gives a total import of 29,911,465*l.* giving, upon the balance of the export and the import, a sum of 13,354,511*l.* in favour of England, which England has supplied to India in this period; but to carry this amount on, which I cannot in detail, to go beyond what I have stated, this balance of 13 millions is brought down, and we add to it political expenses paid in England that have not been before enumerated; there is the sum the Company have paid in eighteen years for the passage of military, 1,118,383*l.*; there are the political charges paid in England on account of India, 3,492,651*l.*; there are payments made under the head of freight and demurrage that are clearly political payments, and they amount to 594,090*l.* There are paid to military officers on furlough, and who have retired from service, which are clearly political charges, 1,412,146*l.*; there are for sundry articles purchased for the use of the military on their passage to India, which are political charges, 171,466*l.*; there is a sum stated in this account, which perhaps the Committee may doubt the propriety of bringing in, it is the amount paid to Government for participation and for troops serving in India, 600,000*l.*; the sum paid for seamen, and for the hire of ships taken up as armed ships for Government, 75,290*l.*; The Rajah's and Nabob's bonds, with interest on sums provisionally adjudicated to the creditors of the Nabob of Arcot, 357,879*l.*; these several sums, added to the former sum of 13 millions, amount to 21,176,416*l.*; from these are to be deducted the amount of bills of exchange drawn from India in favour of the Company, and payments made in India on account of England, 1793-4 to 1810-11, 2,060,874*l.*; the monies that have been received from Government for supplies in India to the 1st March 1811, amount to the sum of 3,253,990*l.*; from which are to be deducted the disbursements made in Europe, and not already charged to India in the account of territorial charges or political freight and demurrage, 874,081*l.* leaving a total of 4,379,909*l.*; to which is to be added the sum of a million and a half advanced by Government in 1811, which has been repaid by disbursements in India; that million and a half added makes 5,879,909*l.*; there is the sale of ships built in India, 169,986*l.*; the cost of imports from India received in China, amount to 4,035,499*l.*; the cost of imports from India received at the Cape of Good Hope 89,081*l.*; and the amount of bills of exchange drawn upon the Company,

Charles Cartwright, Esq.

Company, but which were invested and returned to India to this period 917,000 *l.*, these items make together 13,152,349 *l.* which deducted from the 21,176,416 *l.* leaves a balance against India in this period of 8,024,067 *l.*

[The Witness delivered in the Paper, which was read as follows]:——(B.)

In the third Report of the Select Committee page 373, a similar account is exhibited of supplies by India to England, and of supplies from England to India, exhibiting, a balance against India of 1,629,701 *l.*; be pleased to look at that account, and say, whether you think it an accurate statement, seeing that it differs so widely from the general result given in your own paper now delivered in?—I do not see to what period this goes, nor the principle upon which the rates of the various exchanges are included here; this account is made up to tally with that profit and loss account, and so should this properly; but it may not be so.

The account is stated in the Report to include the period between 1792-3 and the year 1808-9 inclusive?—The Committee of the House of Commons have made up a report, which I cannot answer for the correctness of; it may be correctly done, but I cannot answer for it; the statement the Committee have been pleased to make is not from one account merely, but there is reference to Appendix 4, Appendix 12, Appendix 15, 16. It is impossible I can carry in my head the references to those various Appendixes to answer to them. If the Committee wish the account to be made out for the period mentioned, we can make out such an account unquestionably; and if there is any error in the statement first assumed it ought to be corrected; but I am perfectly satisfied there is none, except that the rate of exchange may have varied, or the account may have been made out upon some other principle.

The Appendixes referred to in this account are all of them annexed to the volume now in your hand; be good enough to refer to those appendixes, and to see whether you can from an inspection of those statements reconcile the great difference between this account and the statement now delivered in by you?—I have looked through the whole of the Appendix to this Report, and I do not see any one account in it similar, or upon the principle of that I have delivered in. The Committee wish to compare the account I have delivered in with one which has been made up before, showing a different result; I have looked throughout these accounts, and I find no one made up upon the same principle; if the Committee's account is read, and the account I have delivered in is read also, they will explain themselves completely, for half the articles I have mentioned in my account are not here.

By so many items being omitted, which you conceive ought to enter into such an account as this is, of debtor and creditor between India and England, do you conceive the Statement now before you to exhibit an accurate result, or otherwise?—As far as it goes, I have no doubt it does; I dare say there is no deception in it, but it does not embrace the whole subject; I speak with great deference, because I have not studied this; if it should be the Committee's pleasure, I will state my motive for drawing out that account which I have. It has been very strongly impressed upon my mind that many Gentlemen, especially those who have been in the Company's service in India, have a notion that we have not charged upon the cost of the goods that sort of interest that the capital used had paid, because money had been borrowed, as I understand they said, at a very high rate of interest upon very disadvantageous terms, and that the money so borrowed had been directly applied to commercial purposes. I believe it to be perfectly correct that it has been so; but though it has been so, I do not think it is correct that the trade should bear that large interest. This account was made out to show that the commercial transactions with India had been amply supplied with commercial funds, for the purchase of their Investment home. If the Company's Agents abroad, very likely for very wise reasons, had occasion to use the commercial funds of the Company for political expenditure, surely the commercial funds ought to be repaid, without being loaded with an extra interest for it; and that was the sole view I had in making out the account.

Be pleased to state what the territorial charges paid in England consist of, those charges for which a remittance was made as above stated from India, through the medium of His Majesty's Government?—I am at a loss to know what those charges may be; I do not know of any charges being remitted specifically by Government, or on account of Government.

The

(B.)—AN ACCOUNT of the Balance of SUPPLIES between *India* and *England*, from the year 1792-3 to the year 1809-10 England, corresponding with the year 1793-4 to 1810-11 India.

Seasons Outward. September to September.	EXPORTS; Goods, Stores & Bullion Invoice Amount.	Seasons Homeward; September to September.	Bills of Exchange.	Profit on Exports.	Loss on Exports.	Total Amount of Supplies.	Imports Invoice Amount.	Commercial Charges in India, not added to the Invoices.	Total Imports.	Imports more.	Imports less.
	£.		£.	£.	£.	£.	£.	£.	£.	£.	£.
1792—3	283,323	1793—4	866,993	11,042	-	1,161,358	1,580,561	145,004	1,725,565	564,207	—
1793—4	477,342	1794—5	1,002,078	31,928	-	1,511,348	1,945,302	192,991	2,138,293	626,945	—
1794—5	406,599	1795—6	931,461	29,650	-	1,367,710	1,817,950	199,437	2,017,387	649,677	—
1795—6	652,065	1796—7	737,379	71,372	-	1,460,816	1,736,057	152,901	1,888,958	428,142	—
1796—7	631,118	1797—8	345,040	76,277	-	1,052,435	2,307,022	159,543	2,466,565	1,414,130	—
1797—8	850,560	1798—9	825,018	20,429	-	1,696,007	1,409,155	155,567	1,564,722	-	131,285
1798—9	1,326,769	1799—1800	1,033,614	14,560	-	2,374,943	1,471,955	202,753	1,674,708	-	700,235
1799—1800	848,777	1800—1	585,409	4,662	-	1,438,848	1,277,916	165,082	1,442,998	4,150	—
1800—1	1,361,171	1801—2	711,592	-	4,076	2,068,687	1,056,140	157,013	1,213,153	-	855,534
1801—2	1,527,807	1802—3	539,783	-	503	2,067,087	1,834,582	164,936	1,999,518	-	67,569
1802—3	2,121,382	1803—4	612,582	-	20,363	2,713,601	1,371,983	173,278	1,545,261	-	1,168,340
1803—4	1,475,401	1804—5	569,106	15,554	-	2,060,061	1,964,385	219,060	2,183,445	123,384	—
1804—5	2,463,526	1805—6	629,502	-	2,771	3,090,257	778,349	171,051	949,400	-	2,140,857
1805—6	1,252,743	1806—7	1,093,752	28,822	-	2,375,317	977,107	186,186	1,163,293	-	1,212,024
1806—7	1,196,130	1807—8	1,706,439	-	11,161	2,891,408	1,420,000	173,207	1,593,207	-	1,298,201
1807—8	1,168,017	1808—9	3,241,411	44,885	-	4,454,313	1,183,804	165,839	1,349,643	-	3,104,670
1808—9	943,681	1809—10	4,216,808	41,236	-	5,201,725	1,116,698	157,673	1,274,371	-	3,927,354
1809—10	908,128	1810—11	3,334,124	37,803	-	4,280,055	1,543,338	177,640	1,720,978	-	2,559,077
TOTAL £.	19,894,539	£.	22,982,091	* 428,220	38,874	43,265,976	26,792,304	3,119,161	29,911,465	3,810,635	17,165,146
										Deduct	3,810,635
											13,354,511

	£.		£.
Balance against India brought down	13,354,511	Brought up	21,176,416
ADD, Passage of Military paid in above 18 years	1,118,383	DEDUCT, Bills of Exchange drawn from India in favour of the Company, and Payments made in India on account of England 1793-4 to 1810-11	2,060,874
Political Charges in England ditto	3,492,651	Monies received of Government for Supplies, &c. to the 1st March 1811	5,253,990
Political Charges, included in Accounts of Freight and Demurrage ditto	594,090	Deduct for Disbursements made in Europe, and not already charged India in the Account of Territorial Charges, or Political Freight and Demurrage	874,081
Officers on Furlough and Retirement, ditto	1,412,146		4,379,909
Sundries for the use of the Military on voyage, ditto	171,466	Add, advanced by Government in 1811, to be repaid by Disbursements in India on account of Government	1,500,000
Amount paid to Government for Participation and for Troops	600,000		5,879,909
Ditto for Seamen, and for Hire of Ships taken up as Armed Ships	75,290	Sale of Ships built in India	169,086
Rajah's and Nabob's Bonds, with Interest on Sums provisionally adjudicated the Creditors Nabob of Arcot	357,879	Cost of Imports from India, received at China	4,035,499
	7,821,905	Cost of Imports from India, received at the Cape of Good Hope	89,081
Carried up	21,176,416	Bills of Exchange re-invested and sent back to India	917,000
			13,152,349
		Balance against India	8,024,067

Imports are calculated at 2*s.* 0 *d.* per Current Rupee.
- - - - - - - - 8*s.* 0*d.* per Pagoda.
- - - - - - - - 2*s.* 3*d.* per Bombay Rupee.

Bills calculated at the rates at which they were drawn.

* Profit on Stores included

East India House, 19 March 1813.

(Errors excepted.)

Chas Cartwright, Acct General.

Charles Cartwright, Esq.

The question alludes to those charges contained in Appendix, number 51 of the Fourth Report, which you are understood to have stated just now had been so paid by a remittance from India?—This account, number 51, is an account, I presume, made up under the eye of the Committee who formed this fourth report, from various documents; they may have made it very correctly, or very incorrectly. I know it is no very easy thing to state Indian Accounts, and to do it face to face at the table; it is no easy matter, without the operation of the account is followed up from beginning to end, and every part of it is so formed as to agree upon principle; it is impossible it can be spoken to rightly by a person under examination.

Can you favour the Committee with a list of the political or territorial charges paid at home?—The total amount was included in the account delivered in; the political charges included are enumerated in one of the Reports; there is an account here, charges general exemplified, which divides a large sum, annually paid under that head, into various heads; and among the rest there are the political payments made in England, which consist of a variety of articles, it is impossible almost to divide them accurately; for instance, the gratuities paid to the gentlemen composing the Court of Directors, should that be called a commercial or a political charge, and what part a political charge, we have taken it at half; there are different branches of the establishment at home that it is difficult to divide; we can hardly say what part of the expense it occasions is political, and what part commercial; even my own salary, if I was to divide it, and say what part should go to commerce, and what part to the political, I should be at a loss to do it, and there are a thousand things of this kind. Dispatches over land is a political charge, and a hundred other articles.

This is done in a certain way?—I believe it is in one of the reports.

Refer to Appendix No. 46 to the Third Report?—I was asked by the Committee on the 20th June 1811, "Whether in your Account of the 7th June 1811, intituled, An Account showing the amount of all sums paid by the East-India Company from their treasury in England, supposed to be chargeable to the territories in India, from the year 1793-4 to the year 1809-10 inclusive, there is the head of political Charges included in Charges General;" the next question was, "What is the nature of those charges?"—The sums paid to the Commissioners for managing the affairs of India form a part of it; the East-India Volunteer Regiments form a part; the Annuities and Pensions for Political Services; the Company's Stud; Cadets and Military Seminary; East-India College; the Depôt at the Isle of Wight, and Recruiting; payment to the King's Military Officers and Soldiers; payment on account of India; payment on account of Packets Overland; the Persian Embassy and Subsidy; a portion of the expenses of the home Establishment for Salaries, which have been divided according to the best judgment of the Committee who undertook that business;—those are the principal heads; there are a hundred others.

Can you state the principle upon which the charge for the East-India volunteers is debited to the territories in India?—It certainly is not a commercial charge; I conceive it is upon this principle that the revenues of India, if they are to be rendered of any advantage to the Mother Country, must be so done in its commerce, as the warehouses of the Company hold the commerce of India, and as those regiments were formed at a period of very great disturbance: when every man's house in London was in danger of being attacked, it naturally occurred to the Court of Directors to form a defence for that property which represented the revenue of India therefore I conceive it is a political charge.

Another charge now mentioned by you is for the East-India College; does this include the whole expense of the College, or merely a part of it?—I cannot take upon myself to say whether it includes the whole, or not, I should conceive it does; some part of the expense of the College is reimbursed to the Company by the sums paid by the Pupils; the sums that are issued from the Company's Treasury must come to account, and as far as such issue has been made I conceive it must contain the whole.

Do you conceive that the whole expense of the East-India College ought properly to be charged to the political head?—That is asking me for an opinion that I am unable to give; it would be arrogance in me to attempt to answer it.

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There is another head, intituled, Demurrage; can you explain why that is charged also in toto to the political head?—Demurrage is not charged in toto to the political head, it is only such demurrage as has been occasioned by political detention, and therefore should very properly be charged to the political head.

Be pleased to explain to the Committee what you particularly refer to by political detention?—It is necessary to state, that if a ship is detained in India upon any military operation, the wages of that service are issued to the Ship's Owner in the shape of demurrage, not as specific freight, but for loss of time, and therefore it is only so taken when a ship has been so detained.

In the Account No. 46, signed by you, in which this article of demurrage is included, is there nothing contained under that head of demurrage, but for military detentions?—No, I conceive not; the Committee should be aware of this, that when I answer questions of this sort, it is not possible for me, or any one man, to embrace the minutiæ of every statement in the shape of an account that necessarily comes before me as Accountant-General; there are other departments that form such accounts; this very statement of freight and demurrage is not formed by me, it is formed by the particular officer in whose department it is, and comes to me in consequence of a written letter sent by me, requiring such information; if there is any error in it, it is the error of that officer, and not mine; but I have no reason to suppose there can be the least error; he can have no motive for making it erroneous; the Company's officers have no inducement to commit errors, nor can the Company have any inducement to commit such errors.

Have not the East-India Company received, by a similar remittance to that referred to in a former question and answer, over and above the sum therein stated, a further sum from Government on a Report from Mr. Wittwer, dated the 8th March 1813, amounting altogether to 5,790,663*l.*?—It is impossible for me, without the account before me, to answer that; the Company have not, I conceive, received since the close of that account which is upon the Table of the Committee, a sum equal to 5,000,000*l.*

[The Account was put into Mr. Cartwright's hand.]

The account referred to is now delivered to you as having been laid before Parliament under the date already mentioned, with Mr. Wittwer's Report annexed to it?—No, they have not; they have received 2,000,000*l.*; the balance of this account due to the Company appears to be 2,294,426*l.* 9*d.* which the Company have received, I believe, within this year 2,909,000*l.*

Be pleased to look at the body of that account, and see whether they have not received other sums besides the balance of 2,294,426*l.* amounting altogether to the sum first mentioned of 5,790,663*l.*?—Yes, they have, several years back, but in the sum received is the repayment of the million and a half, stated in the account on the table.

Are not those payments independent of the 9,000,000*l.* before referred to, and stated in Appendix 51 of the 4th Report?—Appendix 51 to the Fourth Report I have stated I cannot speak to, it is not a paper of my forming, it is a paper formed by the Committee of the House of Commons, I presume.

Do you conceive that those two sums may have been sufficient to pay up to 1812 inclusive the political charges disbursed as above stated from the home Treasury?—The thing is so unconnected that I cannot answer it, it is impossible. I do not know what sum the question alludes to; if it is the nine millions stated in the Account made up by the Committee of the House of Commons, I know nothing about that, and therefore I cannot speak at all as to what is equal, or what has reimbursed it, or any thing of the kind.

The former question certainly alludes to that nine millions, and to any addition of political charges paid at home, subsequent to the year 1812; on referring to the Account, Appendix No. 51, it appears to be made up from subsidiary accounts, the principal of which are actually signed by you, *viz.* Appendix, No. 46, of the Third Report, amounting to 6,482,125*l.* of the aforesaid sum, those therefore are the political charges to which the question principally refers, and which it is now desired to know, whether the sums received from India through the medium of His Majesty's Government have been on the whole sufficient to cover?—It

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would be deceiving the Committee to answer that question directly; the best answer I can give to it is by reference to the account I have just delivered in, making this addition to it that if any money has been received here of Government that they have not given India credit for; it ought unquestionably to be put in; but the account should be altogether carried on; and not abstract calculations drawn.

The last question has no reference to any supposed omissions, nor purports to call in question in the slightest degree, the authenticity of either of the statements referred to, it is merely wished to ascertain from you this simple fact, whether from an inspection of those statements, or from your professional knowledge as Accountant-General to the East-India Company, you do not think the remittances from India, through the medium of His Majesty's Government, have upon the whole been sufficient to defray all the home political charges?—I cannot presume to guess, whether I can answer the question at all, till I have looked at the account I have delivered in, probably that will assist me [the witness referred to the Account]; I think I can answer from this, that the sum, as stated in the question, is fully sufficient to answer these particular purposes.

Can you state, from an examination of that account which you have just looked at, whether there has been any excess in the remittance, over the amount of the political charges referred to; and, if there is, can you state that excess?—Is it understood of political charges only?

The political charges, referred to throughout the whole of the preceding examination?—I presume I have answered this question in the last. I have stated that the sum received of Government, if it amounts to nine millions, which I do not take upon myself to say it has, has exceeded the amount of those political charges, which this account states to be, only 7,821,000 *l.*; but then it is necessary to observe, this account is two years behind hand, whereas two millions of the money has been received in the year 1813, and therefore, without a combination, as I said before, of the accounts, continuing them up so as to show a general result, it is impossible to draw any conclusion, as far as my judgment goes as an accountant.

Are you acquainted with the Petition lately presented to Parliament by the Court of Directors, praying for leave to raise a further sum on Loan, and the grounds on which the statements in that Petition were prepared?—I have not the documents with me, not knowing I should be asked upon that subject; I made up accounts upon which the observations made in that Petition were founded; but if my recollection is correct, I think the Petition does not go to the extent of raising an additional Loan, that it goes merely to the having permission to obtain money from the Public upon other securities, instead of raising it upon the Company's Bonds, which were found incapable of being kept in the market from their being at a discount, and there being attached a condition to those Bonds, that whenever six months interest upon them was due the buyers at the Company's sales could insist upon the Company taking them as money for their goods, and therefore it was not an available source of capital to them; the Petition, if I recollect right, went only to solicit Parliament to have the goodness to afford the means of raising monies upon other securities; but not an additional sum beyond that, that the law then sanctioned their borrowing.

Were not the aids specified to be required in that Petition desired for the purpose of existing demands on the Company's Treasury?—I am not exactly apprized of the exact words of the Petition, but I think it is very probable it may be so expressed.

[The Petition was shown to the Witness.]

The words of this Petition seem to go to a much greater extent than I have expressed.

Of what nature were the demands on the Company's Treasury which are thus required to be discharged?—Principally for payment of the Indian debt transferred to England, for the interest on that debt, and certainly for other purposes not within my immediate recollection; I cannot possibly say all the items, the great proportion of them was certainly for the payment of the Indian debt.

If the political charges at home have been defrayed as above explained, leaving an excess in the remittances of about two millions, if the commercial charges had been also wholly defrayed, so as to leave a net profit of 6,289,405 *l.* as stated in the account of the Company's Trade laid before the House of Commons, dated the 23d of

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of February last, and signed by you; and if, as stated in the Company's late Petition to Parliament, they have within the period added 2,027,295 *l.* to their capital stock, 2,409,325 *l.* to their bond-debt raised by loan, by way of reduced and consolidated annuities, the sum of 2,500,000 *l.* and now require to borrow 2,500,000 *l.* more; making altogether the sum of 19,226,025 *l.* can you show in a figured statement, or otherwise, considering that the extra demands on the Company's treasury are stated in the same Petitions at only 13,104,924 *l.* how the surplus has been or is now meant to be disposed of?—I cannot answer the question, it is impossible for any human creature to answer such a question as that out of his head, a subject embracing an expenditure of seventy or eighty millions of money.

You were requested in the former question, to state it, if you could, by means of a figured statement; can you exhibit any such figured statement upon any reasonable time being allowed you for that purpose?—I conceive that a statement may be returned, not founded exactly upon matter of fact accounts, but upon estimate, showing what has been the expenditure of the East-India Company, both in England and in India, from the period of 1793, up to the latest accounts, showing by what means that expenditure has been supplied, whether by commercial profits, whether by loans borrowed in India, or whether by surplus revenue, so as to bring the whole subject into one point of view; but it is a work of great labour, as the Committee must see; it has been upon my mind for some time to attempt it, and some progress has been made upon it, for it has been my desire to give the fullest satisfaction; and having made up the account in a slight way upon this subject, I think it will appear highly creditable to the Company to show the extent of their expenditure, the mode in which it has been raised, and the general principles of the account itself; I think (it may be vanity in me to state it) that such an account is not to be shown by any other public board in this kingdom.

The account referred to in the preceding question would seem to be of much more limited extent than that referred to by you in your answer, being confined to receipts and payments in England only; the Committee therefore wish to know whether you could furnish a figured statement, founded precisely upon the grounds of that question?—I think it is possible we may be able to furnish such a statement, but the account required must be stated in writing, so that it may be completely understood; and it would be necessary probably that I should make some observations upon it; I should think it would be some time before it could be done; it is impossible to see to what extent it would lead, until I see the question in writing; if it is confined to receipts and payments in England only, I conceive it would not answer the purpose; that it must take in India with it; that it would not show accurately that which is desired without it. By the ships that are now arrived we shall probably have new statements of account from India, by which we shall be able to continue the account I have laid upon the table for one or perhaps two years more, and I conceive that if that account could be carried up it would show every thing that is required.

The account required is certainly intended to be confined to receipts and payments in England, and not to exceed the period or date of the statements referred to in the East-India Company's petitions, can you therefore furnish the account in the manner thus explained?— I conceive it may be furnished in the course of a few days.

[The further examination of this Witness was postponed]

Adjourned to Monday, ten o'Clock.

27.

Veneris, 14° *die Maij*, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Charles Cartwright, Esq. - - p. 493.

(No. 16.)

Of Evidence before Select Committee.

Ordered, by The House of Commons, *to be printed*,
17 *May*, 1813.

28.

MINUTES of EVIDENCE

TAKEN BEFORE THE SELECT COMMITTEE,

Appointed for the purpose of taking the Examination of such Witnesses, as shall be ordered by The House to attend the Committee of the Whole House, on the Affairs of The *East India* Company; and to report the Minutes of such Examination, from time to time.

(No. 17.)

Lunæ, 17° *die Maij*, 1813.

The Right Hon. JOHN SULLIVAN, in The Chair.

CHARLES CARTWRIGHT, Esquire,

Was again called in, and further Examined by the Committee, as follows:

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[THE following question from the Minutes of Friday last was read over to the Witness.

"IF the political charges at home have been defrayed as above explained, leaving an excess in the remittances of about two millions; if the commercial charges have been also wholly defrayed, so as to leave a net profit of 6,289,405*l.*, as stated in the account of the Company's trade laid before the House of Commons, dated the 23d of February last, and signed by you; and if, as stated in the Company's late petitions to Parliament, they have within the period, added 2,027,295*l.* to their capital stock; 2,409,325*l.* to their bond debts; raised by loan, by way of reduced and consolidated annuities, the sum of 2,500,000*l.*; and now require to borrow 2,500,000*l* more, making altogether the sum of 19,226,025*l.*, can you shew in a figured statement or otherwise, considering that the extra demands on the Company's treasury are stated in the same petitions at only 13,104,924*l.*, how the surplus has been, or is now meant to be disposed of?"

Mr. Cartwright. In order to meet that question, it became necessary for me to form the account from the year 1793, which must be evident to the Committee, because it states a resource from the capital stock: the capital stock was increased in the year 1793; the money received for it in the years 1793 and 1794 (2,027,295*l*) was immediately expended; the sum that has arisen from the commerce of 6,289,405*l.* has been realizing gradually year by year, and, as realized, expended; the sum that has been realized from the bond debt since 1793, is 2,409,325*l.* The sum from the consolidated annuities raised in 1812, is 2,500,000*l.*; the sum received of government in March 1813, is 2,000,000*l.*, in part of the sum of 2,294,426*l.*, the whole

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amount of the Company's claim as admitted to be due, but 2,000,000*l.* only was advanced; the 294,426*l.* should be added, because the Company expect that it will be paid, and therefore it must be accounted for. There is a further sum which must be accounted for, which is, the sum that the Company at present have a right by law to raise upon bond, but cannot, from the state of the market, which is 7,000,000*l.* They have only raised the sum of 5,499,325*l.*, being the amount of bonds outstanding on the day of the date of the petition, being short of 7,000,000*l.* by the amount of 1,590,675*l.* It is to be observed, that I do not notice in the statement at all the 2,500,000*l.* mentioned in the petition, because it makes no part of the resource that the Company ask for; for all that they want is a capital, as I before stated, some how or other, to the amount of the 7,000,000*l.*, to be raised on bonds, and which has not been raised on bonds: then, to carry on this view up to the period of March 1814, to which time the estimate is correct, upon which the sum stated in the petition is grounded, it is necessary for me to go on with the profits on the trade two years longer than the accounts, to the end of the year ending March 1813, which was not compleat when the petition went in; and March 1814, for the two years profits, estimating them according to the profit of the last year; and I have no reason to suppose they will be less; it is necessary I should take credit for the sum of a million and a half for those two years; and this profit arises after deducting the amount of the Company's dividends, and the interest upon their bond debt; I have not deducted from the profits any political payments that may be made in the period, which would reduce that sum, for this reason, that, if I deduct them from this million and a half, they must come in again per contra, as a sum to be received from government on this account, and therefore it is as broad as it is long: these several items amount altogether to 18,611,126*l.*; to shew how that sum has been expended, there is, in an Appendix to the 4th Report (No. 48) a statement, shewing, that between 1793 and the 1st of March 1811, the Company had paid for Indian debt the sum of 8,507,651*l.*; between the first of March 1811 and the first of March 1812, as stated in an account of the actual receipts and payments delivered in to both Houses of Parliament, there will appear the sum of 1,971,862*l.*; between the first of March 1812 and the first of March 1813, an account has also been delivered in to both Houses of Parliament for bills of exchange, on account of the Indian debt, amounting to the sum of 3,923,041*l.*; the Company's petition states, that the bills outstanding for Indian debt amount to the sum of 2,202,000*l*; which finishes these payments; the only thing I have to endeavour to prove to the Committee, is the supply of 2,000,000*l.* which the question states to have been received by the Company, beyond the amount of the Company's political expenditure; the fact is, that the political expenditure is as stated in that account 7,821,905*l.*; the Company have actually received of the government sums to the amount of 5,879,909*l.*; so that instead of there being an aid to the funds of the Company of 2,000,000*l.*, those funds have been called upon to pay the sum of 1,941,996*l.*; the several sums that the Company have drawn from the sources mentioned, amount in toto to 18,611,126*l.*; the sums that the Company have expended, amount to the sum of 18,546,550*l.*; it is necessary for me to state why the sum of 2,500,000*l.* was stated in the petition to be required; it was from the probability that the credit which had been afforded to the Company by means of the bond debt, would not be effective to that extent; that is to say, to the extent of 2,500,000*l.*; and the reason for supposing it would not be effective to that extent was, that actually the Company had at the time in their treasury, unavailable bonds to the amount of 1,590,675*l.*, and at that time the bonds were at the discount of, I believe, seven or eight shillings per hundred pounds, and large sums were daily paying in by bonds for goods bought at the sales of the Company, and it was imagined that a deficiency might occur to the amount of 2,500,000*l.*, as stated there; and therefore to meet such an event if it should occur, this credit was asked for, but certainly not to be used, unless the Company could not keep their bonds in circulation to the amount of 7,000,000*l.*; and it is necessary to take in the sum of 1,590,675*l.*, as that sum may be issued upon bond, because in the estimates the whole sum of 7,000,000*l.* is taken in as payment, but if we cannot use it we must have the 2,500,000*l.*

[The following paper was delivered in and read:]

STATEMENT

Charles Cartwright, Esq.

STATEMENT to shew the sum realised and expected to be realised by the East India Company, from their commerce; from receipts from Government; from increase of capital stock; and bond debt, from 1st March 1793 to 1st March 1814; being the period to which the statements contained in the Company's petition to Parliament were carried; and also a Statement exhibiting the expenditure of those funds.

	£.
Amount realized by trade, as contained in the account presented to the Honourable House of Commons - - - - - - - -	6,289,405
The sum received from increase of capital stock, since 1st March 1793	2,027,295
— ditto by bond debt, increased since ditto - - - - -	2,409,325
— ditto by consolidated annuities, raised 1812 - - - -	2,500,000
Sum received of Government in March 1813, on account of claims on the public - - - - - - - - - - - - -	2,000,000
Profit estimated on sales of 1813 and 1814 - - - - -	1,500,000
Estimated to receive of Government, on further account of claims on the public - - - - - - - - - - - - -	294,426
Further sum that may be issued in bonds, to make up the amount the Company are allowed to issue by Act of Parliament - - -	1,590,675
	£.18,611,126

Bills of exchange paid on account of Indian debt, to 1st March 1811 - - - - - - - -		8,507,651
—— ditto, 1st March 1812 - - - - -		1,971,862
—— ditto, 1st March 1813 - - - - -		3,923,041
Outstanding bills, as per Company's petition - - -		2,202,000
Political payments to 1st March 1811, as stated in account delivered in to the honourable Committee - - - - - -	£. 7,821,905	
Sum received of Government, to the same period - - - - - - -	5,879,909	
Political payments more than receipts from Government		1,941,996
		£.18,546,550

15th May, 1813.

With regard to the statement now delivered in by you, it does not appear to contain a precise answer to the question stated at the last meeting of the Committee, by that question, taken from the Company's own petitions, it will appear, that exclusive of their political charges, which have been defrayed through the medium of a remittance through His Majesty's government; and exclusive, on the other hand, of all their commercial charges, which it is presumed are included in your estimate, they have demands on their treasury to the amount of thirteen millions in round numbers; the supplies raised to meet those demands would certainly appear, by the petitions, to have been about seventeen millions, including the profit on the commerce, and deducting from that the 2,500,000*l.* now required by the Company to be raised on loan, which you say ought not to be admitted into the account, not having been received; and adding thereto the admitted excess of political receipts, over the home political payments, the sum will still be about seventeen millions in round numbers, to which should now be added, according to your account, the estimated profit upon the trade in 1813 and 1814, of 1,500,000*l.*, and the further sum that may be issued on bonds, of 1,590,000*l*, making altogether a total in round numbers of above twenty millions sterling, which remains to be accounted for, and against which there would seem to be nothing stated, in the account produced, but the thirteen millions sterling before adverted to, as an extra demand on the Company's treasury; the whole of the political and commercial charges appearing to be fully liquidated, it does appear that there would still remain about seven millions sterling to be satisfactorily accounted for, or the difference between the extra demand on the Company's treasury and the amount of those their extraordinary receipts?—I have no other mode of answering that, but by referring to the account I have delivered in; by way of explanation, as to the two millions, evidently the account has not been looked at (as it appears to me) by the Committee in a correct point of view; it is not my account, and therefore it is hard upon me to explain it; the sum of nine millions, as stated to be the sum received by the Company, is incorrect; I presume it to be the whole

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amount of the Company's claim; there is no allowance made at all for a counter claim on the part of the public; the public have a very large claim to set against that claim of the Company; and I believe it to be the exact difference between the sum as I have stated it, which is 5,879,909*l.* and the nine millions, as stated to be the gross amount of the Company's demand, making a difference of nearly 3,200,000*l.*

Be pleased to state the nature of that claim of the public, which you say should be set against the amount of the Company's demand upon His Majesty's government?—I did not say that it should be set against, but that I presume it has been set against it; the difference between the sum stated in the fourth Report, Appendix, number 51, of 9,544,335*l.*, and that before stated, namely, 5,879,909*l.*, being the total of the Company's receipts on that account, arises from the disbursements of His Majesty's paymaster general, and interest on repayment in cash, as will appear in the account, Appendix, number 4, of the first report.

Your account now delivered in is made up to the 1st of March 1814, in the greatest number of its items; but the political payments and receipts now referred to are confined to a period ending the 1st of March 1811, up to which time you admit 5,879,909*l.* to have been received from Government subsequent to that period; it is stated in another official account, that two millions on account of a sum of 2,294,426*l.* had also been received on the balance of an account between Government and the East India Company, dated the 10th February 1813, which would therefore occasion the receipts from Government to exceed the home political payments of the East India Company on your own views of the case, and therefore leave the 7,000,000*l.* or a considerable part of it, mentioned in a former question, to be still accounted for?—If I was to admit the statement made in that question, I should admit that the Company had had credit for the two millions twice; I state a sum received of Government in March 1813, on account of claims on the public, that is accounted for by the statements which have been made; but if it is to come, and be set against the 7,821,905*l.* again, it is taking it twice.

If you will be pleased to refer again to the statement contained in the former questions, you will see a totally different view of the case, and that credit is not taken twice for the two millions two hundred and ninety-four thousand pounds, alluded to in your last answer?—No charge is exhibited as a claim against Government for two millions of money in the account of political disbursements; it is finished with the 1st March 1811, and the account ends there; a new two millions has arisen after that period; the Company have received the money for it, and have accounted for the expenditure of it, but have not stated it in the political charges; if it is to come in the way which has been put, it then should be added also to the political charges, increasing them to the amount of it.

By the explanations now given, all that would seem to be twice credited is the 1,500,000*l.* raised on Exchequer bills; there would, therefore, according to the statement given in former questions, appear to be still 5,500,000*l.* or thereabouts, to be accounted for; are you able to reconcile this?—There are the 2,000,000*l.* not deducted, as well as the 1,500,000*l.*

What 2,000,000*l.* do you refer to?—The sum received from Government by the Company in March last.

Is not that 2,000,000*l.* the balance of an account, in which the 1,500,000*l.* forms an item?—No; it is a new account altogether, as I before explained.

Can you state the amount of supplies in goods, stores, and bullion made from England to India, and the payments on bills of exchange, from the year 1793 to the year 1810?—The statement is before the Committee.

Are those articles supplied from the Company's commercial capital?—I believe that it is pretty well understood that the Company have had no available surplus revenue in India since the year 1793; on the contrary, the expenditure of India has exceeded its revenue very considerably; to what amount I cannot exactly say, but many millions; therefore whatever has been supplied to India, either in goods or by payment of bills drawn from India, or on any other account, must come out of the Company's funds at home, whether capital or money borrowed; capital is a permanent

nent something; but what has been raised here, is a capital for which the Company are now in debt, perhaps; it must certainly come out of those sources, and has been expended; the two accounts I have delivered in contain a complete statement of the whole, and nothing can upset them; the result of this account is, that England has furnished India altogether with a supply in that time of 8,024,067 *l.* *Charles Cartwright, Esq.*

Then these goods, stores, bullion, and bills of exchange, are considered as the funds through which, ultimately, the returning investments are made to England?—They are.

Supposing the proceeds of those goods, stores, bullion, and bills of exchange, to fall short of the prime cost of the returns, how is the deficiency ordinarily supplied?—It is impossible to answer that question, because the fact is, they have not fallen short, they have exceeded by 8,000,000 *l.*

How do you make it appear that the proceeds of the supplies above mentioned, have exceeded the amount of the returns by 8,000,000 *l.*?—By debiting India for what has been sent to it, and paid on account of it, and by giving India credit for what India has returned to England in goods, leaving out of the exports the cargoes of any ships that may have been lost outwards, and giving India credit for all the cargoes that have been lost homewards, because it is supplied to us and it is a mercantile loss; and in addition, India has credit in this account for all that it has sent to China in that period; and after all this, upon the balance of the account, a sum total in favour of England and against India, is 8,240,000 *l*, as before stated.

Does not the account which you now refer to, contain a number of political items?—Certainly.

Are not those political items, as far as regards India, discharged from the revenues of the country?—Certainly not.

Is it not specified in the Act of Parliament of 1793, that none but the surplus revenue in India is applicable to the provision of the home investments?—Certainly, it is not; there was a condition in the Act of Parliament, that a million sterling annually from the surplus revenue of India, should be appropriated to the purchase of homeward investments, but it has not been forthcoming; it would have been the greatest absurdity in the world to say the Company should be prohibited from returning again the value of the cargoes sent out; perhaps it is necessary, in point of fairness, to state, that in the first five years the Company did receive a sum from India arising from the surplus revenue; but when the war against Tippoo commenced, there was an end to all surplus revenue, and there has been, I believe, none since; the Company have been obliged not only to furnish the means of buying the cargoes sent home since that time, but they have been obliged also to pay back again what had been in the five years I have mentioned sent, and beyond that the sum of 8,000,000 *l.* which I have stated.

Up to the year 1810, do not you know that the political charges of India are stated, on the best authority, to have exceeded the revenues in the amount of five millions sterling and upwards?—I cannot state to what extent they may have exceeded the charges; I have no doubt they have; it is not my particular province that branch of the Company's concerns, and therefore I cannot accurately speak to it; but I dare say it may be very correct, that they have exceeded it.

It is stated on official documents furnished from the India House, that the amount of the cargoes consigned to India, for a period of seventeen years, corresponding to that referred to in the last question, have realized in India as follows; goods and stores 8,904,068 *l.*; bullion 7,360,752 *l*; bills of exchange 8,017,485 *l.*; making 23,736,908 *l.*, whilst the returns from India, including the net amount of supplies to Canton, are stated at 32,380,569 *l*; how has this difference been supplied?—It is impossible for me to answer the question; in the first place, it is not within my department; it is a question altogether with the auditor; and I presume, if it is taken from a document, it must be a document signed by him.

Supposing the account of commercial supplies to India, and the returns from thence, to be as stated in the former question, can the deficiency in India have been supplied by any other means than that of loan raised in India?—It is impossible for me to

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answer a question of that sort, founded altogether upon suppositions; I must go on supposing in my answer also, if I reply to it.

The question assumes a fact perfectly well authenticated; can you, considering it in that light, inform the Committee how the deficiency has been supplied, or are you aware of any other resource through which this deficiency can be supplied, but that of money raised on loan in India, considering always that the revenues have been unequal for this period, to the payment of the whole of the political charges?—Any other man can answer that question just as well as me; certainly, if there is no money to purchase the cargoes, money must be borrowed.

The amount of bills of exchange remitted to England during this period, for Indian debts, amounts to 7,472,090*l.*, not quite the amount of the difference between the supplies and returns, adverted to in a former question; must not those bills therefore be considered as so much money advanced for the purchase of investments in India?—[The Account, Appendix, No. 6, to the third Report, was shewn to the Witness.]—In looking to this account, my attention is called to the sum drawn on account of the Indian debt only, which amounts to 7,472,090*l.*; in this same account, there is a further sum drawn on account of India, of 8,017,485*l.*, making a total drawn in the period, of 15,489,575*l.*; now, it is necessary I should make this remark; the bills that are drawn, as from India only, without specifying Indian debt, have been drawn for bona fide monies received in India, which has occasioned the Indian debt to be less than it otherwise would have been, if this money had not been so drawn; and therefore the whole sum India must be debited for.

In the former question, the 8,000,000*l.* of bills now referred to by you, is included among the supplies to India, leaving, after all, a deficiency of about seven millions and a half to make up the cost of the returns; the question therefore refers to this seven millions and a half deficiency only, and not to the other India bills, as they have already been accounted for in the same account?—It is impossible for me to answer such a question as that; if I was sitting down, and had some days to investigate the thing, I have no doubt I should be able to give a satisfactory answer; but the whole thing must be taken together; and it is impossible for a witness, standing here, to go on with such an examination as this with any credit to himself, or any good effect to the Committee; I am ready to make a full exposure of the Company's concerns, but I am satisfied it cannot be exhibited in this way.

Do you mean to say in your answer to the last question, that the deficiency alluded to, has not been supplied by means of money raised in India?—It is calling upon me to account for a deficiency, which I do not admit.

In your former examination, you are understood to have stated, that the losses at sea inserted in your estimate were to be considered as partly political, owing to the detention of vessels in India for expeditions and other political purposes; the heaviest of those losses occurred in the years 1808 and 1809; were there any military expeditions then on foot, requiring the aid of the Company's ships in India at that period?—I cannot positively answer, but I conceive there were; I think the expedition against the Mauritius must have been somewhere thereabouts; but there has been almost every year during the war something going on; to what extent I cannot say; ships have been every year detained and very frequently dispatched out of season; in my answer I do not say that it wholly arises out of that, but principally the thing explains itself; the risk of the voyage to China is just as great as to Bengal; why should an extra loss occur, unless the ships are worse fitted out, which they are not; the ships are equally sea worthy, I conceive.

Can you state whether any or either of the ships employed on the expeditions to the Mauritius and Java, was lost on the passage home?—I have not the names of the ships that were lost on the passage home, and therefore it is impossible for me to answer it from recollection; we have the names of all the ships, and the amount of their cargoes.

Do you know whether a considerable part of the European crews of the ships lost at that particular period, were not taken by the men of war, and whether they did not in consequence sail at a bad season, and ill equipped?—I have heard it so stated; but it is to be again recollected by the Committee, that all this is not in my department at all, the Freight Accountant can give information on this subject.

Do

Do not you know that one of the fleets in which a number of the ships were lost on the occasion alluded to, sailed from India in the month of November, and therefore in the fair season of the year?—I cannot officially answer that question. *Charles Cartwright, Esq.*

Is it not known to you, that the governments of India regularly correspond respecting the dispatch of ships, and that the dispatch of ships takes place as soon as the ships from the different Presidencies can be collected into one united fleet at Ceylon?—I do not know that to be the fact; I know that they do not always rendezvous at Ceylon; the other part of the question I cannot answer.

Generally speaking, do they not rendezvous at Ceylon?—They have occasionally.

When a consignment of goods is sent abroad, do not the accounts which may be returned of that consignment sufficiently account for it, when they specify the amount sale of the goods sold, and the portion remaining on hand?—It is not in my department to receive such accounts, and therefore I cannot answer to it; it is with the Auditor.

The question is asked from your general knowledge of accounts, particularly of mercantile accounts, whether such is not the mercantile usage?—When the accounts are returned, certainly they will account for the goods; but it is very frequently at a distant period.

In the estimate of profit and loss which you have delivered in, credit is taken for about two millions sterling on the outward trade to India and China; from what is this profit drawn, and how is the calculation made?—I think I have substantially answered that question before; but even that is taken from an account not of my forming; it is of the Auditor's forming and put into my hands, and therefore he ought to answer for his own account.

Is the Committee to understand that that profit is calculated upon the prime cost of the goods in England, contrasted with the sale price abroad, and without any description of intermediate charge?—It is.

Is that profit taken from the profit and loss account in the Indian books?—It certainly must be taken from the India and China books; it is not taken by me from those books, it was taken by the auditor.

In the Indian books there is a deduction from the sale price of the goods, called a discount for prompt payment; in the books, for example, of Bombay, this discount on the goods sold between 1792-3 and 1810-11, amounts to about four lacs and sixty thousand rupees; is this discount allowed for; whether at Bombay or at the other Presidencies, in your estimate of the profit?—As I before said, that account was not drawn up by me, but I have no doubt that it is allowed completely; it would be absurd to suppose the gentlemen there should make a return for the receipt of goods, and not deduct that; I cannot positively say that it is deducted, but I have no doubt that it is.

Do you know whether this discount is carried to the profit and loss account in the India and China books?—I do not; it is not in my department.

The profit being calculated by you at about two millions, on the export trade, can you state the amount of goods and stores exported, within the period or from which this profit is taken?—The total amount of exports in goods and stores to India, is 13,362,340*l.* during nineteen years; this is the invoice amount with the ten per cent. on; I have not any account here shewing the total amount of exports; this account of the balance of supplies, merely takes the supply of the remittance to China from India, singly; I can furnish the account, if necessary.

The account is stated in official documents at 28 millions up to 1810; would it therefore be too much to assume it at 30 millions up to 1812?—I should think, if it is in that account stated at 28 millions, 30 millions would be about the mark.

Then the profit assumed by you is not equal to 10 per cent. upon the original cost of the goods, at this rate?—The profit stated in this account, as the profit upon the India and China trade together, amounts to 1,506,981 *l.*, which profit arises upon the prime cost of the goods, and not the invoice amount of the goods; in addition to that, there is an assumed profit upon the stores of 497,272 *l.*, the whole amounting to nearly two millions; which certainly is short of 10 per cent. upon the exports, altogether assuming that those exports amount to thirty millions.

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At this rate, does it not appear, that if the charge of 10 per cent. were continued on the goods, to cover outward expenses, the sales abroad would still exhibit a loss on the Company's trade?—Yes, it certainly would, in that case.

Considering the number of years many of those goods remain on hand in the warehouses in India, do you think that charge of 10 per cent. adequate to cover the actual charges on the consignments outward, including interest of money?—I am not at all informed how long they continue in the warehouses in India, and therefore I cannot calculate interest upon it.

Do not the books from India regularly exhibit what remains on hand in each year, as well as the account of sales within the year, and cannot some judgment be formed from those books, of the length of time that some of those goods at least remain in warehouse?—It is very probable that it may; but I cannot form that judgment; it is not in my department.

Can you state whether any allowance is made in this estimate, for damage or deficiency of goods in the warehouses in India?—No; it is not in my department, and I am not informed.

Is the price of the exports to China, on which the profit in the estimate is calculated, taken from the sale price in that country?—I have no doubt it is; but that also is in the Auditor's department.

Can you state whether the Company have not now outstanding in China, and have had for several years, a considerable sum of money in the hands of the Hong, lying there without interest?—Yes, they have.

Can you state the amount?—No, I cannot at present; it has been for several years back large, but it has latterly been very much reduced.

Has it not been for several years back upwards of a million sterling?—It was at one time about a million sterling, but latterly it has been very much reduced; I do not think it is half that sum now.

Is the loss of interest upon this outstanding balance taken into account in your estimate?—Yes; I conceive it is, for this reason; that the Company have always had commercial capital enough, and the interest upon their bond debt in England, and the dividends on stock being deducted from the amount of the profit, must be supposed to cover the interest upon that as well as the other part of their trading capital; it has happened from an unfortunate occurrence, that the balance in China became large, but the Company were not obliged to increase their trading capital on that account.

Is not the interest on bonds, and dividends on stock, paid at home, confined entirely to the Company's home debts?—Certainly not; the dividend on stock covers the interest of the Company's capital in every part of the world.

Do you consider that interest to be applicable to the outstanding balance of a million sterling in the hands of the Hong?—I have answered that question before.

Does it not appear then that the Company, at this rate, pay from their own profits interest on a debt due to themselves?—They pay nothing; there is no transaction of money; they may lose the interest upon that sum, not being active, but they pay nothing.

If they lose the interest, according to your present admission, ought it not to be considered as a deduction pro tanto from the profit?—No, I conceive not; because no credit is taken for it.

Do not you know that the goods sold in China have been, until lately, rated at the barter price in the books, and has not that price been higher than the money prices in the market?—I cannot answer that question.

In your estimate, although credit is taken for profit on the outward trade to China, it should seem from letters from the Court of Directors to the supracargoes at Canton, that this trade has been attended with loss; they state in particular, in a letter dated the 5th of January 1810, "the barter price," alluded to in a former question, "is a price which the state of the China market does not warrant, and deprive

deprive us of the credit which would result from a general view of our commerce; viz. that of being enabled to shew with precision the extent of the pecuniary sacrifices to which we submit, in order to extend the consumption of British staples;" can you explain what losses or sacrifices are here alluded to?—I cannot, certainly; no one can but a gentleman who has been resident in China. *Charles Cartwright, Esq.*

Does it appear, by their accounts, that no such loss or sacrifice as here alluded to, has been sustained?—I know of no such accounts; I have never seen them.

Do not all the accounts of the East India Company pass under your review as Accountant General?—They do, finally, but not in detail; they pass through other departments for a particular examination, and the result is handed to me to arrange the whole together; that is my province, to state general results, but not to go into particular details in the various departments; it would be impossible.

The profits stated in your estimate is presumed to be the general result of all those accounts?—Yes, it is.

If that is so, can you explain how it is to be reconciled with the assertion just quoted from the Court of Directors letter?—No, I cannot answer that question at all.

On the consignments of merchandize from India to China, there is also stated to be a profit of 403,020*l.*; is not this also calculated on the barter price of the commodities made over to the Hong merchants; and is not that barter price considerably lower than the money price of the market for India goods in China?—It is impossible for me to state, that they are valued at the barter price, for I do not know any thing about the barter; I can only open the Canton ledger, and look at the general articles consigned to Canton from India, and see what a particular article is charged with as the cost, and what it has credit for as the sale; how that sale is effected, whether by barter, or in what way, I cannot take upon myself to say; but the difference between what the article is stated to have cost, and what it has produced, is the sum brought into the account.

Do not the Canton books shew that the Company's cottons have been sold of late years at the barter price of 14 tale 5 mace per pecul; and that in 1809-10, when the cotton was sold for money, it only fetched 13 tale 5 mace per pecul?—I do not know any thing, as I said before, about the barter price; I know cotton has been brought to account at 14 tale 5 mace per pecul; those gentlemen who have been in the habit of sending cotton to China, can certainly make a calculation upon that head better than I can.

In your estimate, a profit is also taken upon the amount of stores consigned to India, and issued to the several departments of government; is this a real or a nominal profit?—I have answered that question before: I stated in my former reply that it was a nominal profit; that the stores in the account were valued at the cost, only that the 10 per cent. was added to the value on the invoice, it being assumed, that the revenue ought to afford to the commercial concern that profit; it is a nominal profit altogether.

Is that profit calculated upon the aggregate amount of stores issued to the departments, or upon the whole amount consigned to India during the period?—That is also the Auditor's statement; but I presume it is the amount of the actual issues.

Is this profit put upon military stores?—Military, garrison, and naval stores.

In a letter from the Court of Directors to the Bengal government, dated the 13th May 1807, it is stated, "the sales of marine stores, as at present conducted, appear to us to require reform; we observe those are made at certain fixed periods, and from the latest accounts before us, we are concerned to find, that a considerable loss has accrued on the invoice price of stores;" considering this loss to have accrued on the sale of stores, ought in your judgment some allowance to be made therefore in the profit assumed on the issue of stores to the different departments in India, seeing that those stores for a considerable portion of the period, at all events, would not realize in the market the price thus put upon them?—I presume that no deduction should be made from the profit so assumed, and for this reason; that, whenever an actual sale of stores has taken place, if a loss has arisen upon them, it is included in

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the account of profit and loss; and therefore, to deduct it from the profit assumed, as the profit upon the stores, would be deducting it twice, it having been deducted in the actual statement of profit and loss; this evidence that I give now, is not my own, it is from the report of the auditor.

The former question does not suppose the loss sustained on the actual sale of stores, should be deducted from the price of the amount transferred to the different departments; but as it appears the stores did not realize a value in the market equal to that at which the stores had been valued to the different departments, whether this assumed profit is therefore not calculated at too high a rate?—The only answer I can give to that question is, that it is impossible for me to say from what cause the stores sold did not fetch a profit, or whether there has been any loss at all, which is assumed upon the letter of the Directors; it may have been on account of the stores having been long on hand and damaged, whereas the stores issued to the public service are most probably sound stores, lately imported; those sold, I conceive to have been long on hand, damaged, and not so good as others.

In the evidence of an honourable Director, delivered to the Bullion Committee of the House of Commons in the year 1810, it is stated, that the charges to the Company of remitting bullion to India, have amounted to about 10 per cent.; taking at the same time, from accounts delivered in by the same Director to the Bullion Committee, the intrinsic value of the sicca rupee, compared with that of its out-turn in the Calcutta mint, the loss would appear to be ten per cent. more, making altogether twenty per cent.; is this loss or those charges included or allowed for in your estimate?—Certainly, I have made no allowance for such a loss, not supposing such a loss to have arisen; nor do I conceive it can; for even supposing the statement extracted from the report to be correct, it can only be at the time the honourable Director made that statement, the price of the day; to make the comparison, the average price of bullion from 1793 up to the last moment, should be taken; and I think, if it were so taken, it would not bear out the statement in the question.

In the evidence of an honourable Director, given before the Bullion Committee of the House of Commons, there is the following statement; "Can you state the quantity of coin issued from the mints of Calcutta and Madras, in any given period?—I will furnish the Committee with an account of it.—What is the expense of sending silver from hence to India?—Including charges of shipping, interest, insurance, and the expense of coining in the Indian mint, the sicca rupee has cost the Company 2*s.* 6*d.* and eight hundred and thirty-seven decimals, of which the charge has amounted to two-pence, 941 decimals making about ten per cent.—What is the price you have paid for dollars in London, for a series of past years."—Mr. Grant delivered in two papers, Accounts Nos. 12 and 13, and the account No. 12 states as follows; "In the five years, from 1802-3 to 1806-7, according to the return of the Calcutta mint, one sicca rupee coined from dollars sent from Europe, costs the Company, exclusive of charges, 2*s.* 3*d.*, eight hundred and ninety-six decimals; charges in England, shipping, half per cent., 139; interest twelve months at five per cent. on 1401 decimals, risk one and a half per cent., 420; total, one penny, 960 decimals; expense of coinage to the Company, in the Calcutta mint, on the average of the above five years, 981 decimals; carried out, two-pence, 941 decimals; total cost of expense of one sicca rupee, 2*s.* 6*d.* and 837 decimals; the sicca rupee contains of pure silver, troy grains, 175-927; which compared with the standard shilling, the value is two shillings, 566 decimals."—Are the charges stated in the preceding extract, included or allowed for in your estimate of profit and loss?—No such charge is stated in the account; it has not entered into my view of the subject at all, in forming this account; nor did I suspect there was any loss arising from the remittance of bullion; and if the subject is properly and coolly considered, I doubt whether there will be found any loss.

In your estimate it is perceived, that the profit on the outward trade for 1793-4, is stated at 54,305*l.*; in another official statement before the public, under your signature, this is stated to be the profit on the export trade for 1792-3; in like manner the profit of 1794-5, in the estimate, is stated to be the profit of 1793-4 in the other account, and so on in each succeeding year till 1806-7, when the profit for that year of 71,943*l.* is given as the profit in the estimate for 1807-8; is this a mistake in the account, or can you in any way explain it?——I cannot explain it; it

is an error, I should conceive, in this account [Appendix, No. 36, to the 4th Report], by a mistake in the year. *Charles Cartwright Esq. M.P.*

After the year 1806-7, mentioned in the former question, the profit in the Appendix, 36, just now referred to, is given for two years, or up to 1808-9, and contrasted with the profit given in your estimate, appears as follows:

Profit in Appendix, 36.	Profit in the Estimate.
5,382	39,364
45,177	78,274

Can you account for this difference in the two statements?—No, I cannot account for it; this (No. 36.) is merely a copy of the auditor's account; though signed by me, it is not made out by me.

You cannot speak more to the correctness of one of the accounts than the other?—No; the materials have been furnished to us by the auditor for both; the auditor will probably be able to explain the mistake.

Is not the concern at Canton considered to be wholly commercial?—I conceive it to be.

In an official statement from the East India House, dated the 10th of March 1812, there is an account of the profit and loss incurred at the said factory, from the year 1792-3 to the year 1808-9 inclusive, exhibiting a total loss of 995,243*l.*; is this loss accounted for, or included in your estimate?—This account is formed by Mr. Wright, the auditor, as well as the export; and I should suppose this loss he has taken into account, before he exhibited the China profit; but that he must explain, I cannot.

Does not that account appear to be an account of nett profit and nett loss, after sale of the whole of the goods; or what else can a profit and loss account mean?—I cannot explain it, the head is, "An account, shewing the amount of the charges of the factory at Canton, in so far as they have not been added to the invoice of the goods consigned from thence; also the amount of the nett profit or loss incurred at the said factory, from the year 1792-3 to the year 1808-9 inclusive;" the total exhibits a loss, which, I presume, has been deducted out of the profit stated in the account; I cannot speak to it at all.

Does not the profit and loss account, in commercial books, usually contain all the profit or all the loss upon the sales of goods made within the period of those books?—It certainly does; but I dare say, upon recollection, I can account for that supposed loss; I conceive that he has valued the goods, not at the cost, in the way we have in this account, at 6*s.* 8*d.* per tale, but he has valued them at the rates of exchange at which bills have been drawn upon the Company; which will make a difference perhaps of 20 per cent. or more than that; I conceive that to be the reason of the difference; but that Mr. Wright must answer to it, is only a supposition of mine.

If the explanation now given by you be a correct one, must not the Committee consider this amount, even in that point of view, to be a loss?—I think not, because as far as the China investment has been purchased by bills upon England, that China investment has been charged with the rate of exchange as the cost price, and therefore I conceive it is not to be considered as a loss.

Then you conceive that this loss is not to be included or accounted for in your estimate?—I cannot answer that question, not knowing, from my own knowledge, whether it has or not; Mr. Wright must answer it; Mr. Lloyd, my assistant in the office, has just stated to me that which escaped my recollection relative to this China statement of loss, as exhibited by the Auditor; which is, that the cost of the goods from which that loss appears, is the invoice cost, on which the 10 per cent. is added; the cost we have stated, which exhibits this profit, is the cost without that 10 per cent.

[The further examination of this Witness was postponed.

MR. JOSEPH RANKING,

Was again called in, and Examined, as follows:

Mr. Joseph Ranking.

Mr. Impey.] IT appears in your former examination, that the following question was put to you; "Do you know what is the difference between the prices per yard of British white callicoes from the manufacturer, and Indian white callicoes, of nearly the same dimensions and quality;" to which you answered, "Comparing the goods sold at the East India Company's Bengal sale, in March, with the prices of nearly similar manufactures, I should think, on an average, the India goods were from 20 to 25 per cent. dearer than the British goods are at present;" have you any correction to make in the answer which has just been stated to you?—I intended to say, that they were from 20 to 25 per cent. cheaper than the British goods, and not dearer.

[The Witness withdrew.

[Adjourned to To-morrow, Eleven o'Clock.

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Lunæ, 17° *die Maij*, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Charles Cartwright, Esq. - - p. 501.
Mr. *Joseph Ranking* - - - - p. 512.

(No. 17.)

Of Evidence before Select Committee.

Ordered, by The House of Commons, *to be printed*,
May 1813.

29.

MINUTES of EVIDENCE

TAKEN BEFORE THE SELECT COMMITTEE,

Appointed for the purpose of taking the Examination of such Witnesses, as shall be ordered by The House to attend the Committee of the Whole House, on the Affairs of The *East India* Company; and to report the MINUTES of such Examination, from time to time.

(No. 18.)

Martis, 18° *die Maij*, 1813.

The Right Hon. JOHN SULLIVAN, in The Chair.

CHARLES CARTWRIGHT, Esquire,

Was again called in, and further Examined by the Committee, as follows:

Charles Cartwright, Esq.

CAN you now explain the circumstance of the difference, as to which you were asked yesterday, in two accounts, as to the years to which the sums are applied?—I can; the account of the profit and loss on the exports to India and China, in No. 36, Appendix to the 4th Report, commences with the Indian year 1792-3, and ends with the Indian yerr 1808-9; the account of the profit and loss on exports, as stated in the estimate laid before the Committee, commences with the same year, but affixes the profit to the Europe year of 1793-4; as in calculating the profit and loss for the year 1793-4, in England, reference could only be had to the Indian accounts of the preceding year, and thus the profit on the India exports in the Indian years, is affixed to the subsequent years in the Europe account; with regard to the discordance between the two accounts in the years 1807-8, and 1808-9 Indian, corresponding with the years 1808-9 and 1809-10 England: It is necessary to state, that on the 10th of March 1812, the date of the account in the Appendix, No. 36, 4th Report, the Bengal books had not been received at the India House; these books have subsequently been received, and the account has been corrected in the estimate laid before the Committee.

In reference to the last questions put to you yesterday, the account No. 14 referred to, also contains a sum of 38,448*l.* for charges not added to the invoices of goods consigned from Canton; independent of the loss on sales is this sum included or adverted to in your estimate?—If it is goods consigned from Canton, I can positively answer that question; all charges of the establishment at Canton, are added to the costs of the home goods.

Is the whole of the supracargoes commission inserted in the invoices of goods from Canton?—No part of it; because if it was, it would be charged twice; we

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charge it in the home account, and it makes a deduction from the profit in the home account.

In another official account laid before Parliament, styled "An Account of the Expenses of the Factory at Canton, from the year 1792-3 to the year 1808-9 inclusive," forming No. 3, in the Appendix to the 4th Report, amounting on the whole to 719,209*l.*, it is observed by the Select Committee, in page 5 of the 4th Report, that "this statement exhibits the charges of the factory, as far as relates to the salaries, &c. and the accommodation of the supracargoes, and others employed in the business of it, and the expences attending the receipt, and the delivery of goods imported and exported; but it should be remarked, that it includes the emoluments of the supracargoes in part only, the remainder being made up in England, in full of the commission allowed to them upon the sale of the goods, and that the amount of charge, as shewn in this statement, is uniformly added to the invoice price of the goods; there is, however, a further apparent expenditure not included, which comes under the denomination of loss, which will hereafter be more distinctly noticed." From these two statements, it would appear that the commission is in part included in one of them, whilst in the other there is a charge to the amount before stated of 38,488*l.*, which would appear evidently not to have been added to the invoice of goods consigned from Canton; is or is not this account included in your estimate?—In my answer to the former question, I stated directly that the supracargoes commission was paid at home, and included in the home account; that the charges of the factory upon the home trade were included in the cost of the goods, the whole of them; this account I have looked at; No. 14. is altogether an account of profit and loss upon exports; and the charge of 38,488*l.* is deducted, or rather makes an addition to the loss; of course, it is included; the account speaks for itself; but it is not my account, it is the Auditor's; it is a charge I presume upon the exports only.

Are you quite sure that the nett loss stated in this account is confined wholly to the sale of the export goods from Europe?—I cannot take upon myself to say that I am quite sure of it; but I have every reason to believe it from the account.

In your estimate, it is observed that the losses at sea, on the Indian and China trade, are stated to amount to 1,958,076*l.*; does this include the whole of the losses incurred outward and homeward, during the period from 1793-4 to 1811-12?—To the best of my knowledge, it does.

It appears by other official statements, viz. No. 7 and 47 of the Appendix to the 3d Report, and No. 55 to 4th Report, that the outward and homeward losses, and by fire at Shadwell up to 1810, amount to 2,006,267*l.*; it would seem therefore, comparing the actual loss in 1810 with the loss stated in your estimate in 1812, that there has been a considerable omission; can you explain that?—The loss as it is stated in this account which I have presented to the Committee, I believe to be the total amount of loss, and to be correct; but if this statement of loss is to be compared with other accounts which have been made years back, I should know upon what principles these accounts have been founded; there are losses which may be included in that, which do not fall upon the Company; there are very considerable losses at sea, that fall upon the owners, for damaged goods, which they reimburse the Company; and there may be other circumstances, not in my mind, that may form a deduction from the account as it is there stated; the loss upon the fire at Shadwell is not stated as a loss at sea; the sum was 74,804*l.*; that is a deduction from the profit on the home accounts, and is included in the surplus charges general, beyond the rate deducted in the calculation of profit on the sales.

The accounts referred to are signed by yourself, and stated to contain the account of losses incurred by the East India Company at sea, on their outward and homeward cargoes, to which is added a small loss by fire at Shadwell, and are wholly exclusive of the charge for freight paid to owners of lost ships, which is distinctly stated also under your own signature, in Appendix No. 54 of the 4th Report; can you, after inspecting the accounts, explain this apparent omission?—It is impossible for me here to explain it; I have no doubt, if I had time to explain it, I should be able; but the Committee will observe this, that the dates do not correspond; for though the outward cargoes go out in the season in 1791, that return in 1793, still there is no homeward cargo at risk till 1792-3, therefore it is necessary to investigate the account,

account, to see exactly how the loss has arisen, whether outward or homeward, which no man can do here; I must have time to do it at my office; I have no doubt it can be as satisfactorily explained as any other paper I have explained; and I believe all I have explained, have been satisfactorily explained. *Charles Cartwright, Esq.*

Do not you know, that subsequent to the periods included in the accounts No. 7 and 47 of the Third Report, there have been other very considerable losses at sea, such as the Camden, burnt in Bombay harbour; the True Briton and Ocean, lost in the China seas; and the Ceylon, Windham, and Charlton, captured by the French?—It is impossible for me to answer that question here; if the Committee will allow me to go into the account, I will do it; I remember the names of some of them to be lost, but whether they had any European cargoes on board, I cannot say.

Do not you know, or have you not heard, that the Camden was burnt in Bombay harbour, with her China cargo on board; that the True Briton and Ocean were lost, with their respective cargoes on board, in the China seas; and that the Ceylon, Charlton, and Windham, were also lost on the passage out, with their European cargoes on board, all being regular ships of the East India Company?—I dare say it may be very correct that they were lost with the cargoes, as stated, but the whole question rests on dates; it depends upon what season those ships belonged to; if they do not come within this period, of course we have no right to bring the loss within that period; it must come within that period with which the loss is connected; I cannot answer here a thing of that kind, which requires study and investigation.

The period alluded to is from 1808-9, when the accounts No. 7, and 47 are closed, as delivered in on the 7th of June 1811, up to 1811-12, when your estimate dated the 23d of February 1813 closes; do you not know, or have you not heard, that these losses did actually occur within that period?—My estimate that is dated in February 1813, closes with the sales of the year 1811, ending on the 1st of March 1812; this account of the losses is dated by me in June 1811; how could I know any thing of losses that took place subsequently.

When your account of the 23d of February 1813 was closed, were there no official accounts at the India House of the loss of the ships alluded to in the question?—I dare say there were; but the very circumstance, that I have not inserted them in this account, leads me to suppose they did not occur within the period, or I should have done it, if the losses were upon those seasons in which the goods arrived that are included in these sales, I should have taken the losses in; but if the fact is not so, I have not taken them in, nor should I do so; I request to be allowed to make out an account to explain the apparent difference in the two accounts.

In your estimate there would seem to be no charge for the establishments of Bencoolen, Prince of Wales Island, and Saint Helena, the nett charges of which establishments are certified in the official vouchers annexed to the 4th Report, Nos. 19, 20, 21, and those annexed to the 2d Report, Nos. 3, 4, and 5, to amount to 3,931,699*l.*; be pleased to explain why those charges have been wholly omitted from your estimate?—Because I have not looked upon them as commercial charges; we have no traffic with Saint Helena, except a few stores sent out; there is no trade at all at Prince of Wales Island; we have a solitary cargo of pepper from Bencoolen, which cost about 15,000*l.* yearly; it is altogether so trivial, that we could not look upon the expense as a commercial one.

Do you consider any part of those establishments as properly chargeable on the commercial concern?—The Committee will be pleased to consider I am merely accountant general to the East India Company; I am not a statesman; I do not know how far the policy of this country should govern them to have settlements of a military nature; it is a thing I cannot take upon myself to answer; I dare say they are perfectly right in being at this expense, but the expense incurred is a political expense, in my mind, and not a commercial one; as to the propriety of it, it is not for me to say any thing about it.

In drawing out your estimate, dated the 23d of February 1813, did you exercise your own discretion in excluding these charges wholly from the estimate, or how otherwise?—I never presume to make statements of my own of a speculative nature; they are always submitted to a Committee, and the judgment of that Committee is exercised upon those statements, as well as my own, if I am asked for my opinion

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upon any account, which I generally am, I give the best answer I can to the question proposed.

In your estimate, dated the 23d of February 1813, it is perceived that a deduction is made from the profit on the China trade, amounting to 1,009,308*l.* as the difference between the rate of exchange at which bills have been drawn on the Company, and the rate used in the calculation of profit; but a similar difference certified under your signature, in Appendix No. 26, of the 4th Report, and amounting to 520,797*l.* up to 1808-9, for Bengal, Fort Saint George, and Bombay, is wholly omitted; be pleased to explain the cause of this omission?—The Company's connection with China is wholly commercial, consequently the rate of exchange between China and England is not operated upon by any warlike occurrence, and as the currency in account is fixed as far as the exports meet the cost of the goods, we convert them into the currency of China at that fixed rate; but when money is required to purchase the cargo, and bills are drawn, it was deemed fair by the Committee to value that part of the cost of the cargo at the price they paid for the money, which was the rate of exchange, and therefore the amount stated in the China part of the account is added, and properly so; but it is very different when you look at the India exchange; that is not operated upon by commercial purposes only; great military payments are to be made, money is to be raised, the resources of India are not commensurate to the expenses of India, and the Company must get money on the best terms they can; but it does not follow because the rate of exchange upon the rupee, according to those circumstances, is raised from its ordinary level to 2*s.* 6*d.*, that the commerce is to pay that; and that was the reason the current rupee in the account is rated at two shillings; if that price is worked up to the sicca rupee, it will bring the sicca rupee to its ordinary value, and that, I presume, is an answer to that question.

When the government of this country either sends money abroad, or raises it in a foreign state, does not that circumstance affect the general commercial exchange, and do not the merchants of both countries suffer a loss, or obtain a benefit, by the gain which results from that circumstance?—I conceive they may.

Have the Court of Directors had any bills drawn upon them within the period now treated of, or between 1793-4 and 1811-12, at a higher exchange than 2*s.* 6*d.* the rupee for commercial purposes?—I do not recollect that the rate has been higher; it is not within my recollection, whether it has or not; but as to bills being drawn specifically for commercial purposes, I cannot take upon myself to say that there have.

In Appendix No. 6, of the 3rd Report, signed by you, there is a sum of bills drawn from India, amounting to 8,017,485*l.*; do not you know that these bills, or some of them, have been drawn at a higher rate of exchange than 2*s.* 3*d.* the Bombay rupee, 2*s.* the current rupee, and 8*s.* the star pagoda?—Certainly, there have; the sicca rupee, at 2*s.* 6*d.* is at a higher rate than the rate stated; the pagoda has been drawn at a much higher rate than 8*s.*; as to the Bombay rupee, I do not recollect; but I have no doubt it has been drawn much higher than 2*s.* 3*d.*

State the highest rate of exchange at which those bills or any of them, have been drawn, according to the best of your recollection?—From Bengal, I have already stated I believe 2*s.* 6*d.* the Rupee is the highest rate; I may be mistaken; I think there have been bills drawn upon the Company from Madras, at the rate of nine shillings or 9*s.* 6*d* the Pagoda; what the Bombay rupee has been drawn at I cannot recollect, but proportionably high no doubt; except there may be a partial pressure at one particular place, that may operate upon that government; I do not know that that has been the case at Bombay.

Do you speak with certainty as to 9*s.* 6*d.* the Pagoda?—No, I do not; but I think it is within my recollection, there were a few bills drawn at 9*s.* 6*d.*

Are not the accounts of the East India Company kept at the following fixed rates of exchange; viz. 2*s.* the current rupee; 8*s.* the pagoda; 2*s.* 3*d.* the Bombay rupee; 5*s.* the Spanish dollar; and 6*s.* 8*d.* the tale?—Yes; they are, as alluding to the statement from which the profit and loss is drawn in the account delivered in to the Committee.

To what account is the difference by exchange carried, when any such difference from these rates occurs?—There is no such account made up, it cannot be supposed that

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that a body like the East India Company, having great commercial concerns, and great political concerns to look into, can exactly balance their books, as a common merchant can; the fact is there is no such account.

If therefore a loss by exchange should occur in any of the Company's pecuniary transactions between India and England, are the Committee to infer that such loss will not appear in the Company's accounts?—The only answer I can give to that question is, that the Company have never been in the habit of looking into the circumstance of exchange, as a matter of profit or loss.

In your estimate, dated the 23d of February 1813, the amount charged for customs upon the goods is 5,952,415 *l.*, this column corresponding exactly with the similar column in Appendix 25, of the 4th Report, also signed by you, up to the year 1809-10; besides this sum of customs, there appears in Appendix, No. 51, of the 4th Report, an additional sum charged upon the Company's trade up to 1810, of 537,168 *l.*, on which the Select Committee, in that Report, make the following remark: "The other charges upon the commerce are shewn under their respective heads; the sum thus remaining in the customs is 537,168 *l*, supposed to be in part chargeable on the exports;" can you state why this sum, or a corresponding charge on the exports, has been omitted in your estimate?—This I am sure of, that all the customs that either the goods exported or the goods imported were liable to, and which the Company paid, are stated in the account; but the Committee should recollect, when they speak of the Company paying customs, that they pay large sums for customs on goods that are not their own, they are the goods of private traders; and I dare say the customs so paid are included in these statements; all the customs that actually bear upon the Company's export trade, or import trade, are included in that statement.

In the Appendix, No. 52, of the same Report, the sum of 1,569,677 *l.* is stated to have been paid by the Company for customs on private trade, and to be entirely exclusive of the sum here stated, as supposed by the Select Committee to be chargeable on the exports; can you after this explanation account for the omission?—I cannot account for the Committee's statement; the Committee have been pleased to state what they thought right, and I dare say it is perfectly correct, but I cannot answer for it.

Is not the outward custom charged in the cost of the goods in the invoices?—Yes, that estimate only shews the general result of the trade.

That is drawn from the prime cost, including customs?—Yes, upon the outward trade; the customs upon the home trade is specifically stated in the account delivered in by me.

Is it included as a separate charge in such invoices, or is it included in the ten per cent.?—It is not included in the ten per cent.; it is a separate charge.

Does it appear upon the face of the invoice?—Perhaps it may not in all instances; it may be solved into the price at which the thing is invoiced; but very often it is specifically stated where there is a vast variety of articles, such as apothecaries stores; there is a bill from Apothecaries Hall, including a variety of articles, duties paid on some, and drawbacks, and others you cannot separate it so as to divide it on each thing, but in a large mass it is embodied in the cost of the goods; it is in cloth for instance, if it is still subject to the export duty.

Is the ten per cent included in the invoices stated as a separate charge, or is that also included in the price of the goods in the invoices?—Generally speaking, it is included in the price of the goods, and not stated as a particular charge.

In Appendix, No. 48, of the 4th report, also signed by you, the column of customs is stated at 6,324,141 *l.* from 1793-4 to 1810-11, whereas in the estimate delivered in by you, the column of customs up to 1812, is only given as before stated, at 5,952,415 *l.*; how is this difference to be accounted for?—I presume that it is to be accounted for from the export customs being added in this account, No. 48, to the 4th Report, whereas it is not added in my estimate.

Comparing the column of customs in the same Appendix, No. 48, with your column of customs in your estimate, it would appear that very considerable variations exist in the sums stated against each year; can you explain this?—The estimate

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contains the customs upon the goods actually sold within this period, the other account contains the customs actually paid within the period; now there may be a very great variation in the two sums; much will depend upon the quantity of customs owing when the receipt and payment commenced; a sum might be due to the amount of five or six hundred thousand pounds, which was paid within the period; it cannot tally at all when it is compared with the actual customs, upon the specific quantity of goods sold.

Is the Committee then to understand that the estimate delivered in by you, dated the 23d of February 1813, does not contain the full amount of customs paid within the period?—I have not compared them, it may contain more or less, but whether it does the one or the other I conceive to be immaterial; the one is a specific statement of customs upon a specific quantity of goods, the other an account of receipts and payments for the period; they cannot be compared.

In your estimate, dated the 23d of February 1813, the sum of freight is stated at 22,025,628*l.*; is this the whole sum of freight paid within the period, or can you state how much more it has amounted to?—It is not the whole amount of freight paid within the period certainly; I cannot take upon myself to state what the amount actually paid within the period was; and if I could state it, it would embrace the freight paid upon the private trade, if actual payments are taken.

In the Appendix, No. 25, of the 4th Report, the sum of freight paid up to 1809-10 is stated at the same amount as contained in your estimate up to that period; besides which, in Appendix, No. 51, of the 4th Report, there is a sum of 1,986,135*l.* charged by the Select Committee on the commerce, after deducting from the whole sum the freight paid, the freight on saltpetre, the freight included on political charges, and the freight paid to owners of lost ships, on which sum of 1,986,135*l.* the Select Committee make the following remark: "The other charges upon the commerce are shewn under their respective heads, &c.; that on freight is 1,986,135*l.*, and is to be considered as chargeable to the exports, to the loss on supply in tonnage, to the privileged trade, to the outfit of ships, tonnage, and dock duties," &c. In your estimate this sum, with the exception of the loss upon the law tonnage, would seem to be omitted; can you explain the reason for this omission; the sum above alluded to, as the freight to owners of lost ships, of 508,961*l.*, up to 1810, being also stated as a separate charge on the commerce in the same account, the latter, exclusive of the sum now required to be explained?—I can only answer that question upon the same principle as I did as to the customs; the freight the goods are actually subject to is stated in the account, and from the vouchers furnished to me by the proper officers: As to the conclusions drawn by the Select Committee, and exhibited in their Appendix, No. 51, I disavow it altogether; I cannot draw any conclusions from it without studying it; I do not understand it, and therefore I cannot answer any thing drawn from that statement; the whole freight paid may be completely accounted for, either as a charge upon the territories, or in one way or other it can be completely accounted for; and if it should be the pleasure of the committee to have such an account, we must require time to make it out.

In your estimate, dated the 23d of February 1813, the surplus commercial charges general beyond the rate per cent. deducted in the calculation of profit on the sales, are stated at 1,544,399*l.* in Appendix, No. 51; and page 39 of the Report, as before referred to, those charges general are stated to amount to 1,596,096*l.* up to 1810, the rate of surplus commercial charges general in 1812, must be considerably greater; can you explain the cause of this apparent omission?—We can account for this in the same way that the freight can be accounted for; and if it is the pleasure of the Committee, we will make up the account accordingly.

In your estimate, dated the 23d of February 1813, the Company's loss on the supply of saltpetre to Government, is wholly omitted; this loss in 1810 is stated, in Appendix, No. 30, of the 4th Report, signed by you, to be 436,689*l.*, and of course, it is presumed, would be greater in 1812; can you explain the reason of this omission?—It is omitted altogether, and for this reason; we do not deem it a commercial loss, though it is a commercial article that sustains it; it is altogether an obligation forced upon the Company by law to supply a certain quantity of saltpetre, at a lower rate than it costs them; and therefore, I presume, in any commercial statement, it would be improper to take it in.

In

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In the third Report, page 8, with the Appendixes there referred to, No. 3. 5. 7. 8. and 9. the Committee state as follows: "The invoice amount of goods and stores exported to the presidencies and settlements in India, from the year 1791-2 to the year 1807-8, which reached their destination between the years 1792-3 and 1808-9, and for which England has been credited in the Indian books, is stated at the sum of 11,554,218*l.* The amount in which England has debited India, between 1791-2 and 1807-8, in this respect, is 12,247,296*l.*, being less than the credit above stated by 693,078*l.* Of this difference, the sum of 335,893*l.* is ascertained to have been occasioned by loss, either by capture or shipwreck. The sum still remaining to be accounted for, is 357,185*l.* respecting which your Committee beg to observe, that the credit in the Indian books is given for the net receipt on the invoice account, after deducting short deliveries, which are for the most part chargeable to the owners of the ships on which the consignments were made; some part of the difference now stated may be found in the short deliveries; and the greater part of it, it is presumed, might be accounted for, if the time of the Committee would permit; or if it were thought to be of sufficient consequence to examine in detail the exact period of dispatch or arrival of the ships at the commencement or the conclusion of the period; but this is by no means necessary for the present purpose, which is to ascertain the cash resources of the Indian treasuries; in doing which, the part of the consignments alone, which was sold and paid for, is the object to be attended to. The Committee have therefore called for and added to the Appendix an account which shews the aggregate amount of the sales of goods and stores imported into India from 1792-3 to 1808-9 to have been 8,904,063*l.*: This is less than the amount of the consignments, for which England has been credited, by the sum of 2,650,150*l.*, which deficiency is the point more particularly alluded to by your Committee in the remarks already made, respecting the difficulty of accounting with precision for the final disposal of the stores. Of the difference above stated, 739,252*l.* is to be distinctly accounted for in the increased value of import goods in the warehouses, between 1792 and 1809; the total increase of stores is 951,519*l.*; what proportion of these stores is European, cannot be stated; assuming two-thirds to be of this description, and taking 634,346*l.* accordingly, it would produce 1,373,598*l.*; in which case, the sum of 1,276,552*l.* would still remain to be accounted for. Of this, a considerable part would certainly be found in the dead stock, and some in the consignments made to Bencoolen and Prince of Wales Island; but the remainder must be left to conjecture, and is supposed to have been expended on service without being distinctly accounted for, or to have been consigned from one presidency to another, in which case they could not be included in the amount sold." Can you give any other account of the above sums, or are those sums, or either or any part of them, admitted into, or allowed for in your estimate dated the 23d of February, 1813?—I cannot distinctly state whether they are or are not; the loss or the difference, if any, must be an Indian transaction altogether, and if it is to be accounted for, it must be accounted for by the Auditor; whether he can account for it or not, I cannot take upon myself to say; the loss by sea is included in my account.

In your estimate of profit and loss, dated the 23d of February 1813, is there any allowance made for bad debts?—In my account, certainly none; I made enquiry as to the amount not only by bad debts, but as to the amount of loss by goods lost in the factories, and by loss arising from monies supplied to weavers, who ran away; and also losses on cargoes going from the factories to the presidency of Calcutta, that I got from the Auditor; I desired him to be very particular in stating what the rate of the loss was upon the goods supplied, and he stated it did not exceed 15*s.* per cent and I presume, at the other presidencies, there is no reason to suppose it greater; whatever the whole loss may amount to, taking that rate to be the loss, will be a deduction from the profits I have assumed, not being included at present.

Is it not consistent with your knowledge, that the bad debts in the commercial books of the East India Company abroad are very considerable?—It is not within my province to know the amount of them, it is with the Auditor; but if his statement is correct of the 15*s.* per cent covering the whole, the bad debts may still amount to a considerable sum, which must be included in the amount found upon that rate.

Do you conceive the amount now outstanding in China, in the hands of the Hong merchants, to be either wholly or in part a bad debt?—I cannot answer that question.

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In the Appendix, No. 23. of the 4th Report, there is a sum of 960,000 *l.* stated as due from Government for stores, on which the Select Committee make the following remark:—"Credit is likewise taken for the sum of 960,000 *l.* as a claim upon Government for stores supplied, advances, &c.; this article cannot but be considered as disputable, if not wholly objectionable, if reference is had to the balance settled and paid, after the Report of your Committee in 1808, although it may not, from its connection with the disbursements, be excluded in the view to be now given." If this further sum should not be allowed, will not this be a dead loss to the Company?—Certainly; but as the Company have taken credit for it in their last stock account, they consider it as a good debt.

Does a loss take place on articles often sent to China with a view to push the sale of British staples and new articles there, in the same season that other goods sold advantageously produce, upon the whole, satisfactory results?—I think there can be no doubt of that.

[The further Examination of this Witness was postponed.

[The Witness withdrew.

[Adjourned to To-morrow morning, 11 o'Clock.

29.

Martis, 18° *die Maij*, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Charles Cartwright, Esq. p. 513, to p. 52(

(No. 18.)

Of Evidence before Select Committee.

Ordered, by The House of Commons, *to be printed,*
19 *May* 1813.

30.

MINUTES of EVIDENCE

TAKEN BEFORE THE SELECT COMMITTEE,

Appointed for the purpose of taking the Examination of such Witnesses, as shall be ordered by The House to attend the Committee of the Whole House, on the Affairs of The *East India* Company; and to report the Minutes of such Examination, from time to time.

(No. 19.)

Mercurij, 19° *die Maij*, 1813.

The Right Hon. JOHN SULLIVAN, in The Chair.

JAMES DRUMMOND, Esquire,

A Member of the House, was Examined, as follows:

James Drummond, Esq.

Mr. Impey.] YOU were a supercargo in the East India Company's service at Canton?—I was.

For how many years?—I was twenty years in the service.

Did your situation give you an opportunity of being well acquainted with the China trade?—I think it certainly did.

Did it also give you an opportunity of being well acquainted with the character and dispositions of the Chinese—as well acquainted as it is possible for foreigners to be trading to that country?—Certainly, I think it did; not being admitted into that country.

Do you conceive it to be a part of their character to be extremely jealous of strangers?—Particularly so.

Have they in consequence of that jealousy, formed any regulations for the purpose of restraining the intercourse of strangers with the natives of that country?—There are various regulations of the government to restrain strangers from entering the country, as also to keep them subordinate and in proper order during the time of their remaining in the country.

Are there likewise restraints laid upon the general commerce of strangers with China, by means of the Hong merchants?—So far there are restraints, that they can deal with no other persons than the Hong merchants, a body established by the government; and strictly speaking, lawfully no stranger can deal with any other person whatever.

James Drummond, Esq.

Have the goodness to state to the Committee in what manner the Hong merchants are security for the good behaviour of such persons as trade to that country?—Upon the arrival of any foreign ship at the port of Canton, she is not permitted either to land, or to have any intercourse with the merchants of the port, until some one of the Hong merchants becomes responsible, or, as it is termed, security for the ship; when that is accepted by the Government, they are then permitted to land their cargoes, and to deal with any one of those Hong merchants that they think proper.

Have the goodness to state to the Committee in what manner in China the natives of any particular nation are considered as responsible for the acts of all others of that nation?—It has generally been considered by the supercargoes resident in China, that the chief of the factory is responsible for the acts of all those persons belonging to his nation, though I cannot exactly declare positively that it would be considered so by the government; but it is a generally received opinion, and certainly in more instances than one the government have declared, that they would hold the chief responsible; but I believe it has never been brought to a trial to ascertain whether they would or not.

Under such circumstances, is it very necessary that there should be the strictest controul exercised by the chief over all other persons of his nation trading to China?—I should consider it indispensible for the security of the trade with China.

Can you state to the Committee what are the principal exports from this country to China?—Woollens and metals, I believe, are the sole exports of the Company; what the commanders and officers take are trifling articles; hardware, Prussian blue, skins of various kinds, and various other trifling articles that I do not at present recollect; but metals and woollens are the principal exports from this country.

Have the goodness to state how long woollens have, to any great extent, been exported from this country to China?—I think, to any great extent, the woollens had not been exported from this country before the Commutation Act in the year 1785; but since that it has been an increasing trade; at times however, subject to check, and the quantities obliged to be reduced.

Will you state, whether in your opinion, the introduction of woollens to a considerable extent in China, has or has not been wholly owing to the exertions of the East India Company?—Entirely owing to the exertions of the East India Company, I should conceive; and unless in the hands of one individual, or in the hands of a great Company, it would have been impossible for woollens ever to have found an advantageous sale in China.

Be kind enough to state what are the difficulties and impediments that the East India Company have had to encounter, in introducing the sale of woollens into the British empire?—The Chinese are a people very much addicted to their own customs and manners, disliking change extremely; of course every new article experiences considerable difficulty in the sale; the Chinese wearing skins and their own manufactures, which suited them better generally speaking, before the introduction of woollens; they at first did not purchase the woollens with that avidity which might perhaps have been expected from the superiority of the manufacture; time, however, got the better of this prejudice, the emperor having allowed, at the time of the embassy, the court dresses to be made of cloth, they became, consequently, more general in their wear throughout the empire; still the cost being very considerable, by the inland transport from the Southern port of Canton to Pekin, about twelve or thirteen hundred miles, the sale has experienced very great difficulty; the coarser cloths, long ells, of which a very considerable quantity are used in China, are principally for the lower classes, the prices being rather beyond what they can afford, the sales of them have been extremely difficult; they have often remained for one or two years in the warehouses of the Hong merchants totally unsaleable; I think these are the principal difficulties which the Company have experienced in introducing the woollens into China.

Have the goodness to state what has been the nature of the contracts with the Hong merchants, by means of which the East India Company have forced the sale of woollen in the Chinese empire?—The Company finding it difficult to dispose of their woollens in the open market, as was usual in trade, have found it expedient to make contracts the preceding year for the delivery of the woollens expected in the ensuing; in doing this, they invariably contract with the merchants for a quantity

of

of tea, equivalent to the amount of the woollens, or nearly so; and certainly a considerable advance perhaps is allowed to the merchant upon the teas, as an inducement to him to contract for the woollens, by which the Hong merchant was, generally speaking, I believe, for the twenty years I resided in China, nearly commonly, or almost invariably, a loser. *James Drummond, Esq.*

Do you know whether other nations which trade to China, have endeavoured to introduce woollens into that country?—They have; the French, the Dutch, and I think the Trieste Company, or the Ostend Company, (I believe it was called the Trieste Company), have all, at times, imported woollens into China; and, except the Dutch, I think the whole of them had given up the trade prior to their exclusion from the port of Canton at the commencement of the French war.

Can you state what is the reason they had given up that attempt to introduce woollens?—I conclude, from its being a losing concern.

Have the goodness to state, what, or whereabouts, is the amount of the import of woollens from this country to China, at this time, by the East India Company?—I cannot speak positively since I left China, which is six years ago, but, at that time, it was either very nearly, or perhaps exceeding, a million sterling.

Have the goodness to state, whether, in your opinion, the confidence the Chinese have in the honour of the East India Company has not been one great cause of the successful introduction of woollens into that country, I mean their honour and honesty with respect to the quality of the woollens they introduce?—Most undoubtedly; and as a proof of it, the bales of woollens pass throughout the Empire unopened or unexamined in any way whatever, when having the Company's mark on them.

Has not the knowledge which private traders have of the confidence of the Chinese in the marks of the East India Company, induced them in many instances to forge those marks?—I cannot speak positively with respect to individuals; but I think I recollect, that at one stage of the trade, the French Company did attempt it, and introduced a considerable number of bales with the East India Company's mark upon them; it was discovered however, and I believe never again repeated.

Do you know, that in the commencement of the woollen trade in China, the East India Company sustained considerable losses?—As far as I recollect, from the records of the East India Company, certainly they did, though at times I believe they made considerable profits; particularly, and I believe I may say always, upon camlets; but their losses upon long ells have at times been very considerable, to the amount I believe, of one, two and three hundred thousand pounds a year.

Considering these losses of the East India Company, is it your opinion, that in the hands of private traders that importation into China could possibly have succeeded?—Certainly not; I think it would have been totally impracticable; could those accommodations not have been afforded to the Hong merchants, by taking payment in teas, and by the advance of money at periods when the Hong merchants were in distress, for the purpose of conducting their current business, and for the payment of the imperial duties, which has been the practice of the Company, I firmly believe that the Hong merchants never would have consented to have taken the Company's woollens, nor consequently would they have purchased them of individuals, it being a losing concern.

Be kind enough to state, whether private individuals trading to China, would not have saved to a very large amount, by importing bullion rather than woollens?—Taking woollens generally, I should say yes; camlets and broad cloths perhaps might yield a profit, but certainly long ells, being the principal part of the export of woollens from this country, and by which considerable loss has been sustained; bullion would have been a very considerable saving to individuals trading with China.

In the event of a free trade being opened between this country and China, do not you think that one of the effects would be to establish a monopoly in the hands of the Hong merchants, which would enable them in a great measure, to fix the prices both of the exports and imports?—My opinion on that point is perfectly decided; I consider that a free trade with China would produce one of two effects, either the total loss of the trade from the misconduct of the seamen, or probably of the persons conducting the trade itself, by the exclusion of the English from the port of Canton

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by the Emperor, or that the present advantages derived from that trade would be lost to this country, and thrown into the hands of the Chinese; the body of Hong merchants are already, in point of fact, a monopoly, being appointed by the Emperor to the exclusive trade with foreigners; and the mischief that might have been expected to result from such a monopoly, has only been prevented by the power and influence of the Company, in supporting or in playing off one merchant against another; this I think could not happen where there were a variety of interests, and no combined or concentrated efforts to keep the Hong merchants in order; that the Hong merchants finding no general or combined opposition would, as they have it in their power, affix prices both to the imports and exports of China; that consequently the woollen trade would be lost, as it would no longer yield any profit; that the tea also would either be deteriorated, or the prices enhanced, so as to give to China the profits which at present are derived by the East India Company and the country at large.

You have stated, that the monopoly of the Hong merchants has been counteracted by the power and influence of the East India Company; do you think that the Hong merchants at present are willing to submit to great sacrifices to insure the support and aid of the East India Company, the question referring to commercial sacrifices?—I should think that they would no longer submit to commercial sacrifices than as it was profitable to themselves; that the trade of the East India Company affording them a profit, they are at times certainly ready to make sacrifices to the East India Company, and invariably have, I believe, taken off all goods sent to China on experiment by the East India Company, at the prime cost, although probably in the market they would not have sold for one half their value.

Can you state, whether the Americans have not attempted to introduce manufactures into China, when specie has been scarce in America?—I think I recollect, during my residence in China, several instances of American ships importing the woollens of this country; the adventure, however, not turning out to their expectations profitably, it has not, to the best of my knowledge, ever been repeated by the same persons.

Can you state, whether woollens are not subject to a very heavy duty in China?—Camlets pay a duty of nearly the prime cost in this country; the duties on broad cloth are considerable, I think; but I do not exactly recollect the proportion on long ells, though I believe the duty is equal to about twelve or fifteen per cent.

As the smuggling of woollens into China might be highly advantageous to individuals, do you not think, that in the event of a free trade, it is probable individuals would endeavour to evade the Chinese duties, and smuggle them into that country?—In the article of camlets, I think they would; for, until the regulations of the East India Company were extremely rigid, there was a considerable contraband trade in their own ships of that article; and which at times, from detection, has caused very serious losses to the security merchant of the ship from which they were so smuggled; nearly indeed to the loss of his whole fortune, and even to the risk of his life.

You have stated that officers of the East India Company have heretofore been engaged in the smuggling of woollens; have the goodness to state, whether the general trade to China was endangered by those attempts of the officers of the East India Company?—In some degree, I think it was; and frequent repetitions of the same practices might, I think, have lost us the trade altogether.

State to the Committee, whether, in your opinion, the opening of the trade between this country and China would not be attended with a rise in the price of teas in China?—I think that question is already answered in a former reply, where I mentioned, that the inevitable consequence of the opening of the trade would be the deterioration of the tea, or an enhancement of its price.

Have the goodness to state to the Committee, how it has happened that the mischiefs you apprehend from an open trade, have not resulted from the American commerce with China?—The Americans I think have reaped the advantages of the East India Company's exclusive trade to China; that by the Company establishing an annual price for teas of almost every description, those are not often during that season increased by individual purchasers; but in those articles in which the East India Company do not trade, and which form part of the cargoes of the American

ships,

ships, the prices are, I believe, nearly double from the commencement of the American trade with China. *James Drummond, Esq.*

Have the goodness to state, whether upon occasions of the rules of trade laid down by the Chinese having been infringed, they have not threatened to exclude the English from that country?—They certainly have been threatened with the anger of the Emperor, and an exclusion from the port, if they did not conform to the laws and regulations of it.

Do you think that the opening of the trade between this country and China, would in all probability, be followed by the smuggling of tea into this country to a considerable extent?—I conceive, that certainly the opening of the trade might give greater facilities to the smuggling of teas than at present exist; that the size of the ships would enable them to go into any of the small ports of the kingdom; and moreover, the captains of the East India Company's ships being liable to dismissal from the service, if going into any port whatsoever before they arrive in the Downs, unless by consultation of their officers, they can prove an absolute want of anchors and cables; of course no opportunities to smuggling are afforded to them prior to their arrival in the Downs, whereas the coasts in both Channels would be open to the ships of free trade.

The tonnage allotted to the captains and officers of the East India Company is very small compared with the whole importation from China; is it not?—I believe the allowances to captains and officers of the ships are nearly a hundred tons in each ship; the proportion, of course, will depend upon the size of the ship.

With the exception of the tonnage allowed to the captain and officers, do you not consider the cargoes from China, under the present system, as entirely secured against smuggling?—I should think that would scarcely require an answer; the Company are so much beyond every charge of being engaged in any practice of that kind, it is hardly necessary to answer that question; certainly, I conceive it is perfectly secure.

Do not you consider that the fear of being dismissed from the East India Company's service, is a considerable check upon smuggling, even with respect to that part of the tonnage which belongs to the captains and officers of the Company?—I certainly think it is.

Do not you consider, that in the event of a free trade, the increase of the number of ships, as well as the diminution of their size, would increase the danger and facilitate the operations of smuggling?—I think my former answer went to that effect; that it certainly would.

State to the Committee, whether teas may not be procured at Manilla, and in many of the eastern islands, as cheap as in China, and with the same facility?—Certainly; frequently cheaper.

The duty upon tea in this country being 95 per cent. do you not think, that if private traders were suffered to go among the eastern islands, it is probable they might be induced to purchase teas with a view to smuggling them into this country?—I think that is very probable.

Having already stated, that you thought, in the event of a free trade, our commerce with China might be endangered by the misbehaviour of the seamen and crews of the ships; state to the Committee, whether the Chinese laws respecting homicide are not extremely severe, and what those laws are?—I believe Sir George Staunton could have answered that question better than myself; in fact, the laws are extremely severe, and I believe, in one instance alone excepted, (which has occurred since I left the country), blood for blood has been invariably required.

Have the goodness to state, whether blood for blood is not required in cases where the murderer cannot be discovered?—It has generally been supposed so; but I should conceive that the Chinese are too just to demand it, if they were satisfied that the murderer could not be discovered; although it might be difficult, certainly, to satisfy them upon that head.

Has not the trade with China been endangered from the misconduct of the seamen in the Company's service, notwithstanding the unremitted exertion of the great power entrusted to the Company's servants to keep them in order?—Very frequently; and scarcely a year passed during my residence in China, in which the supercargoes were

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not apprehensive of being embroiled in disputes with the Chinese government, in consequence of the riotous behaviour and misconduct of the seamen of our ships.

If private ships were permitted to go from this country to China, without the strong controuling power of the Company, do you think it would be possible to prevent such crimes being committed, through the irregularities of the British sailors, as would endanger and interrupt the trade between this country and China?—I think it would be extremely difficult, though the appointment of a consul might in some measure remove those difficulties, by his having a controuling power over all British seamen in the port.

Do you think that any controuling power which could be granted to a consul at Canton, would be equally effectual with the power at present exercised by the Company, either for the protection of British subjects trading to that country, or restraining them from misconduct?—A consul, not possessing the commercial influence which is possessed by the supercargoes of the East India Company, I think, in his negociations with the Chinese government, which are invariably carried on through the merchants, he would not have the same advantages as are at present possessed by the supercargoes.

Do you think that there is any difference between British and American seamen, as to their conduct in the ports of China, and as to the apprehensions that may be entertained of irregularities that may be committed by them?—I think my observation went, during my residence in China, to satisfy myself that the American seamen were generally more orderly than the seamen of our own ships; which I certainly ascribe to the profits of the American trade being very considerable, enabling the proprietors of their ships to give a much higher pay than is customary in ships from this country; and not unfrequently, I believe, the seamen have been concerned to a small extent in the adventure; this, however, may vary; in the event of a war with America, as at present happens, when her navy would acquire, and probably obtain her picked seamen; and her merchant vessels would then be compelled to have recourse to men of worse character, as I believe to be the case with respect to our own ships at the present moment, the owners of our own ships being frequently obliged to take men from gaols, and desperate characters of every description, for the purpose of manning their ships, on leaving this country.

Is the Committee to understand from your last answer, that, in your opinion, the irregularities committed by American seamen have been less than those committed by British seamen, on account of the American seamen employed in the China trade being picked men?—Yes, I think, certainly.

Have the goodness to state to the Committee what, in your opinion, has been the cause that the China trade has been so lucrative to the Americans?—I should consider, that the advantages which they may have derived from that trade, have been very much owing to their being enabled to carry it on with bullion.

Has not the circumstance of the wars in Europe likewise contributed extremely to enhance their profits, on account of their facilities in supplying the Continent?—For several years prior to my leaving China, the Americans were in the habit of having three or four ships annually destined to the ports of Europe, for the supply, I presume, of the Dutch, and of all the north of Europe; and of which, at the restoration of peace, or at present, in consequence of the war with Great Britain, they will certainly be deprived.

If private ships from this country were permitted to go without restraint to the eastern islands, do you apprehend atrocities might be committed by private adventurers in those extensive seas, where there are no European settlements, that might injure the natives and affect the British character?—I think it not improbable that it might be so, from the variety of characters which certainly would engage in a trade of that nature.

Have any instances of such atrocities, committed in other parts of the world, come to your knowledge, as to have led you to form the opinion you have stated in your last answer?—Reports, certainly, have been circulated in China, at different times, of the misconduct of some of our smaller vessels, trading in the skin trade to the north west coast of America, of the truth of which, however, I can bring no positive proof,

proof, although, I believe, that at the time I had reason to suppose they were not altogether groundless. *James Drummond, Esq*

From your knowledge of the China trade and the Chinese character, are you of opinion that the present system, under which it is carried on, is the most advantageous and safe for this country?—I conceive, that any person acquainted with China cannot have a doubt of its being more advantageous to Great Britain that it should be continued on its present system.

Do you apprehend, that if a free trade were opened between this country and China, the probable consequence might be to deteriorate, if not to endanger the trade altogether?—I think, in my former answers, I have completely replied to that question in the affirmative.

(Examined by the Committee.)

Have you any acquaintance with the nature of the trade that has been carried on between the north west coast of America and China?—I think I have.

Are you of opinion that an advantageous traffic could be carried on circuitously from this country, taking the north west coast of America, in the first instance, and thence prosecuting the adventure to China or India?—I believe that various speculations have been entered into from this country to the north west coast of America, and which have ended either in China or India, and seldom, I believe, to the advantage of those concerned; and I know of no instance where it has been repeated a second time by the same person or persons.

Was not that experiment made by a Mr. Cox, who had been long resident in China, and must have been intimately acquainted with the most advantageous mode of carrying it on?—I should have said in my former answer, that there was also a direct trade from China to the north west coast of America, and which, I believe, was carried on for several years in the infancy of the trade, and was then I believe profitable; Mr. Cox certainly went from this country or from Sweden, in a vessel under Swedish colours, to the north west coast of America, and was, I believe, perfectly acquainted with that trade, but I do not believe that he persevered in it, or those with whom he was concerned; he died shortly after his arrival in China: I do not believe that that trade was continued by his partners, or by those concerned with him.

Did he persevere in that trade till he died in China?—I believe not.

What led him then to China?—Mr. Cox was long a resident in China; he was ordered home, not being permitted to remain there; he then found it necessary to obtain a foreign protection, to enable him to reside in that country, and went out to China by the north west coast of America.

You are not then perfectly certain that the partners of Mr. Cox did not continue the trade, even after his death?—Upon recollection, I think it never was repeated, even in Mr. Cox's life-time, for he lived either a twelvemonth or eighteen months, and went in that ship to some of the islands in the South Seas for the collection of seal skins, and not to the north west coast of America for sea otter skins.

Can you inform the Committee to what the duties and charges on tea delivered at Canton amount beyond the prime cost?—The duties are different, I think, upon green and black teas; the exact amount I do not recollect, but I believe the charges are from two to four tale, of 6*s.* 8*d.* on each pecul of tea of 133 lbs.

Can you inform the Committee what the per centage may be?—It is impossible for me to say what is the per centage, because the duties are similar upon the high and low priced teas; the tea that costs ten tales pays the same duties as the tea that costs 50 tales; it must be a matter of calculation; in one case it might be equal to 20 per cent., and in another not to five.

Can you form any approximate idea of what it might amount to upon the general cargo of tea?—No, I really cannot.

May not tea be obtained from other ports of China, through Chinese junks, at inferior charges to those paid at Canton?—I think they might, as not being subject to the same export duty by the Chinese junks, to which they are when laden on foreign or European ships.

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Do not you know, or have you not heard, according to the publications before the House of Commons, that the additional charges on tea amount to from 30 to 35 per cent.?—No, I never heard it; nor have I ever seen it in any publication.

Were the Chinese seas opened to ships of smaller tonnage, might they not procure teas with the advantage of inferior charges?—Certainly.

Do you know the average quantity of British tin imported by the East India Company into China?—I believe it has been about 300 tons, but I cannot charge my memory to state the exact quantity.

Do you know the average quantity of copper?—I think copper for several years has not been imported by the East India Company; copper made into small sticks, to imitate the Japan copper, was for a time imported into China, and I do not exactly recollect when it was given up, but I believe it has been discontinued for some years.

Do you know the prices which the tin imported to China costs the Company?—I can only judge from the invoices; and as far as my memory will assist me, I think it was from 75*l.* to 82*l.* per ton.

Do you know whether tin is not brought from Banca to China, by Chinese junks and other conveyances?—We had very imperfect means in China of ascertaining the importations by the Chinese junks, for they belong to a variety of ports in the empire, and they are under a different department of the customs from what the foreign trade is, and therefore, we have never been able to obtain any correct statement of their imports or exports with respect to the importation by British or other ships; I believe for several years it has been very trifling, but I cannot say to what extent.

Do not you know that great quantities of tin at present, that Banca is no longer under the Dutch monopoly, may be obtained there, and if it can be obtained at a much inferior price, will it not be supposed that instead of importing tin from Europe, the produce of Great Britain, private ships trading will bring it from Banca, and supersede the import of that British produce, which at present takes place in China?—I cannot speak from my own knowledge with respect to the quantity of tin that is produced at Banca, or among any of the other eastern or Malay islands; but those possessions belonging at present to Great Britain, I should conceive that facilities will be given to the obtaining of tin, which have not existed for many years past, and that consequently the sale price of Banca tin being generally higher in China than that of the British tin, it will become a considerable article of import to China.

Can you inform the Committee, why Banca tin sells higher in general at Canton than British tin?—The reason which the Chinese generally assign, is its being more malleable.

Are you acquainted with the prime cost at Banca, or the relative cost of that and of British tin?—I am not; but I should conceive it must be considerably cheaper, by having understood, that all those who formerly traded in it derived very considerable advantages from the trade.

Are not the India country ships which frequent Canton, placed under the conduct of the chief of the supercargoes, and subject to their orders and regulations?—They are.

Do you know that the owners and commanders of those ships enter into covenants with the government of India in a heavy penalty to that effect?—I certainly know that they do enter into covenants with the government of India, binding themselves to obey the regulations and orders of the select committee of supercargoes, because upon the arrival of those ships in China, they are bound to present their papers, and did for several years present them to myself; the copies of these papers were lodged with the supercargoes for copies to be taken.

In the event of its being made a regulation, that the country ships should not trade in teas beyond a small quantity, for the consumption of the different presidencies in India, are not you of opinion that the chief and select committee of supercargoes would have it in their power to enforce such a regulation?—I should think they would, certainly.

What has been the general conduct of the commanders, officers, and native crews of the country ships at Canton?—They have, in general, been very regular and orderly, to the best of my recollection.

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Are you aware of any instance, with the exception of the unfortunate accident which happened from the firing a salute from the Lady Hughes country ship, of a disturbance occurring on the part of any person connected with country ships, which tended to a stoppage of the trade?—No, I do not recollect any.

Was not the circumstance alluded to, of the death of a Chinese occasioned by the firing of a salute from the Lady Hughes, considered entirely accidental; and that no blame whatever attached to the persons connected with that ship?—That circumstance having happened several years before my arrival in China, I cannot speak positively on the subject.

Are you not aware, that the gunner who fired that salute was delivered up to the Chinese government, by the orders of the chief of the supercargoes, under a promise from the Chinese government or their officers, that his life would be preserved?—To the best of my recollection, from perusing the Company's records, I believe that the officers of the Chinese government at Canton did certainly promise not to put him to death.

Have you not heard, and do not you believe, that notwithstanding this promise, that man was strangled?—I certainly have heard that he was; and have no reason to doubt it.

In your evidence just delivered, you were understood to have mentioned some advances of money made to the Hong by the supercargoes in China; be pleased to state, whether those advances were charged with interest to the Hong or not?—Certainly not; whenever advances are made to the Chinese merchants, at the commencement of the season, they are carried to their accounts, and no interest charged; but if, on closing the books at the end of the season, any of the merchants are indebted to the Company, the sum so due is considered as an advance upon their contracts of the ensuing year, and an adequate deduction in the price of the teas is allowed to the Company.

Has there not been a considerable balance outstanding in the hands of the Hong merchants for several years past?—The balances outstanding, when I left China, were trifling; but I have understood that they have been considerable since; and I conclude that the same advantages have been derived by the Company from these outstanding balances, as if they had been actual advances upon contracts. During the period I was in China, I believe that the Company have more frequently been in debt to the Chinese merchants, than the Chinese merchants in their debt; and no interest, although this amount has exceeded frequently a million sterling, has ever been allowed to the Chinese.

From what period has this outstanding balance been in the hands of the Hong?—I believe from the year 1807 or 1808.

In consequence of these advances made to the Hong, is the Committee to understand, that the teas purchased on account of the Company were procured from the Hong at a cheaper rate?—I think, in my former answer, I stated that an adequate deduction was allowed; I believe that deduction has been one, two, and three tales a pecul.

Considering the Company to have procured their teas at those reduced prices, can you state whether those prices were higher or lower than the market rates of the tea?—The contracts being made a year or several months prior to the delivery of the tea, I cannot state positively that the contract prices have always been lower than the market prices; but I believe in general they have.

By the market prices mentioned in a former answer, is the Committee to understand the money prices paid by individuals or private merchants for those teas?—It is the practice of the captains and officers, and all foreigners, I believe, trading to China, to dispose of their cargoes to the Hong merchants at certain prices, and to take the payment of part of those in teas, at what is considered the money price; it frequently happens, however, from the distresses of the Chinese merchants, that teas are purchased in the market by the payment of ready money, at prices below what is considered the market price.

Then the Company may be supposed, in consequence of the Hong deriving the benefit of the advances mentioned by you, to get their teas as cheap as what may be called the money prices in the China market?—Most assuredly, when advances are made; and I should have stated in a former answer, that the deductions in conse-

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quence of advances, are generally equivalent to an interest of about twelve per cent per annum.

From your knowledge of the Company's accounts at Canton, can you inform the Committee, whether there are not sundry charges at that factory which are not added to the invoices of goods consigned from thence, but still kept upon the books?—Certainly, none; the whole are closed by what is termed charges general, and those charges are put upon the invoices.

[The Account, No. 14, to the 4th Report, was shewn to Mr. Drummond.]

Mr. Drummond. It appears that sundry charges have not been added to the invoice; these I should conceive to have been either advances or payments on account of the embassy to China, or advances made to the captains of His Majesty's ships, though I cannot speak positively.

[The Accounts, Nos. 3, 4, 5, 6, 7, 8, 9, 10, were shewn to Mr. Drummond.]

Be pleased to state, after inspection of these accounts, whether the account, No. 14, does not contain charges of a commercial nature, not added as therein stated to the invoice of goods from Canton?—I cannot reply positively to that question; but as I know that it has been the practice in China to add all the commercial charges to the invoices, I conceive the charges in No. 14 not to come under that denomination.

Be pleased to look at the same account, No. 14, and to state, for the information of the Committee, whether the profit and loss account therein given does not, in your opinion, contain an account of the general losses sustained by the Company in Canton during the period of the account?—I should conceive it to be the balance of the profit and loss account, as therein stated.

Does that profit and loss account contain the bad debts of the East India Company in China, and can you state their amount, or nearly so, during the period of your residence in China?—I do not think that the Company, during the period of my residence in China, ever had any bad debts, or ever lost money; the payment of debts due by bankrupt merchants, have frequently been delayed for some years, but have ultimately been liquidated; nor were there, I think, when I left China, any such due to the Company by the merchants.

Can you state from your knowledge of the Canton accounts, what the losses contained in the account, No. 14, are principally to be ascribed to?—Almost exclusively, I should conceive, arising from their losses on woollens, though there may be some other articles which I do not at present recollect.

Has the woollen trade been, in general, to the best of your knowledge or recollection, a losing one to the Company?—I think I have stated in my former answers that it was so.

Are not those woollens made over to the Hong merchants, at what is termed a barter price?—There is certainly a consideration allowed to the merchants in concluding their contracts with them, and something additional is given on the prices of their teas, in consequence of their consenting or agreeing to receive the woollens at stipulated prices.

Is the Company's loss on their woollens calculated on that barter price at which they are made over to the Hong?—The loss upon the woollens is the difference between the invoices transmitted from England, with the charges thereon, and the sale price to the Chinese merchants, with the charges of landing, &c. thereon.

You are understood to have stated in the former part of your evidence, that the Hong merchant sustained very considerable loss in disposing of those woollens again in the country; can you state at what rates, generally speaking, those woollens were so sold by the Hong, compared to the price at which they received the same from the Company?—I cannot precisely state the difference, but it has, I believe, at times been as high as thirty and forty per cent. upon the article of long ells.

May this difference be considered to constitute the amount of difference between the money or market price and the barter price of articles in China?—I think the question goes to assume that I had allowed a barter price, which if I have, was certainly not my intention; the Company, as I stated before, in consideration of the merchants receiving their woollens at fixed prices, have allowed a trifle more for their

teas

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teas than what they would have done, if they had purchased them entirely with money, and the losses which the merchants sustain upon their woollens, are more or less regulated by the distresses of individuals; the respectable and wealthy, by keeping their goods on hand, are certainly not exposed to the same loss which the needy are, by being compelled to an immediate sale; and I should conceive that the merchants submit to this loss, rather than relinquish the advantages which they derive from the Company's trade, generally.

In Appendix, No. 2, of the 4th Report, which you are requested to take the trouble of perusing, the Court of Directors admit the barter price, and direct their consignments in future to be sold at money prices, that they might be enabled to shew with precision the extent of the pecuniary sacrifices to which they submit, in order to extend the consumption of British staples; will you favour the Committee, by stating generally, what the amount per cent. or otherwise of those pecuniary sacrifices may be, or in other words what you consider to constitute the difference between the barter price alluded to, and the money or market price of the commodities?—To answer that question satisfactorily, it would be necessary perhaps to go into the detail of the whole of the Company's trade, as connected with China, and which would be perhaps rather too tedious for an answer; but as far as I can make myself understood by the Committee, in reply to this question, I would state, that if the whole of the export of woollens belonging to the East India Company were to be sold, and paid for in money immediately, I do not conceive that one half of their present prices would be obtained, if they could be sold at all; that it is only by the facilities granted to the Chinese in taking payment by teas that they are induced to receive them; consequently, it naturally appears, that the exact difference cannot be stated; but I should imagine, that it would be very considerable; and, at the same time, that the advantages obtained by the purchase of teas with money, would in no degree compensate for the loss.

By stating that the supercargoes could prevent a greater export of tea in country ships than they thought necessary, did you not mean to confine yourself to the power they can exercise at Canton?—Of course.

Do you conceive that any such power could be exercised effectually, so as to prevent any quantity of tea being carried by country ships from other ports?—I believe that by the covenants entered into by the owners of those ships with the governments of India, they are strictly prohibited from going to any other port or ports in China than Canton; and that, consequently, an attempt to proceed there, or the actually going to any port, would render them liable to the penalties in the covenants which they enter into with the government of India.

Could the supercargoes controul the commanders of country ships from receiving teas from the eastern islands, not going to a port in China?—Certainly not.

Could they supply themselves to any extent that they pleased?—I should think they might supply themselves to a considerable extent.

Have the goodness to mention the islands to which you allude, where the country ships could get supplied with teas to a considerable extent?—I should wish to confine it to ports; Manilla and Batavia are, I think, the principal ports, where they could certainly obtain supplies of teas, if they chose.

Are you aware that the penalty attached to a breach of the covenants between the owners of the country ships and the governments of India, is double the value of the ship and cargo?—I do not exactly recollect the penalties to which they are liable, but I believe them to be very considerable, indeed.

Supposing regulations to be made by the governments of India to the same effect as those alluded to in China, are you, or are you not of opinion, that they would prove effectual, under such a penalty, to prevent the country ships trading in teas?—Not being aware of any instance in which those covenants have been infringed, I naturally conclude they would.

Are not (as before observed) the commanders of country ships so completely under the controul of the select committee in China, that they have even the power of removing the commanders or officers at pleasure, in the event of any misconduct?—I rather think the supercargoes have that power; but I cannot speak quite positively on the subject.

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Have you any recollection of a circumstance of that kind having ever occurred, or have you ever heard of such a circumstance?—I think I have some faint recollection of a captain of one of the country ships having been threatened to be removed from his command; but whether he was or not, I really do not recollect, it being at the early part of my residence in that country.

Do not you think, that although the governments in India may controul the country ships, they could not, if the China seas were opened to private traders from Great Britain, prevent those private traders furnishing themselves with tea, if they were so inclined, at different ports in those seas?—At any ports subject to the controul of the Company, I should conceive they might; but as I do not suppose that private traders from Great Britain would be so completely subjected to the controul of the Indian governments, I do not know that they could prevent them from obtaining teas at foreign ports.

RICHARD WAIKE COX, Esquire,
Was called in, and Examined, as follows:

Richard W. Cox, Esq.

Mr. Jackson.] YOU were in the civil service of the East India Company, upon the establishment at Bengal?—I was.

How long have you been returned from thence?—Between three and four years.

Were you in the revenue department at any time?—I was.

How long?—About fourteen years.

Were you also in the department called, the export warehouse department?—I was.

Were you a commercial resident?—I was.

Where?—Gollagore, in the province of Burdwan.

How long were you there?—About four years.

Are you well acquainted with the mode in which the East India Company provide themselves with piece goods?—I am acquainted with it.

Be so good as to state, how the investment is first determined on?—By an order of investment sent by the Court of Directors to the government of India, who forward it to the board of trade.

Does that state the quantity of the articles they may require?—It states the articles and the quantities.

Do the government, in forwarding that to the board of trade, merely forward a transcript of the orders from home, or with any directions of their own?—That will depend upon the state of the finances of the country; if the government have funds for a larger investment than the Court of Directors require, they will allot funds to the board of trade for the provision of a larger investment; and the board of trade will exercise their discretion in the allotment to the several factories.

Supposing the government not to have funds to the extent of the orders from home, what steps do they take then?—A proportionate reduction will be made from the order of investment of such articles as are least productive to the Company.

In either of those cases the government would express their pleasure to the board of trade as to the amount, and as to the articles?—The board of trade would determine the articles, the government would limit the amount.

Upon being apprized of the amount, what steps do the board of trade take next to procure the articles; what discretion do they use as to the articles?—They forward a copy of the order of investment to the several factories at which the goods are produced; they reduce the articles ordered that are least profitable.

Do you mean that the board forwards its orders to the commercial residents at those factories?—Yes, to the commercial residents at the factories.

Upon the receipt of such orders, what steps do the commercial residents take?—Generally notify to the weavers the order of investment; divide it among the several subordinate

subordinate factories; and require the weavers to attend on a certain specific day, for the purpose of receiving advances, which are made to them. *Richard W. Cox, Esq.*

Upon such occasion, when the weavers are assembled, do the commercial residents apportion to them the respective quantities which each weaver should manufacture?—He is furnished with his advances for his specific number of pieces; and an account current is given to each weaver, in which he is debited for the advances made to him, and credited for the deliveries he may make.

Upon such occasions, how is the price settled?—There are standard prices, as well as standard musters or samples.

Explain what you mean by each of those terms?—The terms that have been usually paid; the advances are issued to them at the established rate, except the weavers should object, in consequence of the high price of grain, or the high price of thread.

Supposing the weavers to express their opinion that they ought to have more, what steps are taken by the commercial resident?—It is his duty to represent it to the board of trade, with his sentiments on the necessity of the measure.

If an alteration takes place, does that occasion any new or express agreement?—If the price is altered, of course, the agreement varies, that is, the goods furnished will be at a higher price; the agreement so far varies.

In what way would that agreement be concluded on, or recorded, as between the resident and the weaver?—By marking it in his account current, in what is called there a hatchet, which each man carries in his hand.

Whatever agreement may thus be entered into, the weaver, by the mode you have described, or some other, has a copy of that agreement, or the substance of it?—It appears in his account, which he is furnished with from the factory.

Is it stipulated, at the same time, what are the periods at which the goods shall be delivered?—The number of pieces which he is to deliver per month is generally stated; some articles of a finer nature, of course, require a longer period than a month.

In what proportion are the advances as to periods; are they from month to month, till the delivery is compleat?—It will depend entirely upon the nature of the assortment; the weaver receives advances for a specific number of pieces; in the finer assortments, he cannot compleat his deliveries within the month.

In such cases, is he in fact always working upon advance?—He is.

In what way is the manufacture superintended so as to insure a good article to the Company?—There are people on the part of the resident, who go round to see that the weavers are at their work, and the quality of the article will be determined when it is compared with the musters; the inducement to the weaver to provide a good article, is his receiving a proportionate price; they are divided into four assortments.

During the time the manufacture is going on, are they under any degree of superintendence, to see that they are proceeding with a good and perfect article?—There are superintendents on the part of the resident, to see that they are proceeding, and in some instances they may examine the thread: I do not believe that they controul the weaver; he is at liberty to purchase such thread as he thinks proper; he is paid for his work afterwards upon the sample.

The Company trust to the fact of the goods turning out agreeably to the musters, or else reject them?—Each assortment is divided into four letters, A, B, C, D, with a proportionate reduction of price; the enhancement of price is a stimulus to the weaver to deliver a good article.

Are they strictly examined, and by whom at the time of delivery?—They are first examined by native examiners, and subsequently by the resident himself; the weavers attending to see that justice is done to them.

They are examined by native examiners, with the knowledge of the weaver, and in his presence?—Yes, by a native on the part of the factory, and subsequently by the resident.

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Supposing any of the articles turn out to be inferior to the muster, what steps does the resident take?—They will either be reduced into a lower assortment, or totally rejected; and the weaver will be compelled to dispose of them upon the best terms he possibly can.

You mean that they will be turned into a lower class?—Yes; and if so deteriorated as not to form any of the Company's assortments, they will be returned to the weaver, rejected.

If unfit for either of the four classes you have mentioned they will be rejected?—They will.

How, in that case, would you settle as to the advance of money?—He must deliver another piece equal to sample.

Supposing a piece inferior, in the judgment of the examiner, to the muster, would the weaver have liberty to withdraw it altogether, and sell it to whom he could, or would he be compelled to sink it into one of the lower classes?—It follows, as a matter of course, that it will go into a lower class, if it is not equal to the higher.

How long, in general, does an order of this kind take to compleat, between the order and the delivery, as between the commercial residents, for instance, and the weavers; between the time of giving the order and the execution of it, how long elapses?—It will depend entirely upon the quality of the goods provided.

How long, generally speaking, does it take to compleat the whole investment of piece goods?—If a large investment, near thirteen months and a half; but it must be determined by the quantity of investment ordered by the Court of Directors.

Generally speaking, can you say how long they take?—Generally, I think, about thirteen months and a half; that is, until the period when the ships are dispatched, hich is in March; until within a few days of the dispatch of the ships, goods are oming down from the factories to the export warehouse.

You have said, that if an article be not good enough for the Company's investment, t is rejected altogether; do the Company allow any article to be admitted into their nvestment which would fall below either of the classes you have mentioned, would hey not insist upon good goods?—The commercial resident would reject goods nferior to the muster.

Are those musters consisting of what is called the best goods for the Company's sales?—Undoubtedly, each of its respective assortment, the best of its class.

Is it so, that they will deal in none but the best of their class?—I have always understood it to be the object of the Company to obtain the best goods that can possibly be produced.

According to your experience, generally speaking, have they succeeded in that object?—I believe they have; I believe the goods of private individuals are not equal to the goods of the Company.

Could an investment of piece goods be completed in the time that you have stated, by any other means than such previous arrangement and occasional advances, together with the circumspection of the commercial establishment?—I conceive we could not procure an investment without advances; goods may be purchased in the bazar at Calcutta, but of an inferior quality.

In your opinion, could goods be procured of that description of quality and extent in amount, without such a commercial establishment as you have described, with the advances?—Certainly not without factories in the interior of the country, and advances made from those factories to the weavers residing in the vicinity.

Would you regard it as absolutely essential to procuring such investments of good goods, that those factories should be superintended in some way, or controuled by European agents?—I conceive that they should be superintended by commercial residents; the Company did contract with natives, and the deliveries were, in general, inferior to goods since produced under the present system.

Are the weavers in any state of compulsion as to serving the Company, or are they at liberty to work for whom they please?—They are at liberty to refuse the advances of the commercial resident, as will appear by the regulations of the Company.

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In point of practice, during your experience, have the weavers been at liberty to work for whom they pleased, to refuse those advances, or have they been in any state of compulsion to work for the Company?—I have known weavers refuse the Company's advances.

What has followed?—Of course they did not receive them.

Did any degree of coercion follow on the part of the Company, or was any displeasure expressed towards them?—Not that I know of.

Have you any reason to believe, that under any circumstances of that kind, any degree of coercion or compulsion has been used towards them?—The government having by their regulations left it optional with the weavers to receive their advances, they cannot, I conceive, compel them to receive the advances should they decline it.

According to your experience, those regulations have been acted upon?—Yes, I believe they are still acted upon; but I have not been in the commercial department for many years.

To the best of your experience, and from your knowledge in the higher departments you have since filled, have you any reason to believe that that degree of freedom has been exercised towards the weavers?—I believe the weavers are in a state of freedom.

Is not this mode of advancing to the weavers a very ancient and uniform practice?—I believe it has existed from the establishment of the East India Company; I have seen samples dated in the year 1758 or 1759, factory musters.

So far from compulsion being even necessary, is it not a subject of desire and emulation among the weavers to supply the Company?—They are desirous, in general of being employed by the Company.

Do they seek the Company's employment?—Generally they do.

State why you think they prefer the Company's employment?—The commercial resident may advance to the zemindars the land revenue, which they may be indebted to him, or even liquidate any of their debts to prevent their being sued for them in a court of justice; of course he will exercise his own discretion, and will only advance to such weavers as are of good character.

Does the regularity and certainty of employ and payment induce the weavers to be very anxious to serve the Company?—It certainly does.

The weavers are many of them, or very generally, cultivators of the land; are they not?—They are.

Does the nature of the Company's employment the better enable them to pay their rents for their lands?—I conceive it does.

Are not the commercial residents always ready to include in their advances, or furnish them with the means of discharging their rent?—They generally do.

Do they not in some way undertake to the collectors for them, either by passing it to the credit of their account, or in some other way?—They do; the resident will exercise his discretion, of course.

It is what, in point of fact, frequently happens, that the commercial resident advances the weavers the means of paying their rent, or that the collector will take the undertaking of the resident, and pass it to the credit of the weaver?—No, not in that way; the specific advance in money must be made to the weaver, because he will be debited for it.

Is it for the purpose of paying his rent that the advance is made?—When specifically required for that purpose, advances are generally made for the goods.

When specifically asked for for that purpose, the resident does advance them money to pay their rent?—Sometimes he does so, but every individual will exercise his own discretion.

If such an arrangement of investment as you have described were to be suspended or withdrawn for a period, what would be the consequence, would the weavers disperse?—They would not quit their habitations, but they would work for bazar sales, and certainly endeavour to seek employment from others.

Would

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Would it be difficult or not for the Company to resume such a system, if it were abandoned for a period?—After the weavers had obtained employment with other individuals, it would be difficult for the commercial residents to collect the same number.

Would it be a difficult thing to renew the same system, if it were abandoned for any particular period?—It would be difficult, I should imagine, to re-establish it to the same extent.

If it were an object for the East India Company to remit the revenue of India by bills of exchange from individuals, instead of thus remitting them through the medium of merchandize and manufactures, do you apprehend that that mode and system could be easily or safely carried into execution?—The governments in India might probably obtain some bills; but as the necessity of their obtaining bills would be known to the merchants, they would not obtain them, in all probability, upon very favourable terms.

Do you think that such a mode would be safe to the Company, or one that they could consistently and uniformly rely upon, to the extent of remitting the revenues?—It must depend upon the extent of the private trade between this country and India; I should think the remittance by investments is most secure for the Company.

Do you think that such a mode of remittance (by bills of exchange) is one that the Company could consistently rely upon, as the means of the annual remittance of their surplus revenue from India?—It will depend upon the amount of the surplus revenue to be remitted.

Supposing it happened, generally speaking, to be about the amount which the investments from India have been within your observation and experience?—I should then think it advisable to proceed in the established mode.

Favour the Committee with your reasons why you think it would be better to persevere in the present established mode?—Because the Company have factories established throughout the several districts; the qualities of the goods are of the best, and they are enabled to obtain them through the medium of their own servants, while, in the mode proposed, they must have recourse to private individuals.

Do you not think their known necessity for obtaining so large an amount in bills of exchange, as their investments have generally amounted to, would occasion a combination among individuals, so as very materially to raise the price of those bills of exchange?—In all probability it would.

Is that your opinion, as a gentleman who has resided so long in India, and seen so much?—The wants of the Company being known, the exchange would, of course, be unfavourable to the Company.

Would not the Company, under such circumstances, be almost wholly in the hands of such individuals for the purpose of remittance, supposing them to have given up the usual mode, and to have adopted that?—I know of no other mode, except the remittance of bullion, which certainly is not advisable, as India does not produce the precious metals.

If the Company then should be disappointed in the means of remitting the surplus revenues of India, through the medium of bills of exchange, after having been led to rely upon such a system, would it not, at all events, defeat the remittance home, for that year at least, it being then too late to resort to the former mode of remitting by means of investment?—If at the period at which the ships usually sail, bills could not be obtained, the investment could not then be sent.

It always requiring a period of twelve or thirteen months previous arrangement?—It requiring the period of some months, that will depend upon the nature of the investment.

Supposing them to have relied upon bills of exchange, and to be disappointed, would it not be a matter of great difficulty and probable length of time, before they could re-establish their former mode of remitting the surplus revenues of India by means of investments, supposing their factory system to have been abandoned, in confidence of succeeding in the new system, and remitting by bills of exchange?—

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In the event of their factories having been disposed of to private individuals, it would certainly be very difficult to re-establish the investment in the ensuing year.

Is the Committee to understand, that if that whole arrangement you have been describing, of transmitting the orders, of the occupation of commercial residents, previous advances from month to month, and all those particulars that have been described as necessary to obtain an investment, were abandoned, could it be resorted to again as effectually as it is now, in the course of a few months?—No, it could not.

Would it be a matter of great difficulty and delay?—That is more than I can speak to; I imagine it would.

Is sugar an article that is raised in any great degree in the parts of Bengal with which you are acquainted?—It is raised in Bengal, in Behar, and in Benares generally; but it is more particularly produced in the countries ceded and conquered during the government of Lord Wellesley, in Rohilcund and in the Dooab.

Is it an article that is or might be cultivated to an almost unlimited extent, as to quantity?—In Rohilcund it may be produced to a very great amount; part of the Dooab is in an uncultivated state, but may be applied to the cultivation of sugar.

Might it not be thus cultivated to an almost unlimited extent?—I imagine the cultivation might be considerably extended.

Is it already so great as to be a very cheap article in India?—It is cheap.

Has it not been so cheap and common within your knowledge and observation, as to be, in fact, used for building in some degree as a cement?—In cement, and in the terraces with which the roofs are covered in India, molasses always forms an ingredient; it is considered as essential to the durability of the cement.

A substitute for the finest British mortar?—It is mixed with lime and sand.

(Examined by the Committee.)

AT the prices paid for cotton piece goods in Bengal at the period of your leaving that country, do you conceive that a profit resulted from the sale of them in this country?—I understand individuals lost by remittance in piece goods.

Do you know whether the Company's investments at that period were to the usual amount, or were they diminished in consequence of any fall in the price of piece goods in this country?—I believe the investment was diminished in consequence of the war, and perhaps from the order of investment being reduced at home; but I cannot speak with certainty to that point.

What is the penalty for non-performance of the contracts for cloths, on the part of the weavers?—A peon may be placed over him to quicken his deliveries; and he is liable to be prosecuted in the courts of justice.

Can you state the amount of the fine to which he is liable for non-performance of his contract?—It is in the commercial regulations, I do not recollect it.

Are the weavers, generally speaking, men of property, or are they otherwise?—Very few are men of property.

In the event of a fine being imposed, how is it recovered?—By process in the adawlut; I believe in the regulations a process is allowed in the court; but I think it very injudicious to sue in a court a weaver who is in a state of poverty.

In that case, what measures are taken for the recovery of the fine?—I believe a fine cannot be imposed without having recourse to a court.

Is the Committee to understand, that many cases occur in which the contracts are not fulfilled, and no fines are imposed?—Such, I believe, is the case, what I mean is, that the goods are not delivered within the time specified.

You have mentioned, that in this case peons are placed over the weavers to quicken their deliveries; in what manner is that effected?—By placing a peon at the houses of the defaulters, who will receive subsistence money at the rate of one ana per day from the defaulting weaver.

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What are the usual earnings of the weaver per diem?—I cannot state what profit he derives from the cloth; it will depend upon the price of thread.

Can you form no opinion what their daily or monthly profits may be?—I should suppose from three to five rupees per month; it will depend greatly upon the quality of the cloth manufactured.

Is not an ana per day nearly two rupees per month?—Certainly.

How is this ana per day recovered from the weaver?—He pays it to the peon placed over him; this practice was authorized by the regulations; I am not certain that it now exists.

Are you of opinion that the earnings of the weaver are sufficient to enable him to support himself and family, and to pay this ana per day, to be paid to the peon placed over him to quicken his deliveries?—He may avoid it by a punctual delivery.

Are his earnings sufficient to enable him to support his family, and to pay the ana per day, without getting into debt?—Not if the peon is to remain over him for any length of time; I conceive it to be rather a regulation to be held but in terrorem than to be acted upon.

Is it not very usual to act upon this regulation?—I cannot speak to that fact; I do not believe I ever had recourse to it myself; I was a commercial resident four years.

Is not two rupees a month to be considered rather a heavy penalty for the breach of an engagement, which only produces a man from three to five?—I think it is, but he is aware of it when he enters into the engagement.

Be so good as to describe to the Committee what the usual occupation of those persons called peons is?—They go round to the houses of the weavers, to see that they are employed at their looms.

Is that the only purpose for which they are employed?—To desire them to attend at the factory with the cloths they have completed, and to attend to the receipt of advances.

How are those peons armed?—I do not know that they are armed at all; the peons in Bengal I refer to.

Is it not usual for them to carry a rattan in their hand?—A rattan, or stick they generally have, I believe.

Are they ever known to make use of it?—Possibly they may; instances of affrays have occurred.

State what affrays you refer to?—Between the peons and the weavers.

Do you mean to say, that the weaver is ever quickened in his labour by the rattan being applied to him?—It is possible that a peon may apply it.

Have the peons any instructions so to apply it?—It is not sanctioned by the regulations; certainly cases of that kind described have occurred, and been complained of in the adawlut.

Is it usual for the private merchants to place those peons over the weavers?—I cannot speak from my own knowledge; probably they have peons; I rather think they have.

In the event of a complaint being made by the weavers of having peons so placed over them by the private merchants, would not the peons be removed?—They would, if it was not authorized by the regulations.

Would the peons placed by the commercial residents of the Company, be removed upon a similar complaint being made to the judge?—I believe, by the regulations, the commercial residents are authorized to place them.

Is there any such regulation, authorizing private merchants to place peons over the weavers?—I am not aware of any.

Is the commercial resident empowered to place a peon over the weaver, for any other purpose than his receiving the ana per day, in case of a non-compliance with his contract?—Not that I am aware of.

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Is he not placed there to quicken the deliveries?—Yes; peons are placed to quicken the deliveries.

Are not his instructions to quicken the deliveries, by demanding an ana a day in consequence of the non-compliance with the contract; is he authorized to quicken the delivery in any other mode than by demanding the ana a day, in case of a non-compliance with the contract?—No, he is not.

Are his instructions solely to wait upon the weaver, and to demand an ana per day of him, until he fulfils his contract?—I know of no other.

Where does the peon take his post, in the inside or the outside of the house?—I cannot state.

If the peon was to use any violence towards the weaver, would he not be subject to be punished; might not the weaver complain to the magistrate?—Certainly.

Is it a very usual thing for a weaver to complain of a peon, or of any servant of the Honourable Company, to the judge?—I believe frequent instances have occurred.

How is the weaver compelled to pay this ana per day, when he refuses to do it upon a simple demand?—The practice of placing peons has been so general in the country, that I believe few instances of refusing to pay it occur; it has been a prevalent practice in India, under the native governments, to place peons.

When refusal does occur how is the fine enforced?—I do not know the process; probably the peon may take it.

Would he take it by force, or by inflicting any punishment upon him; or how otherwise?—He would require a delivery of it.

Supposing the weaver to refuse, what is the practice of enforcing it?—I suppose he might lay hold of some brass utensil, which he would detain until the amount was paid him.

What is the general condition of the weavers with whom you were much acquainted, in respect of pecuniary circumstances?—Generally, not opulent.

Are they not, from habit, like all the other natives of India, very submissive to persons in authority?—In general they are.

Are they not also, generally speaking, very patient of wrong?—They generally are; there are, however, instances occur of their complaining.

Can you state the number of weavers in the factory subject to your authority?—I should suppose about fifteen hundred, the heads of families, not including their children and connexions, who work with them.

Are they not, generally speaking, unable, from the low state of their pecuniary circumstances, to provide investments or quantities of goods, without receiving advances, either from the Company or an individual?—They generally are, I believe.

You are understood to have stated in a former part of your examination, that it occupied about thirteen months to complete an investment; under these circumstances, is it not usual to make advances to the weavers for a second investment, before the first is completed?—Advances are made for a specific number of pieces; on the delivery of one or two pieces, a further advance is made; for instance, supposing five pieces are advanced for, on the delivery of two, the weaver can obtain an advance for three or more.

Whilst the weavers are under those advances from the Company, are they not compelled by the regulations to work for the Company alone, and precluded from employ in the service of private merchants or individuals?—I cannot speak positively to that.

Cannot you recollect whether this regulation was in force during the period you officiated as commercial resident in Bengal?—I believe it may have been; it is the practice among the weavers to take advances from several individuals; the larger the advance they can receive, the more advantageous it is to them, in a country where

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the interest of money is high; and it will enable him to lay up a quantity of grain at the harvest.

Is not this receipt from a private merchant, whilst the weaver is under advance from the Company, a clandestine or illegal transaction, and can he not be forced to work for the Company and the Company alone, after having received such advance?—Certainly, if the receipt of the private advances is not sanctioned by the regulations; that is a question I cannot speak to; I trust the Committee will allow me to refer to the regulations; there are various regulations, some of which have been enacted since I left the commercial department.

You are understood to have stated, that if the weavers were to lose the Company's employment for any length of time, it might be a difficult matter to collect them again; under this view of the case, is it not considered a desirable object by commercial residents, generally to keep them as much as possible in the Company's employ?—Certainly, for the purpose of providing the investment.

When the Company provide no investment from a particular factory, is it not usual, under those circumstances, for the commercial resident to be authorized to employ the weavers on his own account?—He is.

When the weavers are thus employed by the commercial resident, are they not considered to be as exclusively his servants, as they were before when in the employ of the Company?—They are equally under engagements.

Supposing the Company to withdraw their investment from a particular factory, and that private merchants did not enter the country for the purpose of purchasing goods for exportation, would the internal demand of the country for the goods manufactured by the weavers, be sufficient to give them employment, or would they in such case be reduced to a state of distress?—I conceive the demand of the country would not be sufficient, and that they would resort to agriculture.

Do you conceive this to be owing to the general state of poverty in the country?—A large export trade having existed for a long time in Bengal, if that is suppressed, it would be felt in the same manner as the non-export trade from this country is in its staple manufactures of iron and woollen.

As far as you have observed the inhabitants of the country generally, in Burdwan, are they better off in point of circumstances than you have already described the weavers to be?—The peasantry of Burdwan are peculiarly opulent.

Notwithstanding this opulence described by you, is the Committee to understand from your former answer, that there would still be no demand to give sufficient employment to the weavers, in the event of the factory being given up by the Company?—In the event of the factory being given up by the factor, the private merchants, I apprehend, would resort there, and manufacture the goods of the district, for the purpose of bringing them to Calcutta.

Be good enough to describe what you mean by the opulence of the peasantry; what you call an opulent peasant?—They are better clothed and fed than in many other districts.

What do you suppose to be the amount of their gains daily, monthly or yearly?—That must depend upon the price of grain.

To what does it amount in the money of the country?—When I mentioned the peasantry, I ought to have included the smaller land-holders, the petty Talookdars.

Can you state the amount of a peasant's gains in Burdwan per month?—I cannot specifically.

Do you believe it to exceed three rupees a month?—I should think it may, in some cases.

Generally?—Probably it may in Burdwan.

Much?—From four to five perhaps; but I cannot state how much accurately.

Do the weavers prefer being employed by the Company or by individuals?—In general, I believe they prefer being employed by the Company, in consequence of the large advances they receive from them.

Does

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Does each weaver agree to execute all the different descriptions of piece goods which you class under A, B, C, and D, or does each weaver execute a different description of goods, as they are required?—The advance is generally made upon the letter B, and according to the quality of the delivery will be the proceed.

Does the weaver agree to execute a portion of each of the different classes, under A, B, C, and D?—No, he does not; he cannot; he cannot obtain the thread for any particular letter; and after he has obtained the thread, it takes some time to sort it.

Supposing 12 or 13 months to be the time required for the weaver to execute the orders from the resident, in what proportions, and at what periods, would the advance be made to the weaver?—Thirteen months I stated as the time necessary to complete the order of investment; in general, a month or six weeks is sufficient to complete his piece; but the time will depend upon the quality of goods; a fine piece, such as is manufactured in Dacca, will require five or six months to execute it.

Supposing a piece of goods to require six months to execute it, in what period will the advance be made?—He will receive, within two or three rupees, the whole amount of the price; or two pieces are generally sent, because he sorts the thread into two qualities, one for the A. and another for the B.

Is the price of rice lower in Burdwan than in other parts of India?—I am not aware of that; but it is in the vicinity of Calcutta, and its produce is sold to much advantage in consequence of that. [The Witness withdrew.

[The following Paper was delivered in, and read:

"A. D. 1793. REGULATION XXXI.

"A REGULATION for re-enacting, with modifications and amendments, the Rules passed on the 23d July 1787, and subsequent dates, for the conduct of the Commercial Residents and Agents, and all Persons employed or concerned in the provision of the Company's Investment.—PASSED on the 1st May 1793; corresponding with the 21st Bysaak 1200 Bengal Era; the 6th Bysaak 1200 Fussily; the 21st Bysaak 1200 Willaity; the 6th Bysaak 1850 Sumbut; and the 19th Ramzaan 1207 Higeree.

"THE nature and extent of the commercial concerns of the Company, render it necessary that rules should be prescribed for preventing manufacturers, or other persons in their employ, embezzling the money advanced to them, or disposing of the goods provided with it to individuals, and for ensuring the delivery of the goods agreeably to their engagements. No well-founded objection can be offered to such rules by the manufacturers, or others to whom they may extend, whilst they at the same time establish it as a fundamental principle, that no person shall be compelled to work for the Company, and that those who may engage in their employ, shall always be at liberty to relinquish it, after performing the engagements into which they may have voluntarily entered. It is equally requisite, on general principles, that precautions should be taken to prevent the rules adopted for the above-mentioned purposes, being rendered subservient to the private views of the officers employed in the provision of the Investment, to the injury of the manufacturers, and the prejudice of the interests of the Company, both in their commercial capacity, and as rulers of the country. As the most effectual mode of guarding against such abuses, and of ensuring justice to the manufacturers and others in their dealings with the Company, the Governor General in Council has determined that the rules to which persons engaging to furnish goods for the Company's Investment may be subjected, shall be incorporated with the laws and regulations for the internal government of the country, and that the officers employed in the immediate superintendence of the provision of the Investment, shall be liable to be sued for any deviation from those rules in the courts of judicature, that every person who may deem himself aggrieved by their official acts, whether originating with themselves, or done in consequence of orders from the superior authorities, may be able to obtain redress with the same facility as for an injury received from any individual. THE following RULES, being the Rules passed by the Governor General in Council on the 23d July 1787, and subsequent dates, with modifications and amendments, adapted to the principles above stated, have been accordingly enacted.

"II. Weavers not indebted, nor under engagements to the Company, shall not be compelled to enter into their employ; and weavers indebted, or under engagements to the Company, on duly discharging such debts or engagements, shall not be compelled to enter into fresh engagements.

"III. *First.* Weavers who may engage for the provision of any part of the Company's Investment are to consider themselves as engaging under the following Rules, and Conditions.

"*Second.* All engagements with weavers, are to be made in writing, attested by at least two credible witnesses. One copy of the writing is to remain with the commercial resident or his officers, and the remaining copy with the other party to the engagement.

"*Third.* Weavers under engagements to the Company, and who may not intend to take further advances, shall give at least a fortnight's notice of their intention.

"*Fourth.* Weavers indebted to the Company, who have received advances from them, or come under engagements to them, shall, in discharge of such debt, advances, or engagements, deliver cloths, according to agreement. They shall on no account give to any other person or persons whatever, European or Native, either the labour or the produce engaged to the Company; and if they have not fulfilled their engagements by the period agreed on, they shall not work for newer engagements, nor for bazar sales, until those engagements are completed.

"*Fifth.* When any weaver fails to deliver, by the stipulated periods, the cloths for which he may have engaged, the commercial resident shall be at liberty to place peons upon him, in order to quicken his deliveries, and prevent his infringing the two restrictions in the latter part of clause fourth.

"*Sixth.* If notwithstanding the restrictions in the latter part of clause fourth, any weaver shall by himself, or by any other person, sell cloths to private merchants, Europeans or Natives, or to dealers or agents, of whatever description, whilst he is deficient in his stipulated deliveries on account of the Company's Investment, he shall be liable to be prosecuted in the dewanny adawlut, and upon proof of the fact, he shall be adjudged to forfeit to the Company all that the produce of the cloths so sold, rated either at what he got for them or their bazar value, shall exceed the ordinary prime cost of the thread in them, with costs of suit besides, and moreover be obliged to complete his engagements.

"*Seventh.* Weavers possessed of more than one loom, and entertaining one or more workmen, shall be subject to a penalty of thirty-five per cent. on the stipulated price of every piece of cloth that they may fail to deliver according to the written agreement which they may have executed, in addition to the repayment of the money advanced for the same.

"*Eighth.* The penalty specified in the preceding clause, shall be sued for in the dewanny adawlut, and shall be recoverable, on the agreement with the weaver, and the failure in his deliveries, being proved.

"IV. A list or register of the weavers employed in the provision of the Company's Investment in every pergunnah, specifying their places of abode, shall be fixed up by the commercial resident in the cutcherry of that pergunnah, and shall be corrected at the beginning of every week or month, according to the alterations that may have happened in the week or month preceding. The officers of the cutcherry are to give immediate permission for the exhibition of the list, and the commercial resident shall transmit a copy of it in the native languages once in every three months to the judge of the zillah.

"V. Persons procuring from weavers in the Company's employ, by the offer of ready money, or under the pretence of previous engagements which were not avowed, cloths really wrought for the Company, and with their advances, knowing such cloths to be the right of the Company, either by the mark upon them, or the transactions between the weavers from whom they procure them and the Company, or having reason for such knowledge from the notoriety of such weavers being in the Company's employ, or discovering the same by the clandestine methods they take to obtain the cloths, shall be liable to be sued for damages in the dewanny adawlut; and on proof of the fact to its satisfaction, the court shall award to the Company such amount as may appear to it equitable, in addition to the cloths so obtained. But for purchases openly and fairly made in the public haats or bazars, the buyers shall not be liable to prosecution, unless the cloths have the Company's mark upon them.

"VI. All officers of government, proprietors and farmers of land, and dependant talookdars, under farmers and ryots, and their agents and dependants, are enjoined not to hinder the commercial residents or their officers from access to weavers or other persons, in order to treat with them about the Company's business; nor are they to use any arts, menaces, or punishments, to deter weavers or other persons from accepting the Company's advances, under pain of being liable to be sued for damages in the dewanny adawlut.

"VII. All officers of Government, proprietors and farmers of land, talookdars, under farmers, and ryots, and their agents and dependants, are strictly prohibited from behaving with disrespect to the commercial residents or their officers; and they are required, on application from the commercial residents or their officers, to afford every assistance for the protection of the weavers and other persons employed by the Company, and the security of their Investment, that may be consistent with the powers and authority vested in them and the Regulations.

"VIII. Weavers,

"VIII. Weavers employed by the Company, who may cultivate or rent land, are to pay the rent according to their pottahs, in the same manner as other ryots or renters, and under the same rules and regulations, with the exceptions hereafter specified as to the mode of demanding and enforcing payment of arrears of rent due from them.

"IX. *First.* To prevent unnecessary interruption to the provision of the Investment, and at the same time that weavers and other persons employed in the provision of it, may not withhold the rent justly due from them for land which they may rent or cultivate, the following Rules are prescribed.

"*Second.* No weaver, or other manufacturer, gomastah, or other officer or person employed in the provision of the Company's Investment, shall be summoned to the cutcherry of any proprietor or farmer of land, or any native holding or entrusted with the collection of the rents or revenue of lands, under any pretence whatever. If any such persons shall have claims on such weavers, manufacturers, gomastahs, or officer, for or relating to arrears of rent, they shall either distrain for the amount under Regulation XVII, 1793, or sue the defaulter for it in the dewanny adawlut, or state their claim in writing to the commercial resident, who, if the weaver, or other person, be then actually employed by the Company, may, if he shall deem it expedient so to do, cause him to satisfy the claim, or satisfy it himself, and stop the amount by kistbundy from his future advances, so that his labour on account of the Company's Investment may not be interrupted. But the cloth, thread, or advances belonging to the Company in the hands of such weaver, or other person, shall in no case be liable for such demand, but shall be restored to the resident.

"X. *First.* Persons instituting suits in the dewanny adawlut against a weaver or other manufacturer, or any officer or person employed in the provision of the Company's Investment, are to specify his being so employed in the bill of plaint. In such cases, the summons, with a copy of the plaint, shall be enclosed to the commercial resident under a sealed cover, addressed to the resident, and superscribed with the official signature of the judge or the register. It shall be at the option of the resident to execute, or to cause one of his officers, or any person whom he may think proper, to execute the security required from defendants by Section V, Regulation IV, 1793, and also the security directed to be taken by Section V, Regulation VII, 1793, for the fees of the authorized vakeel whom the defendant may entertain, or to leave the party summoned to find such securities, and in the latter case, if the officer of the court bearing the summons, where it shall have been transmitted by an officer, shall entertain any doubt of the responsibility of the security so offered, and the resident shall deem it to be sufficient, the officer shall accept the security. If the resident shall not think it proper to order any of his officers, or any other person to become security, and the defendant himself shall not be able to find security which the resident may deem responsible, he is to cause the defendant to accompany the officer of the court to the court, or, if no officer shall have been sent with the summons, to appear in person before the court, that he may be dealt with in the same manner as other defendants not giving the required security.

"*Second.* The residents are to empower the head officer at each of the different aurungs or kotees subordinate to them, and also an authorized vakeel of the dewanny adawlut, or any other person whom they may think it proper to station at the place at which the court may be held, to execute securities for the persons, and in the cases specified in the preceding clause. The residents are to be careful to keep the judges furnished with a list of the persons so empowered, specifying also the place at which they may usually reside, and the judges are authorized in instances in which they may deem it proper, either from the distance of the place of abode of the resident from the place at which the party summoned may reside, or other circumstances, to order the summons to be inclosed to one of the persons so empowered to become security, instead of transmitting it to the resident himself, under the preceding clause, in which case such person shall proceed in the same manner as the resident is directed to proceed where the summons may be sent immediately to him.

"*Third.* If any person shall prefer a suit in the dewanny adawlut against a weaver or other manufacturer, or any officer or person employed in the provision of the Company's Investment, without specifying that the defendant is so employed, and the summons shall in consequence be ordered to be served on the defendant, in the same manner as on other defendants, the officer serving the same, upon the circumstance of the defendant being so employed, being notified to him by the resident, or any of his officers, or by the defendant himself, shall deliver the summons to the nearest person empowered to execute the securities in the cases specified in clause first, whether the resident, or the head officer of an aurung or kotee, who shall proceed in the manner prescribed to the resident in that clause. If the officer shall receive the notification of the defendant being in the Company's employ from the defendant only, and shall entertain doubts of his being so employed, or he shall not entertain any doubt of his being so employed, but shall apprehend that he will abscond whilst the (the officer) is repairing with the summons to the person empowered to execute the securities, he shall in such cases carry the defendant with the summons to the person so empowered, and shall not release him, until the required securities have been executed.

"*Fourth.* In cases in which a weaver or other manufacturer, or any officer or person employed in the provision of the Company's Investment, shall be charged before the

magistrate with a bailable offence, the warrant shall be served in the manner directed in the preceding clauses with regard to summonses in civil cases, with this difference, that the warrant shall require the party summoned to appear in person, or by vakeel, as the magistrate may think proper, and shall specify the amount of the sum for which the security or recognizance for the appearance of the defendant is to be given, and the amount of which shall be regulated by the magistrate, according to the nature of the charge, and the situation and circumstances in life of the defendant.

"*Fifth.* In all the cases specified in the preceding clauses of this Section, the resident or head officer through whom the summons or warrant may be served, shall return on the back of it in what manner it has been served, and by whom the security has been executed.

"*Sixth.* If a charge shall be preferred to a magistrate against any weaver or other manufacturer, or any officer or person employed in the provision of the Company's Investment, for an offence that is not bailable, and there shall appear to the magistrate sufficient ground for apprehending the person so charged, the warrant for his apprehension shall require him to appear immediately in person, and shall be executed in the same manner as upon persons not so employed. But the officer, after securing the offender, is to give notice of his apprehension to the resident, or the head officer of the nearest aurung or kotee.

"*Seventh.* The darogahs of police are to observe the rules prescribed in clauses fourth and sixth of this Section, in complaints that may be preferred to them against weavers or other manufacturers, or officers or persons in the employ of the Company.

"*Eighth.* In all cases in which the residents, or their head officers empowered for that purpose, shall become security under any of the clauses of this Section, for the appearance of any person employed in the Investment, or for the fees of his vakeel, or shall declare any person whom the party summoned may offer as security, to be responsible, the resident is to be considered personally answerable for the due performance of the conditions of the security, in the event of the party for whom the security may be given not performing them himself, or, where the party himself shall have given the security, and it shall have been declared responsible by the resident, or his head officer of an aurung or kotee, in the event of the party or his surety not performing them. It will accordingly be the business of the residents to take care to employ creditable persons only as head officers at the several aurungs and kotees to superintend the business, and become security, and to furnish them with proper instructions, and to take such security from them, as they (the residents) may deem sufficient to indemnify themselves for the consequences that may result from any abuse which such officers may commit in the exercise of their trust.

"*Ninth.* Summonses to weavers or other manufacturers, or officers, or any persons employed in the Company's Investment, as witnesses, shall be served in the same manner as if they were parties in the cause, but the judges are to be careful not to summon such persons excepting when their attendance shall be absolutely necessary, and on their appearance, to have them examined and dismissed with all practicable dispatch, so that they may be absent from the business of the Investment as short a time as possible.

"*Tenth.* The residents, and their head officers, are declared liable to be sued in the dewanny adawlut, should they apply any of the rules in the preceding clauses of this Section regarding summonses and warrants issued against persons employed in the Investment, to persons not bonâ fide so employed. And as the rules contained in these clauses, are intended only to prevent unnecessary interruption to the Investment, where it can be avoided without impeding the course of justice, the judges and magistrates are empowered in particular cases in which it may appear to them indispensably necessary for the purposes of justice, to order the personal attendance of any native officer or person in anywise concerned or employed in the Investment, whether he may be a party or a witness in the suit or prosecution, notwithstanding any thing that may be said to the contrary in those clauses, and to cause process to be executed upon him for that purpose, in the same manner as upon other individuals; but in such cases, the judges and magistrates are to record their reasons for deviating from the prescriptions contained in the said clauses, which are to be considered as the general rules for issuing and executing such summonses and warrants, and in the summons or warrant, they are to specify that it has been specially ordered to be so executed, in virtue of the discretionary power vested in them by this clause; and they are moreover strictly enjoined to refrain from every unnecessary exercise of this discretionary power.

"XI. All complaints of weavers against individual traders, and vice versa, are to be considered as matters of a private nature between the parties, who are to have recourse to the proper courts of judicature, should they have any ground of complaint against each other for breach of engagements, or other cause. The courts are to decide according to the tenor of the engagements between the parties, if any engagements exist, and the regulations. But where weavers are employed at the same time by more than one foreign or private agent, they shall deliver first to the previous contractor, and afterwards to the others, according to priority of engagements.

"XII. *First.* Decisions in favour of private merchants, or other individuals, against weavers who were in the employ of the Company at the time they entered with such private merchants

merchants or individuals into the agreements on which they are sued (their having been so employed being proved by the lists of the Company's weavers published at the cutcherries, and transmitted to the judge of the dewanny adawlut as directed in Section IV, as well as by the dates of the respective agreements and transactions consequent to them) shall be made with a saving to the Company of their claims on such weavers, which claims also are to be proved in court. And that this rule may be carried into effect, before execution follows at the suit of an individual against any weaver in that list, the Company's commercial resident shall be desired to state whether such weaver was in the employ of the Company when the agreement on which he may be cast was made, as also whether the Company have any and what demand upon him, and to make proof of the same; which being satisfied or secured, the sum decreed against him in favour of the individual shall next be made good from his property, but his person shall not be liable to attachment.

" XIII. Gomastahs, deedars, mokeems, and all native servants and persons of whatsoever description, employed under the Company's factories or aurungs in the provision of their Investment, guilty of changing the Company's cloths; accepting of money from individuals for abetting or conniving at the alienation of them by the weavers; writing false balances in the Company's accounts; embezzling otherwise the property entrusted to them; or exacting money in any shape from weavers to whom advances are made; shall, on conviction in the court of dewanny adawlut to which they may be amenable, forfeit double the amount of the value of the property, or the money which they may have embezzled, alienated, or exacted, and shall be further liable to imprisonment for any term that the court may judge proper, not exceeding twelve months, and upon the circumstances being represented by the Board of Trade to the Governor General in Council, he will, if it shall appear to him proper, declare the offender incapable of serving Government in any capacity.

" XIV. All the rules in this Regulation regarding weavers employed for the Company, are to be considered to extend, in their principles and meaning, to the manufacturers and other persons employed in the provision of raw silk, and of the other articles of the Company's Investment provided within the Provinces of Bengal, Behar, or Orissa.

" XV. *First.* The following Rules are prescribed for the conduct of commercial Residents carrying on trade for themselves.

" *Second.* The Resident shall supply, or ensure the Company's demand for goods, as far as the ability of his aurung will go, before he provides any for himself.

" *Third.* He shall carefully and avowedly distinguish to the manufacturers, between the Company's provision and his own.

" *Fourth.* He shall give them the price for which they may choose to deal with him, without making the Company's prices a standard for his own trade.

" *Fifth.* He shall not make use of any influence he may possess, as the Company's representative, to induce the manufacturers to work for him in preference to other dealers.

" *Sixth.* He shall be subject to the same regulations, in case of disputes with manufacturers, as other private traders.

" *Seventh.* He shall not take any commission for agents or others, but deal merely on his own stock as a merchant.

" *Eighth.* He shall not carry on any trade in his aurung, directly or indirectly, in the name of any other person.

" *Ninth.* Whatever goods he may provide of the produce of the aurung where he is stationed, shall not be sold there, nor sent to any foreign settlement, but shall be consigned to some other place, and if brought to Calcutta, or sent by manjee to the upper provinces, shall be registered in his name in the custom-house books.

" *Tenth.* He shall state to the Board of Trade by the 15th of December in every year, the gross amount of the money invested or to be invested by him on his own account, as nearly as he can judge of the same, from the 1st May preceding to the 30th April following, and the Board of Trade shall thereupon communicate to the Governor General in Council any remarks that may appear to them proper.

" XVI. The commercial residents and their native officers of every description, are declared liable to be sued in the dewanny adawlut by weavers or others with whom they may use compulsion to make them enter into the Company's employ, or whose names they may improperly insert in the list specified in Section IV, or whom they may not pay for their cloths or goods according to the engagements entered into between them and the Company, or who may not obtain in due time a fair settlement of accounts, or who may suffer unjust exactions from peons put over them; or for any breach of this Regulation, or any other Regulation regarding the provision of the Investment, printed and published in the manner directed in Regulation XLI, 1793. In all such cases, whether the act complained of shall have been done by the resident or any of his officers, the party aggrieved is in the first instance to state his complaint to the resident, and in the event of his refusing to afford the required redress, or omitting to grant it within a reasonable time, the complainant may then sue the resident, whether the injury complained of shall have been done by himself

or his officer. But the courts are not to receive any suit that may be preferred against a resident or any of his officers, unless the complainant shall prove to the satisfaction of the court, by oath, or by any other mode which the court may deem satisfactory, that he applied to the resident for redress, and that he refused to afford the redress required, or omitted to grant it within a reasonable time. Either party dissatisfied with the award or decision of a resident, on any complaint made to him under this Section, may appeal from it to the dewanny adawlut.

" XVII. In suits instituted against a resident or any of his officers, under the preceding Section, and where the act complained of shall not have been done pursuant to special orders from the Board of Trade, or the Governor General in Council, the party complained against is to appoint one of the authorized vakeels of the court to defend the suit at his own risk.

" XVIII. The residents may take upon themselves the defence of any suits which may be instituted against their officers, but in such cases the residents are to be answerable for the decree of the court, in the same manner as if the suit had been originally instituted against themselves.

" XIX. When any process shall be issued by a court of civil judicature to a commercial resident, the judge, or the register of the court, is to transmit it under a sealed cover, addressed to the resident in the form of a letter, and superscribed with his name and official appellation. The resident is immediately to acknowledge the receipt of the process by an endorsement to that effect on the instrument, and to return it, under a sealed cover, addressed to the judge or the register of the court from which it may have issued.

" XX. Where the Board of Trade shall approve of decisions given against the commercial residents or their officers, in suits in which they may have been engaged in their official capacity, and which may not have been prosecuted or defended by them, pursuant to orders from the Board, or the Governor General in Council, they are empowered to make the resident, or his officer by whom the act complained of may have been done, responsible for the whole or any part of the costs and damages awarded by the decree, or of the decree itself, if upon a consideration of the merits of the case, and of the conduct of the person against whom the decree may be given, or the act complained of may have been done, they shall be of opinion that the Company ought not to be charged with all or any part of such costs or damages, or decree. But in such cases, the person whom they may so determine to hold responsible, may appeal the cause at his own risk and cost.

" XXI. If the Board of Trade shall be dissatisfied with a decree passed against a commercial resident or any of his officers, in suits in which they may have been engaged, either with or without their orders, or the orders of the Governor General in Council, they may authorize an appeal from it under the Regulations, in which case the appeal shall be carried on in the provincial court of appeal, and in the sudder dewanny adawlut (should the cause be carried to the last-mentioned court) by the vakeel of Government, or by any other authorized vakeel of the Court into which the cause may be brought, notwithstanding any thing that may be said to the contrary in any Regulation passed on this date.

" XXII. Security is not to be demanded from the commercial residents, or the head officers of aurungs or kotees who may be empowered to execute securities, for their personal appearance in any suit in which they may be engaged in their official capacity; nor shall security be required from them for the payment of costs or damages, or for the performance of the decrees or orders of the courts, as Government will be responsible for causing the residents to answer to such suits instituted against them, and to make good the decrees, and will hold them responsible for their head officers of aurungs or kotees answering to such suits preferred against them, and performing the decrees that may be passed therein.

" XXIII. The residents, and their head officers of kotees or aurungs, shall not be liable to prosecution for official acts of their predecessors. But persons who may be removed from a residency, or from the place of head officer of an aurung or kotee, are to carry on in the same manner as if they had continued in the office, all suits instituted against them in their official capacity, unless the Board of Trade, upon a consideration of the circumstances of the cases, shall deem it advisable to order their successors to carry on the suits. This rule however is not to extend to suits in which a resident or head officer, who may have been removed, shall have been engaged in virtue of orders from the Board of Trade, or the Governor General in Council; all such suits are to be carried on by the resident for the time being, and at the risk and expense of Government.

" XXIV. To facilitate the communication between the residents and their head officers of aurungs or kotees, and their vakeels in the zillah or city courts, or the provincial courts of appeal, and the sudder dewanny adawlut, who may be entrusted with the conduct of any suits or appeals in which they may be engaged in their official capacity, either whilst they may continue in the office, or after their removal from it, they are permitted to forward, free of postage, any instructions which they may have to transmit to the vakeels in those courts. The instructions are to be enclosed under a sealed cover directed

to the vakeel. The instructions so sealed and directed, are to be transmitted under a sealed cover, addressed to the register of the court in which the cause may be depending, and superscribed with the name and official appellation of the person dispatching it, or that which he bore when the cause of action arose. The register of the court, immediately on receiving the instructions, is to deliver them sealed to the vakeel to whom they may be directed. In like manner, the vakeels in any of the courts to whom the pleading of such suits or appeals may be committed by commercial residents, or their head officers above-mentioned, are authorized, either whilst their constituents remain in such office, or after they shall have been removed from it, to forward any papers which they may have to convey to their constituents by the public dawk, free of postage. The papers are to be enclosed in a cover sealed with the seal of the vakeel, and the judge, or the register to the court, is to transmit the papers so sealed, in a cover sealed and addressed to the person to whom they are to be forwarded, and superscribed with his official signature.

"XXV. In cases in which the Board of Trade may judge it expedient, or in which they may receive orders for the purpose from the Governor General in Council, they are to take upon themselves the superintendence of the prosecution or defence of any suit or appeal in which they or their officers may be engaged, either in a zillah or city court, or in a provincial court of appeal, or in the sudder dewanny adawlut, instead of leaving the superintendence of the conduct of the suit or appeal to the resident, or any of his officers.

"XXVI. Neither the commercial residents, nor their head officers of aurungs or kotees, are to derive any advantage whatever from suits in the courts of justice in which they may be engaged, or in anywise concerned, in their official capacity. On the other hand, it is not intended, that the residents or their abovementioned officers should sustain any loss in consequence of such suits, where their conduct may be adjudged to be conformable to the regulations, or may be approved by the Board of Trade, or the Governor General in Council. The Commercial residents and their head officers of aurungs or kotees, are accordingly to bring to the credit of the Company in their accounts, all sums whatever that may be adjudged to them by any of the courts of justice, and they are to note at the foot of their accounts, or in a separate account, or under a distinct head in their accounts, according as the Board of Trade may direct, all sums which they may disburse, or be adjudged to pay, on account of suits in which they may be engaged, or be concerned, in their official capacity; but no such disbursements or payments are to be considered as passed to the debit of the Company, until the previous sanction of the Board of Trade, or the Governor General in Council, shall have been obtained for that purpose, and until such sanction is procured, the residents or the officers making the disbursements or payments, are to be held answerable for the amount.

"XXVII. The rules in this regulation respecting commercial residents, are to be considered equally applicable to their assistants having the charge of the business, or to any other person being a covenanted servant of the Company, and entrusted with the superintendence of the provision of goods for the Company's Investment at any aurung, whatever may be his official appellation.

"XXVIII. If a weaver or manufacturer, or any native employed in the provision of the Company's Investment, shall deem himself aggrieved by any act done in opposition to this regulation by a commercial resident, or any covenanted servant of the Company having the charge of the business of an aurung, pursuant to special orders from the Board of Trade, or the Governor General in Council, he will be at liberty to seek redress in the mode prescribed for such cases in Section XI, Regulation III, 1793."

"A. D. 1795. REGULATION XXII.

"Section LXXXV. In consequence of complaints preferred by the weavers in the sircar ghazeepoor, of the impositions practised on them by the dellols and dustoories, orders were issued on the 22d of March and 22d of July 1790, notifying that the weavers throughout the four sircars, composing the zemindarry of Benares, were to be considered as having the option of carrying on their business, either through or without the interference of the above-named intermediate agents, and that they were at full liberty to bring their cloths into any bazar or market, and freely to dispose of them to the best advantage; and that no person was to presume, on any pretence, to fix any price on their goods; and that they were to sell their fabrics to whomsoever they might think proper, and for such price as they and the purchaser might mutually and voluntarily settle."

"A. D. 1799. REGULATION N° VII.

"Section IV. The same principle is to be observed with respect to the sale of ungathered products, after the distrainer shall have gathered and stored them, as required by Section XIII, of Regulation XVII, 1793, and which are not to be sold until publication shall have been made, as above directed. In consequence of this alteration, which is made with a view to expedite the sale of distrained property, distrainers when they attach the property of persons employed in the provision of the Company's Investment, or in the manufacture of salt, are to give the notice directed in Section XXXI, of Regulation XVII, 1793, as soon as possible after making the attachment; and in such cases the property is

not to be sold until sufficient time has been given to enable the Company's officers to satisfy the demand before the day of sale. The notice required by the above Section, however, may, at the option of the distrainer, be either given to the commercial resident or salt agent, in whose division the defaulter may have been employed, or to the native superintendent of the factory or saltchokey to which the defaulter may be attached."

"A. D. 1795. REGULATION XLV.

"Section III. Persons vested with the power of distraint, shall not distrain or sell the lands, houses, or other real property of their under farmers and ryots, or of the zemindars or putteedars paying revenue through them; nor goods or advances belonging to the Company; nor the loom, thread, unwrought silk, or materials of manufacture of any weaver or manufacturer; nor the tools of any tradesman or labourer, standing towards them in the relation of under farmer, ryot, or dependant zemindar or putteedar: all such distraints and sales are declared illegal and void. The defaulter shall stand acquitted of the arrear for which the distress may be levied, and the property shall be restored to him, or the distrainer shall be compelled to make good to him the value of it, if it shall be personal property, and shall have been destroyed, damaged or injured, or shall not be forthcoming, and the distrainer shall be further obliged to pay to him damages adequate to the loss which he may prove to have sustained in consequence of such attachment or sale, with all costs of suit."

[Adjourned to To-morrow 11 o'clock.

30.

Mercurij, 19° die Maij, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

James Drummond, Esq. - - p. 521.
Richard Waike Cox, Esq. - - p. 532.

(No. 19.)

Of Evidence before Select Committee.

Ordered, by The House of Commons, to be printed,
20 *May* 1813.

31.

MINUTES of EVIDENCE

TAKEN BEFORE THE SELECT COMMITTEE,

Appointed for the purpose of taking the Examination of such Witnesses, as shall be ordered by The House to attend the Committee of the Whole House, on the Affairs of The *East India* Company; and to report the MINUTES of such Examination, from time to time.

(No. 20.)

Jovis, 20° die Maij, 1813.

The Right Hon. JOHN SULLIVAN, in The Chair.

MUNGO DICK, Esquire,

Was called in, and Examined, as follows:

Mr. Grant.] WERE you not many years a civil servant of the East India Company, at Madras?—I was. *Mungo Dick, Esq.*

How long have you been returned from India?—About four years.

You served in the commercial department of the company?—I did.

In what part of the country did you reside?—I resided for four years upon my first arrival in India at the Presidency of Madras; afterwards for about twenty years in the Northern circars.

What office did you fill in the Northern circars?—For many years an assistant in the commercial department, and afterwards that of a commercial resident.

Were you a member of the Board of Trade at Madras?—I was for about ten years a member of the Board of Trade at Madras, and superintended the investments generally; my actual residence in India was five and thirty years.

When you say you superintended the investments generally, do you mean that you did so merely as a member of the Board of Trade; or do you allude to any specific office having that object?—I went out in the year 1799, with a specific appointment as member of the Board of Trade, and general superintendant of investment.

Is the office of superintendant of investment a stated office in the service of the Company?—It did not exist previous to my appointment; and I believe it in a great measure ceased with my departure from India.

Had you not ample opportunities of gaining a knowledge of the commercial concerns of the Company under the Madras presidency?—I certainly had ample opportunities; whether I exactly profited by them I cannot presume to say.

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Is there not a large quantity of piece goods provided in the Northern circars for the investment of the Company?—A very large one; the principal part of the Madras investment is provided in the Northern circars.

Give a summary description of the mode in which the investment is ordinarily provided on the coast of Coromandel?—The investment originates in an order from this country from the Court of Directors generally, specifying the quantity of goods required from each of the commercial factories, accompanied by the observations of buyers in this country, upon the goods imported in the preceding year; this indent, after being reviewed by Government, is transmitted to the board of trade, a board composed of some of the Company's civil servants, who have usually served for a considerable time in the commercial department: this board make a calculation of the sums required for the provision of the goods allotted to each factory. The commercial factories on the coast are eleven in number, where goods, of a peculiar description, are provided, some of one kind at one factory, and another kind at another: an indent in conformity to the orders of the Court of Directors is forwarded to each factory: when I left India, about four years ago, it was estimated, that all the factories were capable of producing goods to the amount of 24 lacks of pagodas, or a million sterling; the demand has been from five lacks to 24 lacks, in conformity to the sales in this country, whether a greater or a lesser demand. The order to a factory is accompanied with a credit on the revenue treasuries in its neighbourhood, to the extent of the indent, to be paid by instalments. The mode of providing the investment at the different factories, varies; at some it is by native agency; where the weavers are not in the vicinity of the factory, the native agents are required to perform the business, who receive a certain per centage, I believe five per cent, which covers the expense of conveying the money to the different stations, bringing the goods in, and their risk of bad debts; the native agent for that sum, will undertake to save the Company from all risk. At other stations again where the manufacturers are more within reach, advances are made immediately to the manufacturing weavers, and it is not unusual for perhaps a village, where a hundred weavers are collected, to become security for each for the performance of their engagements: the goods advanced to them in the first instance, is generally about a quarter, not more than a quarter, sometimes less than the amount of the whole sum of the quantity of goods required; this advance is retained in the hands of the weaver until his engagement is completed, that is to say, until three fourths of the quantity is delivered; he is paid for every piece he brings in, in the intermediate period, keeping the original advance in his hands till three fourths are delivered; the original advance is then worked up; the goods are contracted for upon certain samples, or musters, as we generally call them; there is a standard price, which seldom varies for goods of the first quality; and upon delivery and inspection, when the piece or pieces are found not exactly equal to the standard muster, they are reduced to a lower number, with the difference of five per cent. between each number, that is to say, five per cent is given less for No. 2 than No. 1. There are four numbers, and in the coarser assortments we have a class called rejected goods, which are generally fifteen or twenty per cent. cheaper than No. 1. The rejected goods are under three different heads; rejected from deficiency in length, rejected from deficiency in breadth, and rejected from a great inferiority in quality. By taking in the rejected goods, it has been found latterly it relieves the weaver from the necessity of going about the country to sell goods which are of inferior quality, and these coming to this country under the head of rejected goods, the buyer knows what he is doing, and finds it as much worth his while to buy such goods, being at an inferior price, as those of a standard quality. The goods after being received at the factory, are generally bleached at the station where they are manufactured; they are consigned to the presidency as opportunities occur, where they undergo an examination by the Board of Trade; and every tenth bale is examined piece by piece, and the observation upon the bale is transmitted, without loss of time, to the different factories where they were manufactured, in order to correct any defect that may appear upon this second examination; and as a check upon the commercial resident, the commercial resident is allowed a per centage upon the provision of his goods, consequently he has no interest in lowering the price, but the contrary, the higher the price is, the more the per centage; he has no interest in making a hard bargain with the manufacturer, because the more money he invests the greater is his gain; and, in my experience, I have never found a difficulty in prevailing upon the

weavers

weavers to receive the Company's money, the difficulties have always occurred at the settlement of the account.

Are the Weavers compelled to enter into engagements with the Company?—On the contrary, it is considered the greatest grievance that can occur to the country, the secession of the Company's investment, it diffuses happiness throughout the country, as promoting the circulation of money, which they could not otherwise obtain; the thread is generally spun by the females of the cultivating cast of inhabitants, and consequently it circulates very widely throughout the country the money advanced on account of the investment.

State what you mean by the secession of the Company's investment?—When there is an interruption in the advances.

Do you consider the certainty of the Company's employment, as the means of insuring to them voluntary offers of service by the weavers?—I certainly do.

Will you say whether the Madras government has enacted regulations of a nature to protect the weavers against any oppression on the part of the commercial resident or his assistants?—The Madras government have enacted regulations of the most liberal kind, extremely well calculated to protect the weavers against the possibility of oppression, were they not capable of protecting themselves.

Were the weavers to suffer any oppression from the commercial resident or his assistants or agents, by any act either directly at variance with the letter of the regulations in question, or inconsistent with their spirit, can you say whether complaints would probably be preferred by the sufferers to the government?—I have no doubt they would; but I speak more from opinion than actual observation, because those Regulations are of so recent a date, that I have hardly experienced their operation, it is only within these few years; indeed they were hardly promulgated when I left Madras.

You state yourself to have no doubt that if oppression were suffered, complaints would be made, have you any doubt that if complaints were made redress would be afforded?—I have not the least doubt.

Comparing the situation of the labouring weavers with that of the other labouring classes of the Indian population, which if either has the advantage in point of comfort?—The weaver has the means of being more comfortable, but he has generally a very dissipated turn of mind, and squanders away with very little consideration his gains; they are very much addicted to gaming, and cock fighting particularly is a very favourite amusement, upon which they stake almost every thing belonging to them.

Do you conceive that these habits of dissipation arise from any defect in the existing commercial system of the Company?—They are habits of very old date; they do not arise out of any particular system; the business of the Company has added very much to their comfort if they would avail themselves of it.

You have stated in a former answer, that the weaving classes in India have the means of living more comfortably than the other labouring classes of that country; what, in point of comfort, is the general state of the Indian peasantry, as compared with the situation of the peasantry in European countries?—From my observation, they are more comfortable in every respect; their wants are fewer, and they have the means of gratifying those wants much more within their reach.

Labour is very cheap in India, is it not?—Labour is cheap, and so are also their rice and provisions of every description in proportion.

Do you then consider the cheapness of Indian labour as a symptom of wretchedness among the people of India?—No, I think not, by any means.

Do the wages of labour which the Indian people receive, fully supply their wants?—Fully; the wages vary very much in different parts of the country; for instance, at the Presidency, where labour is dear, provisions are also dearer than in the interior; the one seems to regulate the other in all parts of the country I have been in.

During your experience, have you observed whether any change either in the way of improvement or otherwise, has taken place in the condition of that part of the native

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population who are employed by the Company?—I think, generally, their situation has improved; but speaking particularly of the manufacturers, it is impossible to a great degree to improve their situation; for instance, a weaver after getting his advance, resorts to the weekly markets all over the country to procure materials for his web, and after having procured what he thinks will be requisite for the piece of cloth in his loom, he too often expends what may remain in a cock-fight, or any other gambling game that is to be found in the market.

On the whole, do you consider the employ furnished by the Company to the weaving classes, as a great advantage to those classes, or not?—I am decidedly of opinion, that it is very much to their advantage.

Can you state whether there are any native merchants at Madras, or in the Northern Circars, who would be able to provide for private traders, such an investment as the Company procure?—Private traders would find in every village, agents perfectly prepared to receive their money at all times; but I think the private agent would generally be disappointed in his expectations of goods of standard quality; when they were delivered he would find them very interior to what he expected; it is the study of the commercial servants, and their only labour almost to prevent and to counteract the abuses of the native agents, when they are employed as well as the manufacturers.

What is the nature of the abuses to which you allude?—The nature of the abuses is furnishing goods of a quality very inferior to the standard on which the contract was made.

Do you mean to imply that the manufacturers would seek an unfair advantage in dealing with private traders?—Certainly, they would take every opportunity of imposing upon the uninformed.

Are such piece goods as the Company import, to be purchased in India ready made, or without previous arrangement?—It frequently occurs that at the private sale it tempts a weaver to sell from his loom, at an increased price, the goods that he has previously manufactured with the Company's money, and by their order a previous advance is uniformly required; unless the private agent can find his way into the manufacturing villages, and obtain there goods by giving an advance of price, it is impossible to provide an investment to any extent.

Could a private trader resorting to India, find in the markets of that country such piece goods as the Company ordinarily import?—Not to any extent; and at a very advanced price.

Were it proposed that the Indian governments, should make their annual remittances to the Company at home, through the medium of bills of exchange purchased from private European traders in India, is it your opinion that the Company could prudently trust to such a channel of remittance?—I should think not, from the tedious process that is requisite for the provision of an investment; in the first place, the difficulty that a private trader would experience from the competition in every village where the goods were provided; where there were three or four agents to provide goods instead of one, the price would naturally be increased, or the quality be debased; and likewise there would be a risk I think, because the payment of those bills would in a great measure depend upon the sale of the goods so provided in India, unless the private agent had other resources besides those he looked to from the sale of the goods, it would be a very precarious mode I think.

Would it then be safe for the Company to trust to the credit, and the regular payment of such bills as those described in the last question, for the remittance of their surplus revenue?—I conceive it would be very unsafe, and a very uncertain and precarious mode of remitting their surplus revenue to Europe.

What space of time usually elapses between the first order for an investment at Madras, and the final completion and delivery of it to the Company?—Not less than twelve months, that is the usual calculation of the time; in three months from the time the money is advanced, a part of the investment may arrive at the presidency; but it is considered that twelve months is necessary to provide a complete investment from the time the order is given, until it is shipped for Europe.

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On the supposition that the Company should relinquish their present mode of remittance by consignment of goods, and substitute remittance by private bills, and should find the experiment fail could they without much inconvenience recur to the present mode of remittance?—It undoubtedly would be attended with inconvenience; but as the manufacturers would still be found in different parts of the country they could be brought together, and no doubt an investment might be re-established; but no doubt, after a lapse of time, and a departure from many of their habits which are now found so ineffectual in the provision of a good investment.

Do you mean to imply that the cessation of the regular employment of the Company, would have the effect of dispersing the weavers?—No, I do not think it would disperse them; certainly when I speak of bringing them together, I mean to refer to the different servants of the factories, as well as the weavers; the commercial residents and their assistants would probably be transfered to the revenue department, and that chain would be broken, which now exists for the regular provision of the investment.

Supposing that any of the Indian governments, the Madras government for instance, should in any one season reckon on remitting home a large sum in private bills, and should find that bills to any thing like a sufficient amount, are not procureable on advantageous terms, how far would it be practicable for the government to make the required remittance in the same season by a consignment of goods?—As I have stated that twelve months are necessary to provide an investment, it would be impossible to make a remittance by goods, after any lapse of time in the endeavouring to procure private bills.

Can you state whether in the intervals of regular employment in the business of weaving, the weavers betake themselves to other means of providing themselves with subsistence?—Certainly they have other means of subsistence; they sometimes turn cultivaters, and the manufacture of cloths for the use of the inhabitants gives them employment to a certain extent so far the population benefits; and they can provide those cloths much cheaper; the Company's investment tends to increase the price of labour, and the rate of every thing of which a piece of cloth is composed.

Can you state whether the weavers in India form a distinct class or cast?—Certainly no man becomes a weaver who is not born a weaver, whose father was not a weaver before him; there are two classes of weavers, they are perfectly distinct from the other classes of inhabitants, as much so as the Brahmin and the Sooder.

You have before stated, that on certain occasions persons who are hereditary weavers, betake themselves to other employments than that of weaving; does it ever happen, that persons not born weavers, betake themselves to the employment of weaving?—It very rarely happens; in all my experience I never knew an instance of it.

You stated in a former answer, that the increase of the private demand for piece goods would, by the effect of competition, enhance the price of the manufactured article; would such increase of price have the effect of attracting into the employment of weaving, persons not being hereditary weavers?—I think not, I am sure it would not.

Were the commercial system of the Company entirely superseded, would you consider such an event as advantageous to the weaving classes of India?—I think it would be ruinous to the weaving classes.

Should the Company resort to the mode of remittance homewards, through the medium of private bills alone, would such a course of proceeding give rise to combinations among the private merchants selling those bills of such a nature, as to render the terms on which bills could be procured, extremely unfavourable to the Company?—It seems to me the natural consequence.

Would not the Company, under the circumstances described, be in effect thrown into the hands of private traders altogether?—Completely.

(Examined by the Committee.)

ARE all persons born weavers, employed as such?—If they can find employment as weavers, certainly they would go to no other trade; they are sometimes from

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necessity obliged to take to labour in the field; but a person born a weaver, will naturally become a weaver, if he can find employment.

Is there not a very large proportion of the persons so born weavers, employed in agricultural pursuits?—I can only speak from a knowledge of the part of the countrry in which I so long resided; I hardly know an instance of a weaver taking to any other employment, except from positive necessity, from a stoppage of the Company's investment, or from some other cause.

Is the Committee to understand, that the principal part of the persons born weavers, are now employed as Weavers in that line?—Certainly not; there are a great many weavers who never work for the Company; a population of fifty millions requires a great proportion of their labour to clothe them.

Is the Committee to understand, that the principal part of the persons born weavers are now employed as weavers?—As far as my observation went, I think they are.

Have not the Company's investments of piece goods from Madras at times been suspended?—Yes, in my time frequently; during a former war there was no investment I think from the year 1780 until 1787; for seven or eight years there was no investment at all, and very great distress was the consequence.

Can you name any other instance, in which investments have been suspended?—There have been several occasions in which they were suspended, but I cannot exactly remember dates; but during the war with Hyder Ally particularly.

Were they not suspended during the subsequent wars with Tippoo Sultaun?—The last war, when the capture of Seringapatam took place it was of so short duration, that the investment was very soon renewed; the investment has been suspended at various times during my residence in India; the records of the Company would best shew the periods.

Was any difficulty found in reviving the investment, when the Madras government were disposed so to do?—Certainly, great difficulties were experienced at the outset; but those in the course of time were removed, the weavers for a time being unaccustomed to make goods of standard quality, were less attentive to their business than when the investment was uniformly provided; the commercial servants having less experience, were less calculated to check the abuses that creep into the provision of an investment.

What is the rate of commission allowed to the Company's commercial residents, on the provision of piece goods investments?—Five per cent. upon the gross amount, exclusive of charges; the per centage is not upon the charges, if I recollect right; but the records of the Company would best shew that.

Do the commercial residents bear any risk in the same manner as the native agents?—No other risk than the loss of their situation, if it is shewn, that they are careless in the advance of money; they are not responsible for the money advanced to their hands, other than as servants of the Company, are bound to be as careful as they can in the advance of it.

Do bad debts frequently occur?—Bad debts of late years have been less frequent than formerly; from the superior knowledge in the profession in which the servants are engaged, they are more careful and more able to guard against the abuses, which are very frequent in the provision of investments, having a very knavish people to deal with.

What is the quality of the goods provided by the native agents compared with those provided by the commercial residents?—Very much the same certainly, because those native agents have the advantages of regular advances, and they influence upon the minds of the manufacturers, so far that the business of the Company is considered a more important concern than that of individuals, and the Company being constant customers have no doubt the advantage of casuals; the native agent is considered at all times and for all purposes a servant of the factory, and has been long accustomed to the business in which he is engaged.

Is the commercial resident allowed a commission on those goods provided by native agents?—

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agents?—The agency paid to the native agent is in fact a part of the price of the goods; it is not separated in the account.

Is the Committee to understand that the commercial resident receives a commission of 5 per cent. also on those goods?—Certainly, the native agents name appears in the Company's books as the person that furnishes a certain quantity of goods, his agency does not appear as a charge upon the account; if 20*l.* is paid to a native agent for goods of a certain quality, his agency of 5*l.* per cent. is included in the 20*l.* it is not separated.

Is the Committee to understand you, that the original prices of the goods provided by the native agent exclusive of his commission are 5 per cent. under the cost of those provided by the commercial resident, or that the price including the native agent's commission of 5 per cent. does not exceed that given by the commercial resident for those goods provided under his own immediate directions, exclusive of the commercial resident's commission?—The commercial resident's commission is not included in the price of the goods; in the body of the invoice it is a separate charge; if the commercial resident has an opportunity from the weavers being in his neighbourhood of advancing immediately to the weaver, that agency which he is obliged to pay to the native agent of 5 per cent. is saved to the Company, by his standing in the place of the native agent himself.

When the Company's investment is completed, are the commercial residents allowed to act upon commission for individuals?—Not recently.

When was this practice discontinued?—Since the commission was allowed upon the provision of the goods, and adequate salaries given, instead of the advantages they formerly derived from acting as private agents.

Are not the Company's commercial residents occasionally so employed by individuals, with the concurrence of government?—With the concurrence of government certainly, they are allowed to act as private agents; but since the system of salary and commission has been acted upon, the Company's investments have been so regular, that they have seldom had an opportunity of devoting their time to private agency.

They were formerly allowed to trade?—They were; but that is not now allowed.

Do the invoices sent from the factories to the presidency, include all charges of package conveyance and freight?—Certainly.

Do the invoices sent from the presidency to England include all charges incurred up to the time of embarkation?—The expense of the establishment I believe is not put upon the invoice, nor the resident's salary; but every other charge incidental to the provision of the goods is upon the invoice.

Is the invoice charged with the customs?—No.

What customs do individuals pay upon piece goods, on exporting them to England?—I do not exactly know, as I never paid customs; I know that there is a customs duty upon the exportation of piece goods; but how much I really cannot say.

Is there an inland duty paid upon piece goods by individuals?—Latterly the greatest part of the inland duties have been entirely abolished; I believe there is a duty collected upon the importation of goods by land to Madras.

Is there not also an export duty on the same goods?—I cannot exactly say, I rather think there is; but the regulations of government will shew much more distinctly than I can say, not having been a private trader myself, I cannot speak to that.

Do you know the amount of the inland duty which you state to have been paid by individuals?—I cannot state it with precision.

What is the usual price of piece goods provided by individuals, compared with those provided by the Company's servants?—Nominally cheaper, but in fact much dearer.

Do you mean to include in this estimate the duties, the costs to individuals, and all those charges which are not usually paid by the Company?—No I do not; I

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mean by a comparison of the goods of the same description: a buyer will find the quality of goods of the same denomination provided by the Company, generally superior to what are furnished by private individuals.

Then of course those goods would sell for more money at the Presidency than those provided by individuals, would they not?—I think they would.

What advance do you think might be obtained upon the Company's goods, if sold at the Presidency to private merchants?—That is impossible to say distinctly; it depends upon the demand.

Can you form a judgment, as they are superior in quality, and as piece goods are generally in demand, what profit they might be sold at at the Presidency, on their original costs and charges?—I can mention an experiment that was made to allow the commercial residents to become the agents for individuals; the competition which had at different times been so prejudicial to the provision of the Company's investment, was endeavoured to be removed, by allowing individuals a portion of the investment provided by the commercial residents, on the condition of their advancing their money six months previous to the period stipulated for the delivery of such proportion, and paying to the Company an advance of twelve and a half per cent. upon the goods delivered at the Presidency; this twelve and a half per cent. was divided in this way, five per cent. as usual was allowed the commercial resident for his agency, seven and a half per cent. for bad debts, which sometimes occur for the risk of conveying it to the Presidency by sea during war, which is considerable; in short it was to cover all the charges incidental to the provision of the investment, except those that occur upon the face of the invoice, as bleaching, packing, &c.; this mode of provision was considered so advantageous to the individuals at that time at Madras, that a very large subscription, as large as the Company were willing to receive, was immediately filled, and I believe upon the arrival of the goods in this Country, compared with the goods that had at the same time been provided by private agents, they were found to be very superior in quality.

Were those goods provided by the commercial residents upon the same terms to the Company, as the goods generally procured for the Company's own investments?—They were precisely the same; so much so, that no division took place till their arrival at the Presidency, when a portion was allotted to the private traders, and the rest to the Company.

Then the Committee is to understand, that the Company provide their goods better, and at the same time cheaper, than the private merchants can obtain their's?—Certainly; the Company who are in the constant habit of employing the weavers, have a right to expect better treatment than a casual trader; and the commercial residents, from long experience, are better calculated to counteract the abuses so frequent in the provision of an investment.

What abuses do you allude to?—Arising from the depravity of the manufacturers, who take every opportunity of imposing on uninformed customers.

Have the weavers the option of disposing of rejected goods in the market?—Certainly, if they can shew they have the means of settling their accounts by a money payment, or within a due time engaging to furnish a piece of standard quality.

What is the state of the pecuniary circumstances of the weavers generally under the Madras presidency?—As comfortable as their dissipated habits will admit.

What may they earn monthly each?—The investment is provided from Cape Cormorin to Ganjam, a distance, I believe of 1,500 miles, where the price of labour varies so much from the price of provisions being higher or lower, that it is impossible to say distinctly what a weaver earns monthly; but from my own observations I can state, that a weaver is more comfortable in his circumstances than the other classes of the inhabitants of the same level.

Cannot you form an opinion of the probable amount earned by the weavers, generally?—No, I cannot; but I am persuaded that it is equal to a comfortable subsistence; the price of labour in different places varies so much, I cannot speak to the sum, but it is their own fault if they are in want when the Company's investment is on foot.

What

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What is the penalty attached to a breach of contract with the Company, on the part of the weavers?—The penalty attached is the reduction of price; if he delivers his goods agreeable to the sample he gets a higher price, if they are inferior of course he gets less; but it is impossible that a weaver can work to a positive loss, as he has seldom any property of his own, and depends almost entirely upon the advances that are made to him.

Then is the Committee to understand that the weavers have the means of a comfortable subsistence for themselves and families only, and nothing beyond that?—They will not suffer themselves to have much beyond that, for it is generally dissipated in various ways; any thing that they get beyond their subsistence is lost in cock fighting or in some other gambling game.

Are not fines sometimes imposed upon the weavers?—I cannot speak distinctly to that; I can only say it would be very injudicious in the commercial resident to impose a fine; it would be taking from him the money he had been advancing; it is not his own.

Are not fines allowed by the Regulations?—For form sake they may be allowed, and no doubt they are; I am not very well versed with the precise Regulations; but I believe they have been very seldom exacted.

In the event of delaying the delivery of the goods, what means are taken to hasten it?—The means usually adopted on such occasions are the sending to the weaver, and requiring greater punctuality in the performance of his engagements.

In what manner is this done?—Upon my word I cannot say exactly in what manner; there are certain people attached to the different stations; upon the complaint of one of those native agents that a weaver is refractory, or that he is inattentive to his business, it may occur once or twice in a season that a weaver is sent for to the factory, and taken to task for his negligence, and desired from the authority of the government to be more attentive to his duty.

Is it usual to place peons over the weavers to quicken their deliveries of goods?—I believe that is admitted by the Regulations, but very seldom practised; because it would be unavailing; it would be taking from the weaver the money given to him; for a peon never goes to the house of a native without a commission at the same time to exact a sum equal to the expenditure for his daily food, commonly called batta.

What is the usual sum so exacted per diem?—It is impossible to say, because it varies; in different parts of the country it is equal perhaps to a seer of rice, and that varies in price so much, it is a halfpenny in one place, a penny in another, and three pence in another perhaps.

Is it usual for the Company to add interest to the cost of the piece goods?—Interest does not appear upon the invoice, I believe.

Have you quitted the East India Company's service?—I have no intention nor any idea certainly, of returning to India again.

If in consequence of the trade being opened in the manner proposed by the Resolutions, the commercial residents at the several stations in British India, now acting under the sole controul and appointment of the supreme government there, were removed, and persons not under the sole controul and appointment of the supreme government, were to carry on the commerce of British India; what effect do you think that change would produce upon the natives of India, who have hitherto seen no individual there, that did not act solely under the controul and appointment of government?—It is impossible to say, I think, what line of conduct those gentlemen would pursue; the commercial residents at present are controuled by the government, and from long experience they conduct themselves in a way generally, that gives satisfaction to the inhabitants: I do not think the situation of a private trader would be so respectable, or be held in that reverence that the servant of the government now experiences in his situation there.

Do you imagine that the natives, who have hitherto been accustomed to look at Europeans as solely acting under the government, seeing Europeans there acting independently of the government, would have any, and if so, what effect upon the estimation in which they hold the government?—I do not know that it would

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affect the respectability of government by any means, if the European agents conducted themselves with propriety; it would be inconvenient to the government certainly.

Do you imagine that the natives of the country who have been accustomed to an undivided and summary power, would, if they saw any persons existing in the country that were not totally dependent upon that summary power, feel the same respect towards the government?—I think they must be dependent upon the government.

Would they be dependent upon the government if they were not acting under the sole controul and appointment of it?—I conceive that no individual is dependent of the government in any country; he must be subject to the laws and regulations of the government of the country where he resides.

Do you suppose, that if commercial transactions, instead of being conducted solely by the commercial agents appointed by and under the controul of government, were carried on by persons not so appointed, and not so much under the controul of government, that in such case the natives of India would look up to that government with the same respect they do now, when they see no person immediately under the controul and appointment of government?—It would certainly lessen the respectability of government, to see any set of men in India that the government could not controul; it certainly would be very dangerous to allow of agents going into the interior, that would not submit to the rules and regulations hitherto found necessary to govern the conduct of the Company's own servants.

What effect would that have upon the people of India, who have hitherto seen every thing under the direct appointment and controul of government?—It would lessen to a certain degree the respectability of government to see any person that was not under the controul of the state.

Do you or not, think the operation of that feeling would in the course of time, be very prejudicial to the respect that government must carry with it to preserve the safety of the British Empire in India?—In my opinion, it would be dangerous to adopt any system that could be supposed to lessen the dignity of government, as the government of India has been supposed to be a government of opinion, where the few govern the many.

You have observed, that there was a suspension of the investments from 1779 or 1780, for a certain number of years during the war with Hyder Ally, owing to that war; during that war did the weavers work for private country merchants or for private sales?—They worked for both: at that time there was a considerable trade carried on by the Danes particularly, and a considerable provision of investment took place in the northern Circars, which was not affected by the war with Hyder, by means of agents of the Danes.

On the occasions, when as stated in a former answer, the Madras government suspended for a time their investment, did they, during such investment, continue their commercial establishments in the prospect of a return of peace?—They did, both European and native.

You have stated, that in the case of such suspension of the investment, a resumption of the investment was attended with great inconvenience; would not that inconvenience have been far greater, had the Madras government at the same time, when they suspended the investments, given up their commercial establishments?—Undoubtedly; because they would have been deprived of that experience and practice, which so much tends to their improvement, in keeping up the Company's investments.

What was the nature of the competition you spoke of for piece goods; was it that the cloths made by advances from the Company were bidden for with ready money by individuals?—I believe I mentioned, that that was the principal cause of the great evil arising out of competition; that was the nature of the competition, for it is very seldom that private agents will venture to advance money, they prefer very much the purchasing of goods provided by the money of the Company, as a much safer trade.

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The Committee is to understand it to be your opinion, that an open competition would considerably raise the prices of piece goods?—Distinctly; when an investment is obliged to be provided by advances, if there were three or four people who will advance upon the same loom, the manufacturer will be very careless in weaving a piece, knowing that if his first customer does not take it, his second will.

Would not such competition consequently be advantageous to the weaver?—It would afford him more money to spend in cock-fighting, and ultimately be ruinous in the extreme, because his goods would be of so debased a quality, that they could never find a market.

Are you of opinion, that it is necessary to keep the weavers poor, in order to keep them under proper controul?—By no means; but it is necessary to see that they perform the engagements that they enter into.

Can you inform the Committee of the nature of the spinning business in those countries where so many piece goods are made, how the thread is prepared?—The thread is prepared generally by the female population at large, by the poorer classes of females, by the purchase of cotton at their weekly markets, and selling the produce of the labour of the week at the succeeding market; this is done in so simple a stile, and with so much attention to economy that the weaver perfectly well acquainted with the price of the raw material, seldom affords to the spinner more than he thinks a just return for the labour of the week; and that matter is so well understood among the weavers generally, that no weaver for the sake of getting a larger quantity of thread will outbid his neighbour in the purchase of it; but the business of spinning circulates the money advanced for investment, throughout the country, amongst the description of people most in need of it, the females of the families of cultivators, the lower classes of inhabitants; it is a great resource.

Have not the females of decayed families who have little means of employing themselves from the secluded nature of their lives, recourse likewise to this mode of assisting themselves?—They certainly have, and it is the great means of giving subsistence to the lowest classes of inhabitants, and they perhaps suffer more than the weaver in the times of suspension of the investment; I consider the provision of the Company's investment, to be a blessing very generally diffused through the country, and depriving them of it, would be depriving them almost of the means of living in certain seasons.

Do you not conceive this species of manufacture, the spinning, not only to extend very generally through those countries, but to employ a very great number of the females of the country?—Very great; speaking of the part of the country where I have long been, almost every female of the lower classes earns more or less in the course of a week by spinning.

What should you think of a system that should introduce machinery, so as to preclude the labour of that class of persons?—I think it would be very severely felt; in all the parts of India where I have resided, I do not think it could be introduced to advantage, so simple is the business of spinning, and so small their expenses of living; but it would be most severely felt if it could be introduced; the season of cultivation only extends to a certain number of months in the year, there are other times when many of the inhabitants have no means of subsistence but by spinning.

Do you conceive, that if this resource failed them, there is any other branch of industry in that country to which those females could turn themselves?—I think it would be more difficult in India than any other country in the world, to turn to any profession to which they have not been brought up; and the employments are fewer; I do not know of any whatever to which they could turn themselves.

Then you conceive that the discontinuance of the cloth manufacture of those countries, manufactures which have existed through so many ages, would be of esschtial prejudice to the poorer classes of inhabitants in general?—The discontmuance would certainly be of essential prejudice; and any other system of provision that would enhance the price of the goods would certainly be the means of that evil, which is so much to be dreaded; if the price was enhanced, they would be no longer saleable in this country; it is only by their being provided so cheaply, that they are saleable here.

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If it should be found possible to introduce yarn thread spun from any other country into those parts, what would you suppose to be the effect upon the poorer part of the population, both male and female?—What I have already mentioned; and I think it would be the duty of government to prohibit the importation of thread into that country, were it possible.

With a view to the protection and subsistence of the population of that country?—Yes.

Are you acquainted with the mode of raising and preparing the cotton for the manufacture?—Not sufficiently to give any distinct account of it; in the Northern Circars, the principal part of the cotton consumed in the investment, is raised in the country; we frequently get supplies from the interior by a class of people called Monjaries, who bring cotton from the interior, and take their returns in salt; but the cotton raised in the country is generally preferred, by the cotton being more pure, and suiting their manufacture better; it is a very precarious crop.

By more pure, do you mean cleaner from the seeds?—Yes, cleaner from the seeds; I speak to the preference of the manufacture for the cotton of the country, I suppose it has some superiority.

Do you understand in what manner the cotton is cleaned and prepared?—It is by a very simple process; it is cleaned by the hand; there are two processes, the first process is to separate it from the seed by three cylinders that go different ways; the cotton with the seed is introduced between these cylinders moving closely together, by which means the cotton is drawn out and the seed is left behind it; that is a sort of hand-mill which every person has in his house: and the second process is a sort of bow, something like what the hatters use in this country for preparing the wool for making hats, that strikes against the cotton and separates all the dust and seeds that may remain after it has undergone the process of the wheel.

Is the raising of cotton in that country pretty general?—Every cultivator allots some spots of ground to the cultivation of cotton, but as it is a precarious crop, he prefers some others; it is productive when the season is good, but a little too much or too little rain destroys it.

Who are the persons employed in cleaning the cotton?—The first process is done by every person who spins; the second process by the bow, is done by a particular class of persons; it is very remarkable in a country where there are so many species of Hindoos, that it is by a species of Mussulmen, he is not a Mussulman, but approaches nearly to them; there are one or two such persons in every village; he performs two duties, cleaning cotton, and making thread that the threads pass through in the weaving.

You mentioned, that one part of the process of preparing cotton is done by the spinner?—Yes, it is done in every house; it is a process that every child can perform: the cotton encircles a black seed; it advances perhaps half an inch upon the seed; this is put into the cylinder, and by turning it, the seed is left on one side and the cotton on the other.

If by introducing ready made thread into the country, all the spinners now employed in that branch should be deprived of that employment, could their labour be turned in any way to the raising or cleaning of the article of cotton, so as to provide subsistence for them?—I think not; for there are many females that could not quit their own house; in their secluded habits, they would not resort to a large place, to which all descriptions of persons had access; it would be hurtful to their feelings, and inconsistent with their habits to expose themselves so much to public view.

Would not an increase in the demand for piece goods naturally have the effect of increasing the demand for thread?—Undoubtedly.

Would not such increased demand for thread naturally prove beneficial to the persons employed in spinning it?—Constant employ to the manufacturers certainly would be the most beneficial thing that could happen to them.

Having stated that the private merchants at Madras were so much pleased with the system of providing piece goods through the agency of the Company's commercial servants, that they subscribed promptly and largely to the proposals of government for that purpose, can you state to what extent the private merchants did so subscribe?—I cannot charge my memory with the exact sum; but it was to the extent of the

allotment

allotment made by the Company, the proportion they chose to allow the private dealer, the subscription was filled, whether it was one-eighth or one-fourth, or what proportion I cannot say. *Mungo Dick, Esq.*

Can you mention the number of lacks of pagodas?—I cannot; but that would be easily discovered by reference to the documents; I recollect that it was to the extent allotted.

Can you form an opinion to what extent might have been so subscribed by individual merchants in any one season, had this practice been continued?—The practice did not cease, that is to say, the Company have permitted the subscription to continue; but the adverse state of markets in this country, prevented a continuance at that time; the bad sales at the period at which this system was adopted for some years past; I believe the sale of piece goods has been very heavy, and consequently it was not continued.

Is the Committee to understand that this practice is still in force at Madras?—When I left India in 1809 it was; I do not know what may have happened since; I do not know of any orders having been sent to the contrary.

[The Witness withdrew.

Mr. EDWARD VENN,

Was called in, and Examined as follows:

Mr. Jackson.] YOU are a tea broker?—Yes. *Mr. Edward Venn.*

How long have you been such?—Upwards of thirty years.

Is it within your knowledge, that at Canton the Company's supercargoes have the first choice of the teas?—I have always understood so; it is a circumstance which does not fall within my knowledge.

You have never been to China?—No.

It is so understood among the tea buyers?—Yes.

To whom is it understood that the teas not so chosen by the supercargoes, are afterwards disposed of?—Of late years to the Americans.

When teas are imported, how are their qualities here ascertained, if any be damaged?—If discovered previous to their being on public show for the inspection of the brokers to be so, they are pointed out to us by the Company's servants, when they come on show, and then we examine them more minutely.

If they turn out to be damaged teas, what is done with them?—It depends upon the degree of damage; if very material, they are destroyed by the Company.

How many sorts of tea are there?—There are two general classes, black and green, and of each, five or six denominations.

Enumerate the denominations of black tea?—Bohea, Congou, Campoi, Souchong, and Pekoe.

Enumerate those of green?—Singlo, Twankay, Hyson skin, Hyson, and Gunpowder.

Those are again subdivided, are they not?—Yes they are.

State the subdivisions of them?—Under each of those denominations, we have various descriptions, ordinary, good ordinary, but middling, middling, good middling, middling good, pretty good, and good.

Those among your profession, are understood as distinct denominations, implying different and distinct qualities?—Yes, understood by the trade not different and distinct qualities, but different degrees of quality, gradations of quality.

How are those various and nice gradations determined?—It requires a very long habitual and practical acquaintance with the article, in order to discriminate those nice variations.

With the aid of experience and practice, what mode do you pursue?—First by inspection

Mr. Edward Venn.

inspection at the warehouses; there are various circumstances combined in order to form an ultimate judgment of the article, such as the examination of the leaf, the smell, and afterwards by the taste and flavour.

Has the sense of feeling any thing to do with it?—Yes, in some degree it has, whether it is of a crisp feel or not.

Are the distinctions so nice, that even sound helps you in any degree?—No, I think not.

Do each of those qualities you have described, bear a different price?—Yes.

State about the degree of their variations taking the leading sorts?—Bohea tea is the lowest, from 1*s.* 6*d.* to 2*s.* 6*d.*; and Congou tea from 2*s.* 6*d.* to 3*s.* 10*d.*; Souchong tea from 3*s.* up to 5*s.* 6*d.*; Campoi tea from 3*s.* to 3*s.* 10*d.*; Souchong tea from 3*s.* 7*d.* to 5*s.* 6*d.*; and Pekoe tea from 5*s.* to 5*s.* 9*d.*; those prices vary probably at each sale in a small degree. As to green teas, Singlo from 3*s.* 3*d.* to 3*s.* 8*d.*; Twankay the same; Hyson skin from 3*s* 3*d.* to 4*s.* 3*d.*; Hyson tea from 4*s.* 6*d.* to 6*s.*; Gunpowder from about 5*s.* to 7*s.*

The duty at present upon tea is what is called an ad valorem duty?—It is.

Do you know how much?—From 95 to 96; 95 the excise duty, with the custom nearly 96.

Looking to those various sorts you have described, with the various nice distinctions and subdivisions of each sort, do you think that that ad valorem duty could be exchanged for a rated duty according to those various sorts?—I should think not.

Could any person, do you think, not so practised as you have described it necessary to be, in order to ascertain those various distinctions, be capable of making them sufficiently for the purpose of rated duties?—Certainly not.

Would, in your opinion, an attempt to fix rated duties upon so many various qualities, lead to a very considerable and almost endless degree of detail?—I should think so.

At present the whole of the Company's teas are sold at public sale, are they not?—Yes.

All the teas brought to England are so sold?—They are all; even presents are put up to sale, in order to ascertain the duty.

Rated duties, if the thing were practical, could only be ascertained by personal and private examination of every separate article, and of its qualities and descriptions, as well as of every separate parcel sold?—Certainly.

Without descending to that degree of detail, do you apprehend that rated duties could be at all ascertained?—I really do not perfectly understand the question.

Supposing that an attempt were made to collect the duties upon the various sorts and distinctions, and shades of distinctions you have described, by a rated duty, could it be done otherwise than by a personal examination of every sort and of every parcel?—I should think not.

At present the officers of government, as well as of the Company, attend at each sale, do they not?—They do.

Have they had any other trouble in ascertaining the amount of duty payable to the Crown, than ascertaining the aggregate value of the sale?—They judge by the price of each lot, adding them together they form the aggregate sum.

During your long experience, have you reason to believe or to suspect, any other description of sale ever to have taken place at the Company's sales, than actual and bona fide sales?—No; there cannot possibly be a fairer mode of sale than that adopted at the East India house; the goods previous to the sale are shewn in the most fair manner possible, and with very great order and regularity, for the inspection of the buyers: nothing can be done, I think, with more precision than it is conducted.

Is it not of great consequence to your employers, and consequently to yourself with regard to character, that such sales should be genuine and bona fide?—Certainly.

Have

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Have you the least suspicion of any departure in any one instance, from those two principles?—Not the least.

Is it not the rule of the Company to put up their teas at the prime cost of the article including such charges as are enumerated in the Act of Parliament?—I have always understood so.

That you would call then the upset-price?—Yes.

Do you know upon what degree of advance upon that price the Company make it a rule to sell?—The advance of a farthing a pound upon teas under 3*s.* 4*d.* and a halfpenny per pound advance upon all teas that sell above that price.

Do you happen to know whether the obligation under the Act of Parliament is not, that they should sell, if one penny per pound be bid above the upset or cost price?—It is a considerable time since I have read the Act of Parliament, and I do not recollect the precise words of it.

Whatever may be the law in point of practice, if one farthing be bid above the prime cost, and below the price you have stated, they sell?—Yes.

Do you know the sort of tea which has been principally bought by the Americans?—No, I do not.

What is the general understanding of your trade upon that subject, is it Congou or other tea that the Americans have been in the habit of buying?—I should rather suppose green tea, for such tea as is used in America; because if any exportation takes place from this country to Canada, it is principally of green tea, but I should suppose the Americans have bought more black tea than green tea, as they have supplied the Continent with black tea; and in Holland, Denmark and Sweden, and those parts they have usually I believe drank more black tea than green; and as they purchased I should imagine with a view to supply those parts, I should suppose they purchased a greater quantity of black tea than green.

What is the lowest price of Souchong tea?—3*s.* 7*d.*

Is that as low a price as you have known?—Yes; it is put up by the Company at 3*s.* 6*d.*

If the New York price current or any other American price current should have stated Souchong to be sold at 10½*d.* per pound, according to your judgment, could it in the nature of things be Souchong tea, or must it have been some other tea to which that name has been given?—Some other tea to which that name has been given, no doubt.

Why do you think so?—From the lowness of the price; considering the actual price they must have paid at Canton for it, it is impossible it should have been that sort of tea.

According to the best of your judgment and experience could it have been bought at that price or near it at Canton?—I should imagine nothing like it.

Supposing the Americans to have been so shrewd or fortunate as to have bought this kind of tea at so low a rate at Canton, and afterwards to have succeeded in getting it into this country, through any ingenious medium whatever, could they have got 3*s.* or 4*s.* a pound for it, supposing it to have been real Souchong?—Certainly.

[The Witness withdrew.

Mr. THOMAS STYAN,

Was called in, and Examined as follows:

Mr. Thomas Styan.

Mr. Jackson.] YOU are a tea broker?—I am.

How long have you been such?—Upwards of thirty years.

Is it the understanding of your profession or within your knowledge, that the Company's supercargoes have the offer of all the best teas at Canton?—We have always understood they have an offer of the teas at Canton in preference to any other country.

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To whom have you understood such teas as they have refused are sold?—I suppose to those of other countries who have gone to China for teas, to the Americans, and to the Swedes or Danes, when they used to go there; I do not know myself.

The Danes and Swedes have ceased to be buyers for a considerable time, have they not?—The Danes four or five years, and the Swedes before that.

Your two chief classes are black and green?—Yes, they are.

The black comprizes five different sorts, namely, Bohea, Congou, Campoi, Souchong, and Pekoe?—Yes.

The green comprizes Singlo, Twankay, Hyson skin, Hyson, Young Hyson, and Gunpowder?—Yes.

Each of these sorts is again subdivided into nine or ten different qualities, such as good, middling, ordinary; good middling, flaggy, woody, dusty; are those generally speaking, the qualities and descriptions?—Yes they are; we have other descriptions, such as very ordinary; ordinary; good ordinary.

How are those distinctions determined on?—They are determined by our examination of them; first, the examination in the warehouses, then we take an average sample from the different parcels, which we try being made into tea, and we give the character of them from the observation, taking together the inspection and the tasting afterwards.

To whom do you give this opinion?—We give it to the trade at large, we publish books of it before the sales.

Is it by the judgment of the broker that these various distinctions are fixed?—Yes.

Does it require long experience and great attention to attain to a degree of judgment sufficient for the purpose of making such distinctions?—Yes, it does.

Do you think that persons not so practised or so attentive to the subject could possibly make such distinctions?—It would be impossible to make them with correctness.

Describe to the Committee by what means you make those various distinctions?—We make them by the examination of them in the warehouses; they are laid open for inspection before the sales; we make our remarks upon them there, and we take a sample home.

What are your modes of examination to attain to such various and nice distinctions as you have described?—The samples are drawn by some of the Company's labourers, and are brought to us upon a tray, we look at them and smell them, after which we take a sample home, and examine them by the colours and the appearance of them again, when we assort them together, and by the flavours they possess when they are made into tea.

Do you examine by means of feeling the different kinds?—Yes, we handle them; tea that is crisp and handles well, generally is better than that that is not so crisp and handles heavy.

Are the distinctions so nice, that sound assists you in any degree?—No.

Not by shaking?—Not at all; some perhaps may do it, I never did.

Is it a notion with some, that they can assist themselves in determining the quality of tea by its sound?—I have seen a person go to examine tea that has merely felt it, and never smelt it.

Those various and nice distinctions bear different prices, do they not?—Yes, they do.

State the different prices, from the lowest to the highest of the different sorts?—The prices vary as much as the price of the article in general; sometimes we have an article sixpence a pound higher at one period than we have it at another: at the present time, in regard to Congou tea, very ordinary would be about 2*s.* 9*d.*; good ordinary, 2*s.* 11*d.*, but middling 3*s.* 1*d.*; middling, 3*s.* 5*d.*; middlings good we have nothing of that description; we have some that we call middling, a little Souchong flavour, at 3*s.* 7*d.*; those are the various sorts of Congou.

Generally

Generally speaking, do the other sorts you have mentioned, vary as much in price as the article of Congou?—No, I think nothing, unless it is Gunpowder and Souchong. *Mr. Thomas Chan.*

Do the other sorts, in fact, bear several prices, according to their qualities?—Yes.

For about how much to how much?—Singlo, 3*s.* 3*d.* to 3*s.* 6*d.*; Twankay, 3*s.* 3*d.* up to 3*s.* 10*d.*; Hyson skin, 3*s.* 5*d.* up to 4*s.* 8*d.*; Hyson, 5*s.* 2*d.* to 7*s.* 6*d.*; Gunpowder Hyson, from 5*s.* 9*d.* up to 7*s.* 6*d.*; there is as much difference as that.

The sorts, generally speaking, vary about as much as those you have described?—Yes.

They have as many gradations as prices?—Yes.

Would it be possible for any person to fix those gradations, except those who have had a very long and continued practice in inspecting and judging of the articles?—I should think not.

The prices you have mentioned, are exclusive of the duties?—They are.

The duty upon tea is at present an ad valorem from 95 to 96 per cent.?—96 per cent.

The amount of duty is ascertained from the amount of public sale, is it not?—It is.

All the teas that come to this country, are sold at those sales?—Yes.

There being present the officers belonging both to the Company and the Crown?—Yes.

Looking to the various sorts which you have mentioned, divisions and subdivisions, the various shades and distinctions of quality as well as the gradations of prices, should you think it possible to change the mode of collecting the duty as an ad valorem duty to a rated duty, upon all those various sorts and kinds, consistently with commercial convenience or precision as to value?—It would be impossible to make the duty bear equally, considering the value of the teas, in any other way than their being put up to public sale at the India House, or some other place, and inspected by the brokers, or people that have been long in the habit of dealing in the article.

Supposing a rated duty to be attempted, you think still it can be only collected with any degree of precision through the medium of a public sale?—I should think it could not be by any other means.

The Company's teas at those public sales are put up, as understood by your profession, at prime cost, including charges, are they not?—I do not know; I cannot answer that question.

Is not that your understanding?—It was the understanding at the time of the Commutation Act, that the teas should be put up at the prices they cost the Company, with the charges; that was the understanding at the time of the Commutation Act.

You were in business at that time?—I was.

Is it still the understanding of your profession, that that rule is adhered to?—I should think it was pretty nearly; but the prices, I suppose, vary at Canton, and they do not make any alteration in the putting-up prices, though they may sometimes give more, and sometimes less for them.

Is it the understanding of your profession, that that rule is adhered to as nearly as it practically can be?—Yes.

Is it not the rule of the Company to sell, although but a farthing should be bid in advance upon the prime cost?—Yes.

What is the rule?—They are put up at a certain price, and if any body bids upon it at all, it is sold, though it is but a farthing, in some cases it is a halfpenny; in teas

Mr. Thomas Styan.

above 3*s.* 4*d.* a pound, we are obliged to bid a halfpenny, but in teas under 3*s.* 4*d.* a farthing would be sufficient.

What sort of tea is it, the understanding of the tea trade, the Americans buy?—We suppose they take all sorts of the descriptions, such as are taken by the Company; but we suppose that the Company have the preference of the teas that are exported at Canton.

Are they known to be purchasers of Congou?—Yes.

Have you seen the New York or other prices current, of tea?—No, I do not know that I ever did; I have seen Congou tea that has come from America that has been brought into this country as prize, or some that has been brought in from stress of weather, and been suffered to be sold by the Company.

How low have you known the price of Souchong in this country at the Company's sales?—We had Souchong sold within these six months, as low as 2*s.* 11½*d.* per lb.; it is imported as Souchong but it is not so good as the best Congou tea in quality; the general Souchong is about 3*s.* 6*d.* to 4*s.* 8*d.* but we have what we call Padaree Souchong, which will go up to six shillings or from that to 6*s.* 8*d.* without the duty; Pekoe which is a black tea which sells from 5*s.* to 5*s.* 9*d.* without the duty, is a Souchong tea.

Does that low priced Souchong you just spoke of, rank among you as Souchong?—We do not call it Souchong; it is imported as Souchong, and put up as such.

Among yourselves it is considered too inferior to deserve that character?—Yes, it is that sort which is always brought over by the officers; the Company never bring any thing so inferior.

In point of practice, it happens, that the officers bring generally an inferior kind of tea to that which the Company purchase?—Sometimes they do; it happens so more I think in Souchong, than any other kind of tea; I rather think they give it the character of Souchong, thinking it will sell better in this country by being imported as Souchong tea that being considered as superior.

If any of the American prices current should have stated Souchong at 10½*d.* per pound, do you think it possible in the nature of things, that it should have been that kind of tea?—No.

According to your knowledge and experience, do you think it possible to have bought it even at Canton at any thing like that price?—They might buy an inferior black tea at Canton, which they might have bought perhaps as Souchong as low as 10½*d.* or 10¾*d.* but it is of a very bad description.

At that price, you think their procuring real Souchong impossible?—Certainly.

Supposing that the Americans should have succeeded in getting Souchong at that price advertised for its sale, namely 10½*d.* if they could succeed by themselves or others in getting it into this country, would it not fetch three or four shillings a pound generally speaking?—If it was equal to be called Souchong, it would fetch 3*s.* 6*d.* certainly.

How long have you practised as a tea-broker?—Upwards of thirty years.

During the whole of that time, have you ever known the Company offer tea for sale, by a description to which it did not fairly belong, for the purpose of enhancing the price?—Never.

Have you ever known, in any instance during the whole of that period, or have you any reason to suspect a single sale of their's being other than real and bona fide?—It has all been fairly sold; I never knew any thing taken in, or attempted to be run up in price there.

Is it the impression in your trade, that their sales are conducted consistently with every attention to integrity and honour?—Nothing can be more so than they are, I am sure.

(*Examined*

Mr. Thomas Styan.

(Examined by the Committee.)

FROM your long experience in your line of business, and knowing the prices of tea before the commutation act, and what they have been since, and having observed a gradual rise in the duties; are you able to form any opinion, what reduction of the present duties might leave it not worth the while of the smuggler to attempt to import tea into the country?—I cannot well answer that question, because I do not know directly what they give for tea at Canton; the freight of the Americans is much less than the Company pay for freight: I should think if the duty was reduced to about 40 per cent. instead of 96, it would prevent smuggling to a great degree; there would be very little encouragement to it, taking the risk attached to it.

Supposing at the same time that the duty continued at 40 per cent., there were a possibility of smugglers finding teas in the Chinese seas at twenty per cent less than the price at which the Company purchase them, so that there might be a profit of sixty per cent.; would there be a temptation to smuggling, in your opinion?—I should think there would not, to a great degree, so long as the war continues, by foreigners.

What are your reasons for thinking so?—I should think that 60 per cent. was not adequate to the risk a smuggler would run in this country.

Did you when you said, that were the duty reduced to 40 per cent. there would not in your opinion be danger of smuggling, take in to your account that there might also be an addition of twenty per cent. profit to that upon the importation of smuggled tea?—Yes, as the 20 per cent. in China would not be more than from 3*d* to 6*d*. per pound.

[The witness withdrew.

[The following Papers were delivered in, and read:]

"Copies of the Circular Letters sent, on the 13th and 20th of July 1810, by Orders of the Governor General in Council of Fort William, to the Magistrates under that Presidency.

"(Circular)

"TO THE MAGISTRATES.

"SIR,

"THE attention of Government has recently been attracted in a particular manner to abuses and oppressions committed by Europeans, who are established as Indigo Planters in different parts of the Country; numerous as those abuses and oppressions have latterly been, the Right honourable the Governor General in Council is still willing to hope, that this imputation does not attach to the character of the Indigo Planters, generally, considered as a body or class of people. The facts, however, which have recently been established against some individuals of that class before the Magistrates and the Supreme Court of Judicature, are of so flagrant a nature, that the Governor General in Council considers it an act of indispensable public duty, to adopt such measures as appear to him, under existing circumstances, best calculated to prevent the repetition of offences equally injurious to the English character, and to the peace and happiness of our native subjects.

"2. The Offences to which the following Remarks refer, and which have been established, beyond all doubt or dispute, against individual Indigo Planters, may be reduced to the following heads:

"1st. Acts of violence, which although they amount not in the legal sense of the word to murder, have occasioned the death of natives:

"2d. The illegal detention of the natives in confinement, especially in stocks, with a view to the recovery of balances, alledged to be due from them, or for other causes:

"3d. Assembling, in a tumultuary manner, the people attached to their respective factories and others, and engaging in violent affrays with other Indigo Planters:

"4th. Illicit infliction of punishment, by means of a rattan or otherwise, on the cultivators or other natives.

"3. You must of course be sensible, that it is your bounden duty to bring every act of violence, of the above nature, to the knowledge of Government, and under the cognizance of the Supreme Court of Judicature. In order however to prevent, as far as depends on the Executive Government, the repetition of any offence of that nature, the Governor General in Council desires, that you will particularly attend to the following Instructions:

"First.—You will take the necessary measures to ascertain, without loss of time, whether any of the Indigo Planters resident in the district under your charge, keep stocks at their factories, and if so, you will require them immediately to destroy the stocks; should any hesitation occur on the part of the Indigo Planters in complying with this requisition, you will report the circumstance to Government, when the Governor General in Council will order such person to quit the district, and repair to the Presidency.

" Second—Without encouraging vexatious and litigious complaints, you will exert yourself to prevent the practice, which Government has reason to believe is too prevalent on the part of the Indigo Planters, of inflicting illegal corporal punishment on the ryots and others; whenever cases of this nature occur, which may not appear to be of so aggravated a nature as to form the ground of a criminal prosecution in the Supreme Court of Judicature, you will report the facts to Government, in order that his Lordship in Council may take into his consideration the propriety of withdrawing the license which the offender may have obtained for residing in the interior of the country.

" Third.—As opportunities may arise, of personal communication with the Indigo Planters, you will endeavour to impress on their minds, the firm determination which the Governor General in Council has adopted, not only uniformly to prosecute all offences of the above description, which can properly be brought under the cognizance of the Supreme Court; but likewise to exercise to the utmost extent the powers possessed by the Governor General in Council, of preventing the residence of any European in the interior of the country, who shall not conform to the spirit of the present resolutions of Government.

" Fourth.—Should it occur to you, that any other measures can be adopted, calculated for the attainment of the important objects above noticed, you are desired to submit your sentiments on the subject, to Government.

" I am, &c.

" Council Chamber, the 13th July 1810. } (Signed) *Geo. Dowdeswell,*
Sec^y to Gov^t Jud^l Dep^t."

" NOTE:—On the 13th instant, Copies of the above Order were transmitted to the Nizamut Adawlut, and to the several Provincial Courts, with directions to afford their aid, to the full extent of the legal powers vested in those Courts, in giving effect to the resolutions of Government contained therein.

" REMARK:—There being grounds to apprehend that many of the manufacturers of indigo are in the habit of compelling the ryots to receive advances for the cultivation of the indigo plant;—

" ORDER:—*Ordered,* That the following Supplementary Orders be transmitted to the several Magistrates throughout the provinces.

" (Circular.)

" TO THE MAGISTRATES.

" SIR,

" IN continuation of the Orders of Government, of the 13th instant, I am directed to acquaint you, that the Right honourable the Governor General in Council has reason to believe that European Indigo Planters are in the habit of obliging the ryots who reside in the vicinity of their respective factories, to receive advances, and of adopting other illicit and improper means to compel them to cultivate indigo; you are accordingly directed to report all instances of that nature which may come to your knowledge, and which you may consider to be founded in fact, to the Governor General in Council, in order that Government may take into its consideration the expediency of withdrawing the offender's license to reside in the interior of the country, and at the same time adopt such other measures as the circumstances of the case may appear to require.

" I am, &c.

" Council Chamber, the 20 July 1810. } (Signed) *G. Dowdeswell,*
Sec^y to Gov^t Jud. Dep^t."

" *Ordered,* That Copies of the above Supplementary Orders be transmitted to the Nizamut Adawlut, and the several provincial Courts, in continuation of the Orders of the 13th instant.

[Adjourned to To-morrow Eleven o'Clock.

31.

Jovis, 20° die Maij, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Mungo Dick, Esq. - - - - - p. 549.
Mr. *Edward Venn* - - - - - p. 561.
Mr. *Thomas Styan* - - - - - p. 563.

(No. 20.)

Of Evidence before Select Committee.

Ordered, by The House of Commons, *to be printed,*
21 May 1813.

32.

MINUTES of EVIDENCE

TAKEN BEFORE THE SELECT COMMITTEE,

Appointed for the purpose of taking the Examination of such Witnesses, as shall be ordered by The House to attend the Committee of the Whole House, on the Affairs of The *East India* Company; and to report the Minutes of such Examination, from time to time.

(No. 21.)

Veneris, 21° *die Maij*, 1813.

The Right Hon. John Sullivan, in The Chair.

JOHN BAINBRIDGE, Esquire,

Was called in, and Examined as follows:

Mr. Impey.] YOU are a general Merchant?—I am. *John Bainbridge, Esq.*

You are connected with a Firm, that carry on merchandize to a very considerable extent?—I am.

Is your Firm extensively connected with the Americans?—Yes.

Have they also been large dealers in Piece Goods, by wholesale?—Yes; we have bought considerably for many years.

From your connections with the Americans, have you had frequent opportunities of obtaining information from them relative to their trade with India, and the cause of its success?—We have had frequent opportunities of learning, from various persons connected with America, the usual mode in which they have conducted that Trade.

To what causes do you attribute the success the Americans have had, in carrying on their Trade with India and China?—After the Treaty known by the name of Mr. Jay's Treaty, I believe the Americans very generally entered into the trade with India. I do not recollect that, previous to that time, their trade with India was of such magnitude as subsequent to the year 1793 or 1794; subsequent to the year 1794 or 1795, I believe their trade to India has increased regularly, particularly during the times they had an opportunity of extending their commerce, as well to the Spanish and French Colonies, as to that part of the continent of Europe to which this Country was principally prevented enjoying a trade.

John Bainbridge, Esq.

From the information you have been enabled to acquire, upon these subjects, in conversations with Americans, do you imagine the success of their trade, above alluded to, has been owing to their neutral character?—Certainly; they were in a situation to avail themselves of the carrying trade to different parts of the world, from which all British connection was excluded; I conceive that they certainly did enjoy that, to a very considerable extent, subsequent to the year 1795.

Is it one of the advantages they have derived from their neutral character, that they have been enabled to trade at inferior rates of freight and insurance?—Certainly; I have understood that they send their Ships to India at a much less expense than the East India Company could possibly send; and that they import their goods from thence, at a much easier rate than we receive them in this country.

Do you mean that that was owing to the circumstance of their being neutrals while we were belligerents?—They certainly have the means of fitting their vessels, from their peculiar situation, at an easier expense; they have provisions and every thing necessary for the equipping their vessels, at a very cheap rate; their insurance is also very reasonable.

Has their freight also, from the same causes, been much below the rates of our freight?—Yes; I have understood from persons that I have conversed with, that their general rate of freight has been from forty to sixty dollars per ton, according to the arrangements made among the Parties themselves, who were Shippers, from ten to twelve pounds per ton; and their shipments are generally made from America in Companies; a variety of persons will join, and put in a certain Sum, perhaps 10,000 or 20,000 dollars each: the Shipments are generally made in specie from America and Ginseng.

Are the Committee to understand it to be your opinion, that their success has been greatly owing to the carrying trade, which if they had not engaged in, it would have been impossible for the merchants of this nation, as a belligerent nation, to engage in?—I certainly think it was quite impossible for the subjects of this country, as a belligerent, to carry upon the same terms as the Americans: under the circumstances I have stated, they are enabled, by means of their neutral character, both to fit out their ships and to insure, at a less expense than British subjects could have done, whilst the country was in a state of war.

Do you think that it is probable, that if this country had been at peace during the period of the last nineteen or twenty years, instead of being at war, the Americans could have derived as great a profit as they actually have from their trade in India?—I should have presumed they would not have had the same means of disposing of the articles they brought from India, except as far as respected their own internal consumption, because if this country had been at peace, the same sources would not have been opened to the Americans as have been, from the circumstance of our being in a state of warfare.

You have stated that in your opinion part of the success of the Americans has been from their supplying the Spanish colonies in America; do you think that has arisen from the differences between Spain and her colonies?—As well previous to as during the period we were at war with Spain, a very considerable trade has always been carried on between America and the Spanish colonies; indeed it always will be necessarily so, because they have the means of supplying the Spanish colonies with those articles which they absolutely want from their situation; consequently they introduced a variety of articles, which in a time of peace would not have been permitted to be introduced into the Spanish colonies. I understand they have made considerable shipments of Indian produce to the Spanish colonies, during the war, and for which they received their return as they do for provisions; I understand almost always in specie or in produce.

Is it your opinion that in consequence of the differences between Spain and her colonies, the commercial intercourse between America and the Spanish colonies has been increased?—Yes, I should apprehend it has, very considerably.

State how the circumstance of their obtaining bullion in the Spanish colonies, in return for provisions, is of importance to them in carrying on the Indian trade?—It certainly is of importance, inasmuch as they are enabled to make shipments of

specie from America to the East Indies, being an article necessary to get their return cargoes from India and from China.

John Bainbridge, Esq.

Have you any reason to believe that one of the causes of the success of the Americans in the East India trade, has been a clandestine trade with our West Indian colonies?—I think there is a very considerable trade, a natural and legitimate trade, between India and America, for their own consumption; I conceive so very particularly from the house in which I have been engaged, both previous to my being in partnership, and in the early part of the period of my being in the house, in which I was brought up, having made very considerable exports of East India piece goods to America, from perhaps fifty to one hundred thousand pounds a year; but from the year 1794 or 1795, although our correspondents have constantly continued, our exports have gradually diminished, and have now become nothing at all in respect of the article of India piece goods; I therefore consider that they have a regular and legitimate trade in piece goods for their own consumption, as well as their introducing perhaps clandestinely into our colonies, an inconsiderable part of the goods they may import; but I should presume they import principally for their own consumption; I should think full two-thirds of their import must be for their own consumption, from every information I have upon the subject, particularly low callicoes.

From the information you have upon the subject, do you think they likewise clandestinely supply our West India islands with piece goods in some degree?—I think they may supply, to a certain extent, articles of that description; because they are in the habit of taking to our West India islands, or have been till lately, regular supplies of flour and provisions, which they are necessarily in want of: and I have understood they have occasionally made shipments of East India articles into our colonies, as well as introduced them into the back parts of Canada from the state of New York.

What are the returns they get in our West India colonies?—They bring to a certain extent sugar and coffee from the West India colonies, in return for the supplies they send there.

Do they likewise get bullion?—I should think not a great deal of bullion from our colonies.

Are you aware that by our colonial laws, unconnected with those laws which protect the East India Company, we cannot supply our own West India islands with piece goods directly from India?—Yes, I know we cannot do that, for the colonial laws.

You have stated your house to be largely concerned in the purchase of piece goods, in your opinion if the ad valorem duty upon piece goods were ascertained in London, as at present by the sale prices at the India House, and at the Out Ports by the declaration of the dealers, do you not think very great injury would be sustained both by the Company and by the London dealers?—I think there would be very great difficulty in equalizing the duties, when taken in the usual way by a declaration of value; and presuming that the duties in London are to be levied as they are now levied by the sales of the East India Company; for I take it for granted the importation to London will still be continued by the Company to a certain extent, and the goods sold at their regular sales in London upon which the duty will be levied.

Do you think, that if the duties were ascertained in London as at present, and at the Out Ports by the declarations of the parties, the duty levied at the Out Ports would be proportionably considerably less than that which would be levied in London?—I think, from the variety of articles that come from India, that there certainly would be a very considerable difference between the duties levied by a declaration, and those produced at the Company's sales. It very frequently happens, that at the sales of the Company in London, the value of the article is very much enhanced or depressed by the state of the market, and if there was a considerable demand in London, the article might pay a much heavier duty than it would otherwise pay at the Out Port where no such demand existed; consequently the duty would be very improperly levied, the articles being precisely the same.

Are you of opinion that, under the circumstances of levying the duties stated in the former questions, the Out Ports would have a very unfair advantage over the

London

John Bainbridge, Esq.

London market?—I certainly think they would have an advantage over the London market.

Are you of opinion that, upon piece goods, it would be practicable to substitute a rative for an ad valorem duty?—I am not prepared to answer that question, not having considered that subject very particularly.

From your knowledge of piece goods, do you not know that their value is very various?—It is very various; the Company are particular in selecting their goods; and those which are left for the purchases of the private trade, or for America, are very various in their qualities, and inferior to those goods of the same description usually sent home by the Company.

Do you know, from having attended at the East India sales, that it frequently happens that goods, apparently of the same quality, are sold at the same sales at very different prices?—It does frequently happen in the course of a sale of several days, that the goods will vary from two to five per cent. and sometimes even more than that, from any extraordinary demand or occurrence which takes place, even higher than that in particular articles sometimes.

Do you not then think that from the great variety in the value of the goods, and also from the various prices they sell at, even when they are of the same value, a rative duty taken upon an average would be a much more objectionable mode of collecting the revenue upon piece goods than the present mode of the sale prices at the India House?—I think it would be very difficult to put a rative value upon some of the articles, on account of their various qualities.

Do you know that it has been the practice in times of peace for foreign merchants to come into this country for the purpose of buying piece goods at the East India Company's sales?—Yes to a very great extent.

Supposing the trade in piece goods to be dispersed over many parts of the kingdom, instead of being confined as at present to the sale rooms of the East India Company, do you think that would have any effect in deterring foreign merchants from coming to this country for the purpose of buying piece goods?—I think it would not altogether deter foreign merchants from coming to this country, because if they can get the article in a better manner than they could in any other place, they would resort to this country; they would not perhaps with the same degree of confidence send orders to this country, if they came here they would be enabled themselves to look at the articles they might have occasion to purchase. I think whilst the whole trade was carried on in the port of London, the foreign merchants never felt any difficulty even if they could not visit this country; in sending their orders, knowing they would be executed from the correct and particular character of the East India Company, they bought their goods precisely the same as if they were present; if the trade was dissipated, certainly the same circumstance could not take place, as the parties at the Out Ports, or wherever the goods might lie, might be from necessitous circumstances obliged to sell at a less rate than the usual sales made through the medium of the Company in London; therefore it would be necessary for the foreigners to come actually and buy their goods here, without sending their orders, as they have been accustomed to do, through the medium of persons in London, through whom they have directed their purchases; they certainly could not order with the same confidence when the trade is dissipated in various parts of the country, as they can now the trade is concentrated in the port of London.

Is it not the practice of the East India Company, for some time previous to the sales, to publish an account of the quantity and quality of the goods that are to be sold?—Always by declaration.

Do you recollect how long before?—I believe generally immediately after the arrival of the ships.

Is it the practice with houses connected with the Continent, to submit those declarations to their correspondents there?—Yes, I believe it is.

Upon those declarations they form their judgment as to coming to this country, or sending orders for the purchase of piece goods?—Yes, so I have understood; we are not much connected with the continental trade ourselves.

John Bainbridge, Esq.

Are you apprehensive that if the trade in piece goods were dispersed, as stated in a former question, the consequence might be that it would be deteriorated as a profitable trade to this country?—I think it might perhaps operate to the disadvantage of some parties, while it operated to the benefit of others; it does not occur to me that it would alter very much the benefits of the trade to the country, because I presume that the whole quantity of goods would be imported, whether imported to London or to the Out Ports; it might deteriorate the prices of the goods, by their being dissipated to different parts of the country.

It is your opinion that it would put purchasers from the continent to considerable difficulties in judging how they were to make their purchases?—Yes, I think it would increase the difficulties of the foreign purchasers certainly.

(Examined by the Committee.)

HAVE you any knowledge of the foreign trade of Manchester, Leeds, Halifax, and Glasgow, in piece goods?—No, we have not, except as connected with America?

From your general knowledge, do you conceive the amount of that trade is very considerable in cotton piece goods of British manufacture?—Certainly, I am well aware that it is very considerable.

In comparison with the amount of cotton piece goods sold by the East India Company, what do you conceive may be the quantity of cotton piece goods sent from this country of British manufacture?—I am unable to answer that question. I have never made a calculation that would enable me to answer it.

Have you any doubt that it greatly exceeds the amount of cotton piece goods sold by the East India Company?—No, I have no doubt at all that it does.

Is that trade carried on by a private negociation, or in consequence of any public sales established?—It is carried on generally by private negociation.

Do you happen to know, whether there were establishments formed in London for the purpose of selling British piece goods by public sale?—I believe there are various establishments of that description in London at present.

Have they been generally found advantageous to the persons who have consigned their goods to those parties?—I have heard different opinions upon that subject; it depends very much upon the state of the trade; sometimes it is advantageous, and sometimes not. Not being connected with any manufactory, I am not in a situation to answer that question precisely.

Do you conceive that the amount of British manufactured piece goods sold at those public sales in London, is more or less considerable now than it was some years ago?—I have understood there have not been lately so many piece goods sold in London as there were four or five years ago. Four or five years ago, I have understood those sales were very extensive; latterly, I believe they have not been so extensive.

Do you conceive that the falling off in those public sales arises from the circumstance of the parties sending those goods to those public sales, not finding that mode of sale so advantageous as a sale by private contract?—I should presume so; it frequently happens however, that persons who are in a necessitous state dispose of their goods by public sale.

Do you know whether the piece goods conveyed from India to Spanish America by the merchants of the United States, were regularly entered at the Custom-houses in South America, and paid duty?—I should presume not. I am not quite competent to answer that quesion, but I should presume not at all times, because I have understood that, under the old Spanish colonial law, no goods of that sort can be regularly admitted and entered. Whether they have relaxed that law, and how far, I am not competent to answer.

If the duty to be established in the event of opening the trade with India to the Out Ports were to be placed on the same footing, whether of a rated, or an ad valorem duty, in London as in the Out Ports, do you conceive it possible that any injury could be sustained by the merchant of London?—Certainly if the same rate was levied at

John Bainbridge, Esq.

both places, and in the same manner, I should presume no difficulty of that description could arise; I should hardly presume that any persons importing, or any officers of His Majesty's Customs, would not attend to their duty under such circumstances; I make my distinction only from the duty being levied upon the sales of the East India Company, at which considerable variation takes place, and that of the declaration of the private individual upon his invoice cost, or any other mode of proceeding that he might think proper to adopt. We know very well in all mercantile transactions that various persons well connected, and well acquainted with their business, will import their goods upon much better terms than those who are not so well acquainted, and have not the same means of laying them in at a proper rate from India: we are aware that in all cases persons will both purchase at a much less expense, and import at a much less expense, though the same description of articles; and if imported under an ad valorem duty upon invoice cost, the one party importing upon those terms which were not so advantageous as his adversary, would pay higher duties if he paid them in the way in which they are levied in America, by the declaration of the parties; and it does frequently happen within my own knowledge, and what I have heard stated, that parties in America pay a much less duty upon the same articles purchased in this country for money, and those that are purchased upon credit, although they are precisely the same articles.

You are not yourself much connected with the continental trade?—Not a great deal; we frequently buy largely at the East India Company's sales, but we have either had occasion to ship them ourselves to the Mediterranean, or have sold them in London to persons who have made application to us for that purpose through our brokers; our regular trade has been with America.

From your own knowledge or general acquaintance with mercantile men, can you name any period during the war which commenced in 1793, up to the present period, that America could send to any country in Europe the manufactures of India, at the time when a British merchant could not send to the same country the manufactures of India in a neutral ship?—It occurs to me, that there were very considerable shipments of piece goods made from America, subsequent to the commencement of the present war in 1803, to Antwerp extremely considerable; I am quite certain of the fact, because I remember to have received very considerable remittances from Antwerp, the produce of those cargoes; I cannot state precisely the year, not expecting to be asked a question of the kind, or I would have been prepared to answer it; but since the commencement of the present war, there have been considerable shipments of Indian produce made not only to the ports under the dominion of the French, but also to the Dutch ports, the proceeds of which have been remitted to this country. The Americans were in the habit of transacting nearly the whole of the business of Batavia, as also the Isle of France; Batavian produce came in very considerable quantities to the ports of Holland and Hamburgh.

At the periods referred to by you, could not a British merchant, by means of neutral vessels and neutral intervention, have sent the productions of India from London to the same ports?—No, I presume not.

Do you say so from your own knowledge, or merely from your general information?—Not from my own knowledge, because I have not been in the habit of shipping to those ports, nor has our house; but I have understood that very considerable difficulties did occur in the shipment of articles from this country of that description, when America was in the habit of taking them to the continent of Europe.

Are you aware that by the Decree of Berlin, dated in November 1806, the productions and manufactures of India, as a British settlement, were totally prohibited from being introduced into France or her dependencies, coming by whatever vessel?—Yes, I am.

Therefore from that period, America can have derived no advantage from her neutral character, in commercial transactions in the manufactures of India with France and her dependencies?—No, I should presume not.

Are you aware of any other country besides those you have named, from which the British merchant was excluded, even by means of neutrals, at the time when the Americans

John Bambridge, Esq.

Americans were admitted, conveying the manufactures of India?—I am not aware of America having done much to Europe; there were no other ports except the Russian ports, from which we have been excluded, and I am not aware of their taking the piece goods of India to Russia, because I believe they do not admit them into Russia; a very considerable quantity of East India produce has been taken into Russia by America since that period; very large quantities of Batavia coffee have been sent.

In those countries, particularly in the Mediterranean, into which both the British and American flags were freely admitted, do you not know that the Americans have successfully entered into competition with the goods brought from India by the East India Company?—The Americans have sent at all times very large quantities of China goods into the Mediterranean, particularly the article of nankeens; I am quite aware that they have always interfered with the sales of the East India Company, in the article of nankeens particularly; I do not precisely recollect when their last shipments of nankeens were made into the Mediterranean; I should presume it was about the year 1810 or 1811 their exports to the Mediterranean ceased; very large quantities of nankeens were at all times exported to the Mediterranean by the Americans.

Do not you know that the exportation of East India manufactures from this country to the Mediterranean has been very much limited, in consequence of Malta, Sicily, and Turkey being more cheaply supplied with East India and China commodities by the Americans, than they could be in consequence of purchases made at the East India sales?—Yes, I have understood that to be the case; I know the fact is so.

In those countries, the Americans derive no advantage from their neutral flag?—I am not quite prepared to say that, because if the Americans had not been in a situation to import at a more reasonable rate than this country, we could by the same competition have been in a condition to meet them in the ports of the Mediterranean; but the fact was not so; the Americans did undersell us in the markets in the Mediterranean, and certainly that sufficiently satisfies my mind, that either from their neutral character or some other cause, they could import those goods from China upon better terms than we could send them from this country.

What advantage do you conceive, in point of expense, the Americans may have derived from their neutral character?—That is matter of speculation.

Is it upon freight or insurance, or both?—I think it is upon freight and insurance both.

What difference of insurance do you conceive was generally paid, in consequence of the war, upon British ships proceeding to India and China?—The insurances are generally done in America by Companies; very little of the insurance is effected in this country on India voyages from America, they are principally effected by Insurance Companies which they have in America, and I have understood that their India voyages are insured at a very reasonable rate.

Do you know what the insurance is between this country and India in time of peace?—I think it is four per cent. I am not quite master of that subject; four or five per cent.

Has it ever very materially exceeded that during the war?—I think the present rate of insurance is eight per cent. in the regular Indian ships, the single voyage twelve per cent. out and home; but I am not quite certain of the fact.

Has the insurance been known lower than seven per cent. out and home during peace?—I am not able to answer that question.

Do you conceive the sole advantage, in point of expense, which has arisen to the Americans from their neutral character, to consist in the difference of insurance and in the difference of freight occasioned by insurance?—I think it has.

From your experience, have not the Americans derived very great advantage in their trade beyond the Cape of Good Hope, from their neutral character, in being carriers of produce and piece goods from the Mauritius, and of produce, particularly coffee and sugar, from Batavia?—Yes, to a very considerable extent; I apprehend they were the carriers of nearly the whole produce of Batavia; in some instances direct to Europe, without going to America, but generally from Batavia

John Bainbridge, Esq.

to America, and thence by trans-shipment to Europe, previous to the Berlin and Milan Decrees.

Have not very large remittances been made to Europe from those sources, and through these channels?—I have no doubt of it.

Is not this a trade which must cease in time of peace, and revert to the nations to whom those colonies may belong?—Certainly.

Will not the regulation of the European nations in time of peace reduce the American trade to India and China to the consumption of their own country, independently of the contraband trade which they may still contrive to carry on to the European colonies?—Yes, I should conceive so, certainly; the consumption of America is very considerable.

[The Witness withdrew.

Adjourned to Monday, 11 o'clock.

32.

Veneris, 21° die Maij, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

John Bainbridge, Esq. - - p. 569.

(No. 21.)

Of Evidence before Select Committee.

Ordered, by The House of Commons, *to be printed,*
24 *May* 1813.

33.

MINUTES of EVIDENCE

TAKEN BEFORE THE SELECT COMMITTEE,

Appointed for the purpose of taking the Examination of such Witnesses, as shall be ordered by The House to attend the Committee of the Whole House, on the Affairs of The *East India* Company; and to report the MINUTES of such Examination, from time to time.

(No. 22.)

Lunæ, 24° die Maij, 1813.

The Right Hon. JOHN SULLIVAN, in The Chair.

CHARLES CARTWRIGHT, Esquire,

Was called in, and further Examined by the Committee, as follows:

Charles Cartwright, Esq.

ARE you now prepared with the accounts required by the Committee on your last examination?—I am; the first account I was desired to prepare, was to explain how the sum charged for freight and demorage, from 1st March 1793 to 1st March 1812, was disbursed; this consists of money advanced in England and in India; the whole sum is 28,971,144*l.*

[The Witness delivered in a Paper, which was read as follows:]

Freight and Demorage from 1st March 1793 to 1st March 1812; shewing the Amount paid, and how the same has been carried to account.

Amount of freight and demorage paid by the East India Company, from 1st March 1793 to 1st March 1811, as per Appendix to 4th Report, No. 48, (receipts for private trade deducted) - -			£. 25,799,589
Add the year 1811-12 - - - - - - - - - -			1,507,081
Paid the Secretary for secret committeeships - -		£. 85,316	
Charged owners for advances in India and China, 1793-4 to 1809-10, per Appendix, No. 34, to 4th Report - - - - - - -	£. 890,639		
Add 1810-11 - - - - - - -	67,094		
Add 1811-12 - - - - - - -	66,023		
		1,023,756	
Amount debited owners for goods damaged and wanting, outward and homeward, 1793-4 to 1809-10, per Appendix, No. 34, A. to 4th Report -	499,621		
Add 1810-11 - - - - - - -	24,572		
Add 1811-12 - - - - - - -	31,209		
		555,402	
			1,664,474
			£. 28,971,144

Charles Cartwright, Esq.

Amount charged in the estimate of profit and loss of 23d February 1813, for freight and demorage		£. 22,025,628
Loss upon the law tonnage, as included in the estimate of profit and loss on the 23d February 1813		439,063
Political freight and demorage, and passage of military, as per Appendix, No. 46, to 3d Report	£. 1,854,133	
Add 1810-11	147,416	
Add 1811-1812	113,078	
		2,114,627
Advances of freight to owners of lost ships, as per estimate of profit and loss on 23d February 1813		659,910
Freight outwards charged in the estimate of profit and loss of 23d February 1813, being part of the sum of £. 800,773, deducted from the profits of the trade for freight outwards, and remuneration to commanders of worn-out ships		378,118
Freight on saltpetre supplied Government from 1793-4 to 1809-10, as per Appendix, No. 30, to 4th Report	£. 1,086,049	
Add 1810-11	220,812	
Add 1811-12	50,491	
		1,357,352
Freight on rice and wheat charged Government		113,228
Freight on saltpetre destroyed by fire		79,000
More freight paid in advance on ships abroad, on the 1st March 1812 than on the 1st March 1793		554,554
Freight of goods delivered at St. Helena		102,772
Amount paid for freight and demorage, between the 1st March 1793 and 1st March 1812, upon goods to be sold after the 1st March 1812, viz. estimated freight and demorage upon goods unsold in the Company's warehouses on 1st March 1793, per Appendix, No. 50, to 4th Report	794,000	
Deduct owing for freight and demorage on 1st March 1793, per Appendix, No. 15, to 4th Report	257,500	
Remains the sum charged in the estimate of profit and loss of the 23d February 1813, for freight and demorage paid before 1st March 1793	£. 536,500	
Estimated freight and demorage on goods unsold in the Company's warehouses on 1st March 1812	1,566,516	
Deduct owing for freight and demorage on the 1st March 1812, as per Account presented to Parliament in that year	39,336	
	1,527,180	
		990,680
Freight on hemp supplied Government		141,560
		£. 28,956,492
Amount paid for freight and demorage from the 1st March 1793 to 1st March 1812, as per contra		£. 28,971,144
Amount accounted for in the same period		28,956,492

East India House, 24th May 1813. Errors excepted.

(Signed) *Chas Cartwright*, Acc[t] Gen[l].

Mr. Cartwright.] The next account is an Explanation of the Charges General, from the 1st March 1793 to the 1st March 1812.—The whole sum paid is actually accounted

accounted for to a penny; and the reason of its being so accurate is, that it is altogether a British transaction, and not confused with foreign accounts. *Charles Cartwright, Esq.*

[The Witness delivered in the same, and it was read, as follows:]

CHARGES GENERAL, from 1st March 1793 to 1st March 1812; shewing the Amount paid, and how the same has been carried to account.

	£.	£.
Amount paid for Charges General, from 1st March 1793 to 1st March 1811, as stated in Account No. 48, Appendix to 4th Report -	12,336,598	
Add amount paid in the year 1st March 1811 to 1st March 1812 -	753,153	
		£. 13,089,751
Deduct Political Charges General, as per Account No. 28, Appendix to 4th Report, from 1st March 1793 to 1st March 1810 - - - - - - -	£. 3,178,213	
Add from 1st March 1810 to 1st March 1811 - -	259,838	
D° - - D° - 1811 - - - 1812 - -	225,314	
	£. 3,663,364	
Deduct articles for which a value remains as per Account, No. 28, Appendix to 4th Report, from 1st March 1793 to 1st March 1810 - - - - - -	£. 1,513.341	
Add from 1st March 1810 to 1st March 1811	43,614	
- - - - - - 1811 - - - - 1812	62,935	
		1,619,890
The following amount for interest on loans, &c. from 1st March 1793 to 1st March 1812, included in the account of Receipt and Payments, under the head of Charges General, which has been carried to the head of Dividends on Stock Interest on Bonds and Loans, &c. in the Estimate of Profit and Loss of 23d of February 1813 - - - - - - - - -		538,469
Charges General, stated in the Estimate of Profit and Loss of 23d February 1813 - - - -		5,724,629
Surplus Commercial Charges General, as stated in the Estimate of Profit and Loss of 23d February 1813		1,544,399
		£. 13,090,751

Mem.—The Account of Charges General for the year 1801-2, is 1000 *l.* more than was stated in the annual account returned to Parliament that year. This arises from a sum to that amount paid for Charges General, having been added to the amount of goods and stores exported, which has been subsequently deducted from it, and carried to its proper head.

East India House, 21st May 1813. } Errors Excepted.

(Signed) *Cha*s *Cartwright*, Acc^{t} Gen^{l}.

Mr. Cartwright.] The next account is the Losses by Sea, included in the account of Profit and Loss of the 23d of February 1813.—I had not the particulars of this account before me when I was last examined, and therefore could not answer the question put to me as to particular ships, whether they were included or not; upon reference to the account, I found they were all included, but there were some parts of their cargoes omitted by mistake, which were the cargoes laden in India, and which were going from port to port; that addition has now been made to this account, and the sum is of course in a degree increased by the amount of it, so that the total outwards and homewards amounts to 1,969,755 *l.*; which is the actual loss arising within the years of account, it was questioned by some of the Gentlemen in the Committee, whether we should not go two years back; I think not; but I have put the two cargoes lost in that period, so that the Committee may adopt which they think fit.

[The Witness delivered in the account, which was read as follows:

Charles Cartwright Esq.

LOSSES by Sea, included in the Account of PROFIT and Loss of the 23d February 1813.

		Outward.	Homeward.
		£.	£.
1793-4 -	Princess Royal - - - -	1,600	—
1795-6 -	Triton - - - - -	3,030	—
1796-7 -	Ocean - - - - -	63,216	—
— - -	Boyd - - - - -	17,060	—
— - -	Prince Frederick - - - -	- - -	59,981
— - -	Thomas - - - - -	- - -	39,088
— - -	Royal Charlotte - - - -	- - -	3,679
1797-8 -	Edmund and George - - -	- - -	6,100
— - -	Sylph - - - - -	- - -	32,542
— - -	Zephyr - - - - -	- - -	2,554
— - -	Lion - - - - - -	- - -	8,272
1798-9 -	Princess Amelia - - - -	- - -	22,061
— - -	Raymond - - - - -	- - -	8,963
— - -	Woodcot - - - - -	- - -	20,621
— - -	Castor - - - - -	- - -	7,878
— - -	Friendship - - - - -	- - -	4,948
— - -	Earl Fitzwilliam - - - -	- - -	46,250
— - -	Henry Addington - - -	29,222	—
1799-1800	Queen - - - - -	30,421	—
— - -	Kent - - - - - -	28,676	—
— - -	Earl Talbot - - - -	2,603	—
1802-3 -	Hindostan - - - - -	44,814	—
— - -	Comet - - - - -	8,209	—
— - -	Admiral Aplin - - - -	15,240	—
— - -	Culland's Grove - - - -	- - -	24,640
1803-4 -	Althea - - - - -	- - -	6,698
— - -	Prince of Wales - - - -	- - -	28,869
— - -	Hope - - - - - -	- - -	8,100
1804-5 -	Coromandel - - - -	- - -	35,768
— - -	Experiment - - - -	- - -	45,604
— - -	Earl Abergavenny - - -	79,710	—
1805-6 -	Lady Burges - - - -	19,158	—
— - -	Skelton Castle - - - -	8,429	—
— - -	Warren Hastings - - - -	- - -	104,051
— - -	Ganges - - - - -	- - -	126,614
1807-8 -	Travers - - - - -	6,568	—
— - -	Walpole - - - - -	- - -	3,235
1808-9 -	Lord Nelson - - - -	- - -	49,026
— - -	Experiment - - - -	- - -	5,292
— - -	Glory - - - - -	- - -	5,292
— - -	Calcutta - - - - -	- - -	124,452
— - -	Bengal - - - - -	- - -	121,262
— - -	Lady Jane Dundas - - -	- - -	36,808
— - -	Jane Duchess of Gordon - -	- - -	86,089
— - -	Europe - - - - -	- - -	140,090
— - -	Streatham - - - - -	- - -	140,090
— - -	Britannia - - - - -	57,091	—
— - -	Admiral Gardner - - -	21,759	—
— - -	Asia - - - - - -	28,565	—

Charles Cartwright, Esq.

		Outward.	Homeward.
		£.	£.
1809-10 -	United Kingdom - - - - -	2,194	—
— - -	Charlton - - - - -	27,985	—
— - -	Ceylon - - - - -	15,995	—
— - -	Windham - - - - -	25,978	—
— - -	True Briton - - - -	22,300	—
— - -	Ocean - - - - -	21,202	—
— - -	Earl Camden - - - -	34,002	—
		597,967	1,371,788
	Add Outward - -		597,967
	TOTAL, Outward and Homeward - - £.		1,969,755

1791-2, Foulis - - £. 14,858 } Admitted as before the period, the losses being
1792-3, Winterton - - 96,506 } charged in the year in which the risk occurred.

East India House,
24th May 1813. } Errors excepted.

(Signed) *Chas Cartwright*, Acct Genl.

In that total you have given of freight in this account, is there any allowance made for goods brought in the Company's own ships outward and homeward?—Yes, certainly.

There is no charge in any of your estimates of profit and loss upon the trade for warehouse rent, in India or England; is there?—Every sum that the Company pay for rent, whether in India or England, is down.

The Company have a considerable capital vested of their own, both in India and England?—Yes.

No charge is made for that?—No.

You know that there are duties in all the ports in India, payable to the Company on all private trade exported?—Yes.

No such duties, of course, arise upon the Company's own trade?—No.

No allowance, consequently, is made in your accounts for the loss of duties arising from the quantity of goods exported by the Company, which might have borne a duty, if exported by private persons?—No, certainly not.

Can you give the Committee any information what the average produce ad valorem of those Indian duties have been?—Not the least; it is not within my department.

It appears, upon looking at three different accounts before the Committee, namely, Appendix, No. 14, to the 3d Report, shewing the amount of all advances, as far as regards the purchases of investments for Europe; the account given in by you on the 14th instant, marked B, in the column headed, "Imports Invoice Amount;" and your estimate of the 23d of February last, in the column headed "Prime Cost of Investment of Goods," that there is a wide difference in the totals, that of the first being 26,038,266*l.* in 17 years; that of the second being 26,792,304*l.* for 18 years; and that of the third 25,134,672*l.* for 19 years; can you explain the reasons of that difference?—I have no doubt the reason of the variation may be accounted for; but I cannot do it here; if the Committee will allow me time, I will make out an account explanatory of the difference.

It appears, by Appendix, No. 2, to the 3d Report, that the amount remaining on hand in India, of stores unsold on the 30th of April 1809, was 1,938,371*l.*, of which two-thirds is estimated to have been received from Europe, to the amount

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of 1,292,247 *l.*, and that the assets in goods remaining at the same period was 1,181,718 *l.*; and it further appears, upon reference to an account of assets drawn up the India Board, Appendix, No. 9, of the same Report, that during the last six years the average amount of goods on hand, unsold in India, has been about 900,000 *l.*; and the stores unsold, estimated at two-thirds of the amount, are stated as above, 1,200,000 *l.* per annum; making together an amount of about 2,000,000 *l.* per annum, appearing to have lain in an unproductive state in India; do you not conceive that the interest upon this amount ought to be considered as a charge upon the Company's trade; and if not, explain why not?—I conceive that the actual commercial capital the Company employ, ought to be subject to an interest; but what the commercial capital of the Company is, I have never been able to ascertain exactly.

Do you not conceive this to be a part of the capital?—No doubt.

Have the goodness to state the nature of the difficulty you have experienced in ascertaining the commercial capital of the Company?—It is a very difficult thing for me to answer that question; it embraces the whole commercial concern of the Company; to view this question fairly, I must have an account made of all the commercial property of the Company in every part of the world, in England, as well as at the several presidencies in India; and then to draw the conclusion as to what amount of that capital so stated, is used per annum, is perhaps more difficult than the Committee are aware of; we can completely shew what the commercial assets of the Company amount to, but there are commercial debts; when we have the total of those commercial assets to set against them, and when we come to draw the line, it is very difficult so to put it, as to shew precisely what a year's capital is; for the question goes, I presume, only to a year's capital; the whole difference is, whether we charge the interest on an extra 500,000 *l.* to the commercial capital or not. I have stated the commercial capital to be about 2,600,000 *l.* taking the amount of two years imports to be the assumed commercial capital employed; if the half of another year's imports should be taken, the interest upon about 700,000 *l.* additional, must be added to that.

In the question you have answered relative to the amount of stores in hand yearly, do you consider those stores purely of a commercial nature, or of a commercial and military nature?—Commercial and military certainly; principally military, no doubt; stores have been occasionally sold, and though they may ultimately be for military purposes, still as the Company sell them, we must look upon such sale as a commercial transaction.

Considering those stores as principally military and naval; are you of opinion that the Company's trade should be charged with the interest arising upon those stores lying on hand?—I think I have substantially answered that question before, so far as the stores are for military and naval purposes, and are issued to the different store keepers for that purpose, I think they are not liable to interest.

So far as the export cargoes of the Company remain unsold, they are of course not an available fund for the provision of return cargoes from India?—Not immediately, they are gradually realizing; there must be in great concerns always a stock on hand.

The stock on hand may be considered as a permanent unavailable fund in India?—No doubt.

In the lieu of which a similar amount in India, in money, must be substituted to purchase return cargoes, so long as it remains unavailable?—That is a supposition; it ends in this broad circumstance; if it is correct, that the Company have supplied India with eight millions of money beyond what it has received back, it ends there; the commerce should not be charged with interest on funds substituted, if the argument is continued till to-morrow, it must end there at last.

Look at account, No. 50, in the Appendix to the fourth Report; can you state from looking to that account, the amount of Indian goods remaining on hand unsold, in England, at any given time?—Yes, it is specifically stated.

What goods appear to have been on hand, unsold in 1810?—The cost is 1,134,000 *l.*

Have you any account shewing the average amount of Indian Goods remaining on hand in India, unsold, for any given number of years?—This account is made up for a number of years, and of course will shew it.

Do

Do you take that to be more or less than the average amount remaining on hand in India?—When compared with the statement in 1793, there is a very great difference, there is 700,000*l.* difference. *Charles Cavendish, Esq*

Have not the Company's sales of imports increased within that period?—I doubt whether they have much; I should think they have generally, as much as a million a year, prime cost, on hand at home.

Do you not consider that a part of their unproductive capital?- No; it is a part of their capital, but not their unproductive capital.

Do you not consider it fair to charge interest to their trade for the amount of the stock on hand unsold, and if not, why not?—It is certainly fair to charge an interest upon the capital, but my difficulty is to ascertain what the amount of that capital is; the interest upon the capital, as I have assumed it, is charged for two years already in my statement.

Is there not a general account of the Company's stock, both at home and abroad, annually laid before Parliament?—There is.

Referring to the accounts of this description, Nos. 15 and 16, in the Appendix to the fourth Report, under your signature, are the Committee to understand that these accounts exhibit a complete view of the Company's stock, on the 30th of April 1792, and 30th of April 1809?—They exhibit a view of the Company's stock, but not a complete view, because we only give an abstract account of the balances of the property of the Company at the different settlements, if we were to give a distinct view, we must dissect the stock account of each presidency, and branch it out into commercial assets, commercial debts, political assets, political debts, and a variety of other articles, so that that does not give a complete view; it is a complete balance of the Company's property, so far as it can be made up.

Is there any thing included in those accounts upon the scale of interest or warehouse rent, on the goods and stores remaining unrealized in India?—Certainly not; it is an account of stock; it is taken at a particular day in England, and, as far as can be, upon a particular day at each place abroad; and it is merely a dead account; we cannot look prospectively beyond it; it is the same as if the Company were bankrupt or dead; and their account of stock taken at that particular day, and an account of warehouse rent or interest, would not, I conceive, apply to the account.

Upon comparing Appendix, No. 6, of the 3d Report, with the amount of bills of exchange stated in the account B., given in by you on the 14th instant, the former appearing to be for 17 years, amounting to 15,489,575*l.*, and the latter for 18 years, amounting to 22,982,091*l.*, there is a difference in the accounts of nearly eight millions; explain how this difference arises, as it does not appear to be accounted for by the deduction of the additional years contained in your account B.?—In account, No. 6, is an account of payments for bills of exchange from India, from the 1st of March 1793 to the 1st of March 1810, and the other account is an account of the bills drawn from the various presidencies upon England, from September 1792 to September 1810; the balance, I presume, after making allowance for the year omitted in the account of No. 6, will be found in the increased amount of debt owing for bills running upon the Company in March 1810.

Referring to the account delivered in by you, stated to be an account of the balance of supplies between India and England, from the year 1792-3 to the year 1809-10, England corresponding with the year 1793-4 to 1810-11, India; can you explain upon what ground you have debited India for profit on exports, without crediting India for the profit upon imports?—The profit upon exports arises upon the sales of exports in India that are realized there; the profit upon imports arises from sales here; I do not see the necessity of carrying that profit back again to India.

Is the Committee to understand that the exports, goods, stores and bullion to India, invoiced as amounting to 19,894,539*l.*, realized that sum in India, exclusive of the balance between the stated profit and loss on these exports?—Certainly; they have realized the prime cost, as stated in the invoice account, and also the profit stated in that account.

Are you aware, that in an account, No. 8, annexed to the 3d Report, twelve millions of goods and stores sent out to India, are stated to have realized there only

Charles Cartwright, Esq.

eight millions?—This is an account, intituled, "Sums received at the presidencies of Fort William, Fort St. George, and Bombay, for sales of import goods and stores, from the year 1792-3 to the year 1808-9 inclusive;" this is an account of sales, mine is the invoice amount; probably this does not include the amount of stores that have been issued to the different military boards, which in all probability will account for the difference; but I cannot positively state it; it is not an account of mine.

Is the Committee to understand that there is no account of the stores used for public purposes in India?—I have no doubt there are such accounts, but I have them not; the Auditor can furnish them.

Have not the rates of exchange at which the bills have been drawn from India on England, as stated in the account above referred to, greatly exceeded the fixed rates of exchange at which the imports are calculated?—There is no doubt they do; but as I am questioned respecting the rates of exchange, it is necessary for me to correct an error that I made in a former statement; I supposed that there might have been bills drawn from Madras, at the rate of 9*s.* 6*d.* the pagoda; upon reference to the advice book, I find no drafts have been made at that rate, the highest rate has been 9*s.*

Was that for any amount?—A considerable sum.

What difference of exchange do you estimate there would be in pounds sterling, between the sums stated under the head of bills of exchange, 22,982,091 *l.* and that credited under the head of imports, invoice amount 26,792,304 *l.*, reckoning the latter at the rates of exchange at which the bills were drawn?—I have made no such calculation, and I stated I believe, when I was questioned on this subject before, that I did not think it was proper that the commerce of India should be taxed for the difference between the rate of exchange as stated in account, and the rate at which bills are drawn, because I conceive that the rate of exchange was not increased or operated upon for commercial purposes.

Would not that difference, in your opinion, amount upon a very moderate computation, to 10 per cent.?—I dare say it might.

Do you give that answer upon any examination of the accounts?—Certainly, I do not.

Can you furnish such an account?—I presume we might be able.

Would it be possible to separate the bills of exchange drawn for commercial purposes, from those drawn for supplying the necessities of the state?—I do not admit that any have been drawn for commercial purposes, as I before stated; if the account of supplies between India and England is looked to, it shews a surplus that England has afforded as I before said, of eight millions; therefore I cannot imagine that any bills have been drawn for commercial purposes.

Is the Committee to understand, that England has afforded to India a sum adequate to the amount of the imports, exclusive of the amount of the bills of exchange drawn from India and paid in this country?—I have not balanced the account, leaving out the bills of exchange, and therefore I cannot exactly say; but all the political payments in England must be taken in as a supply to India.

In your account just referred to, the goods, stores, and bullion, even at their invoice cost, only amount to nineteen millions in round numbers, whilst the realizations in cash in the Indian treasuries during that period, would no doubt be considerably less; the returns from India are stated at their invoice amount, at 26 millions in round numbers; is it not evident therefore, that the difference must have been made up by money raised on bills of exchange?—No, it is not evident that it must.

How is the amount to be made up?—Bills have been drawn, but I do not admit that they have been drawn for commercial purposes; this examination proceeds upon abstract accounts, and it is impossible to go into the matter in this way; all the political payments made in England for the nineteen years are a supply from England to India; from the account it appears that there is a total of 7,800,000 *l.* paid here on account of the political disbursements of the Company; the total of the exports is 19,894,529 *l.*; the total amount of the imports is 26,792,304 *l.*; the difference is about

six

six millions in round numbers, leaving the bills totally out, so that England had to pay to India that six millions, which she has done by that 7,800,000 *l.* of political charges. *Charles Cartwright, Esq.*

Does not the same account contain the sum of 5,879,000 *l.* received in the way of remittance from India, through the medium of his Majesty's government, to cover in part those political charges?—Yes.

Can you state what has been the outturn of all the bullion sent from this country from the year 1792-3 to the present time, including the charges of coinage in India, so as to ascertain the amount at which the current rupee has been realized to the Company?—I have made up an account for that purpose; which, if the Committee please, I will deliver in.

[The account was delivered in, and read as follows:

BULLION STATEMENT.

The risk of cargoes and interest on capital being charged in an account before exhibited, it only remains in stating the cost of the Indian currencies, to find the charge of supplying the bullion, and also the charges of coinage in the several mints.

	s.	d.	
At 5*s.* 4*d.* $\frac{12}{100}$ per oz. the average price paid by the Company for silver exported since 1793, the sicca rupee would cost	2	2	35
Add 3½ per cent. for charges, coinage, refining, establishment, &c. &c.	—	—	92
	2	3	27
And the current rupee	1	11	50
The Arcot rupee would cost	2	1	296
Charges, coinage, 1½ per cent.			377
	2	1	573
And the star pagoda at 3½ Arcot rupees for 1 pagoda	7	5	505
The Bombay rupee would cost	2	—	57
Charges, coinage, 3 per cent.	—	—	73
	2	1	30
According to the price paid by the Company since 1793, for 100 dollars, being 23*l.* 2*s.* 9*d.* and reckoning 72 tales as equal to 100 dollars, the tale has cost	6	5	12

	£.
In account the current rupee is taken at 2*s.*; but as the cost was only 1*s.* 11½*d.*; there is a difference of ½*d.* per rupee, and on C.Rs.14.70.62.411, the invoice value of cargoes from Bengal in the period, the amount is	306,380
The pagoda is taken at 8*s.* but as the cost was only 7*s.* 5½*d.* there is a difference of 6½*d.* on each pagoda, which on pags.178.15.866. cargoes from Madras, amounts to	482,513
The Bombay rupee is taken at 2*s.* 3*d.* but as the cost was only 2*s.* 1 3/10 *d.* there is a difference of 1 7/10 *d.* per rupee; which on B.Rs.2.51.80.666. cargoes from Bombay, amounts to	178,363
The tale is taken at 6*s.* 8*d.*; but as the cost was only 6*s.* 5 12/100 *d.* there is a difference of 2 88/100 *d.* per tale; which on tales 8.93.00.487. cargoes from China, amounts to	1,071,605
	£. 2,038,861

Charles Cartwright, Esq.

		£.
Bullion exported to Bengal since 1792-3		4,098,163
—	Madras	1,256,103
—	Bombay	1,080,945
—	China	2,466,964
		£. 8,902,175

	£.
The bullion exported to Bengal in the period produced, at 2*s.* per C. rupee, C. Rs. 4.09.81.630.; but as the cost of the current rupee was only 1*s.* 11½*d.* the difference is	85,379
The bullion exported to Madras produced, at 8*s.* per pagoda, pags. 31.40.258.; but as the cost was only 7*s.* 5½*d*, the difference is	85,048
The bullion exported to Bombay, at 2*s.* 3*d.* per Bombay rupee, produced B. Rs. 96.08.400.; but as the cost was only 2*s.* 1*d.* 10, the difference is	68,059
The bullion exported to China, at 6*s.* 8*d.* per tale, produced tales 74.00.892.; but as the cost of the tale was only 6*s.* 5*d.* 11, the difference is	88,810
Produce bullion sent to India and China since 1793, beyond the value at which the outward consignments are turned into currency in India and China	£. 327,296

The bullion received from India and China has produced on sale, after deducting all charges in England	£. 1,577,694
The cost, calculated at the rates adopted in the estimate of profit and loss, 23d February 1813, viz. 2*s.* per current rupee, 8*s.* per pagoda, 2*s.* 3*d.* per Bombay rupee, and 6*s.* 8*d.* per tale, is	1,469,201
Leaving a profit in this view, of	£. 108,493
But calculating the cost at 1*s.* 11*d.* 10. the current rupee, 7*s.* 5*d.* 10. the pagoda, 2*s.* 1*d.* 10. the Bombay rupee, and 6*s.* 5*d.* 11. the tale, the rates before stated from the cost of silver in England since 1793, the cost would be 1,414,490*l.* and the profit	163,204

East India House,
22d May 1813.

Errors excepted.

(Signed) *Chas. Cartwright,*
Acc^t. Gen^l.

This account exhibits a profit in the outturn of the specie sent from England to India, amounting to 327,296*l.* over and above the rate at which it is estimated in your accounts; has that profit been brought to the account of the commercial profits?—It has not.

Do not you consider that that is a clear commercial profit?—I conceive it ought to be so considered, unquestionably.

With respect to the bullion received from India and China, the account exhibits an actual profit of 108,493*l.*; has that been added in your statement to the commercial profits?—No, it has not.

Do you not think that this also is properly a commercial profit?—I conceive it is.

Then under those circumstances, state why you have not included it specifically in your account as a commercial profit?—I before stated to the Committee that we never looked upon the exchange account as a source either of profit or loss; it is merely a sort of money transaction between the two countries; at some periods it may be profitable; at other periods there might arise a loss; but whether it was so or not, we never looked to profit or loss upon it; it arose from the necessity of the case, the quantum of bullion exported arising from the necessities of the country.

Upon

Upon what principle do you say that the gain by the remittance of bullion to India, should be considered as a commercial gain, and the loss by bills drawn from India upon England, should be considered as a political loss?—The bullion, I conceive, was necessary to be sent to India, for the purposes of furnishing the return cargoes; of course credit should be taken, I conceive, for the profit upon it, if any; the profit upon it, I conceive, should be a commercial one; the latter part of the question I presume I have answered in a former answer; as to the exchange with India, I have stated my reason for assuming that that rate of exchange is not operated upon by the effect of commerce; that is my assumption, *Charles Cartwright, Esq.*

In the charges you have put upon the bullion, do you include the salaries of the mint master and other mint servants?—Yes.

And the losses which have occurred?—Yes, every thing is taken in.

It appears that three and a half per cent. is the charge upon the sicca rupee, and it appears that the charge is only one and a half per cent upon the Arcot rupee; can you account for that difference?—I cannot positively account for it; but the salaries of the officers are paid whether the quantity of business done is more or less, if there should be a larger quantity of business done, the rate will be less, and I suppose it to arise from that.

Can you state the proportion of the salaries of the Board of Trade in Bengal, which should attach to the territorial concern on account of the management of salt, opium, and customs?—Reckoning such salaries at 25,000*l.* per annum, which the Auditor informs me is the correct charge, the proportion that should be deducted from the sum stated in the commercial amount of 3,251,592*l.*, as a charge on the above heads, will be, in the nineteen years from 1793-4 to 1811-12, 390,542*l.* or 15,818*l.* per annum, which is in proportion to the gross receipt for salt, opium, and customs, and the gross cost of the investment.

You state at the foot of the estimate, dated the 23d of February, certain items which you say cannot be distributed in proportions between the India and China trade; among them there is on the freight outwards a remuneration to the commanders of worn out ships; would it not be practicable to shew the proportions of freight outwards, which have fallen upon exports for India and exports for China?—Freight outwards very seldom arises upon any China cargo, the India freight outwards arises principally for freight upon stores sent but very often on Government account; the Company with their own natural exports, could very seldom have to pay freight out at all, because the ships are taken up under certain conditions; if they are not loaded beyond a certain extent, no charge for freight outwards is made; if there is more put on board, and it consists of stores for Government, it ought to be, and must in future be a revenue charge.

Then this would chiefly fall on the India part of the concern?—Yes; but there is a remuneration also to captains of worn out ships?

Might not that be distinguished between the China and India ships?—It might now, because the ships are distinguished for the China and India trade; but that has not been so formerly; and as to that part of the account, no distinction could be made.

There is a charge now upon the service of 500*l.* a voyage, to remunerate the Company for what they paid to the captains formerly; is that carried to account here after the deductions?—Yes.

With regard to the item of 15,444,399*l.* stated as commercial charges general beyond the rate deducted in the calculations of profit upon sales, no further distribution could be made in your opinion of it?—No, I conceive not.

Do not you think it ought to be calculated upon a per centage of the sales from each trade?—I cannot take upon myself to answer that without consideration; it appears plausible certainly, the whole being a per centage.

There is another item which seems as if it might be easily referrable to either trade; advances of freight to owners for lost ships; must it not be according to the ships, whether India or China ships?—No, I conceive not; because in the former part of the period, the ships went to both places; they began a voyage to Madras, and then went to China afterwards; they went to Madras for the purpose of conveying stores,

Charles Cartwright, Esq.

and afterwards to China, to fetch a return cargo; if a ship is lost going to Madras, it is in part a China voyage; it is only a deviation, and therefore it is impossible to separate that.

[The Witness withdrew.

THE Chairman called upon the Counsel for the *East India* Company, to state, whether they should call any more evidence.

Mr. *Impey* stated, that they had proposed to call only one other Witness, but who was prevented attending by indisposition, and that they should rest their case here.

The Chairman called upon the Agents on behalf of the Petitioners from the outports and manufacturing districts, to state, whether they should produce any evidence in support of their petitions.

Mr. *Richardson* stated, that the Petitioners did not think it necessary to produce any evidence.

The Chairman called upon Mr. *Lavie*, as Agent for the merchants, bankers, and manufacturers in the city of *London*, interested in the East India and China import trade, to state, whether he should produce any evidence in support of that petition.

Mr. *Lavie* stated, that the Petitioners did not think it necessary to call any evidence.

The Chairman called upon Mr. *Lavie*, as Agent for the merchants of *London*, owners, and agents for the owners of East India built ships trading to the port of *London*, to state, whether he should call any evidence in support of that petition.

Mr. *Lavie* stated, that the Petitioners did not think it necessary to call any evidence in support of their petition.

Mr. *Teasdale* appeared as Agent for the

Petition of several merchants, manufacturers, traders, and other persons engaged in, or connected with, the export trade to *India* and *China*, from the port of *London*:

—— of several persons being shipwrights, caulkers, ship sawyers, ship smiths, ship joiners, treenail moulders, and boat builders, of the port of *London*:

—— of mast makers, block makers, and gun carriage makers, of the port of *London*:

—— of sailmakers of the port of *London*:

—— of ship riggers of the port of *London*:

—— of ship plumbers, painters and glaziers, of the port of *London*:

—— of persons engaged and employed in building, equipping and supplying East India and China shipping, in the port of *London*:

—— of smiths, coppersmiths, and anchor smiths, in the port of *London*:

—— of ropemakers of the port of *London*:—

And stated, that the Petitioners did not think it necessary, to call any Evidence in support of those Petitions.

IT was moved, that *John Bebb*, Esquire, be called for examination before this Committee, which being put, was negatived.

[Adjourned to Thursday next, two o'clock.

33.

Lunæ, 24° die Maij, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Charles Cartwright, Esq. p. 577, to p. 588.

(No. 22.)

Of Evidence before Select Committee.

Ordered, by The House of Commons, *to be printed,*
25 *May* 1813.

34.

MINUTES of EVIDENCE

TAKEN BEFORE THE SELECT COMMITTEE,

Appointed for the purpose of taking the Examination of such Witnesses, as shall be ordered by The House to attend the Committee of the Whole House, on the Affairs of The *East India* Company; and to report the MINUTES of such Examination, from time to time.

(No. 23.)

Jovis, 27° die Maij, 1813.

The Right Hon. JOHN SULLIVAN, in The Chair.

CHARLES CARTWRIGHT, Esquire,

Was called in, and further Examined by the Committee, as follows:

Charles Cartwright, Esq.

HAVE you brought the Accounts, desired at the last Committee?—I have: The first is an Account signed by the Auditor,—" Observation on that part of the question which relates to advances for investment: The account, N° 14, Appendix to Third Report, is for seventeen years, from the first of May to 30th April in each. The Account of invoice amount, N° B, is for eighteen years, September to September in each. If the Account, N° 14, were continued for another year, the advances will be 27,356,000*l.*; and the shipments by B, exclusive of bullion, being 26,328,000*l.* The difference, about a million, will be found in the increase of commercial property remaining on balance at the close of the period.

East India House,
27th May 1813.

(Signed) *Wm Wright*,
Auditor of Indian Accounts."

THE other part of the same Paper is explained by me, by this Paper,—" Explanation of the difference apparent between the Account N° B, and the Account of profit and loss of the 23d February 1813, in so far as regards the column in N° B, headed, ' Imports Invoice Amount,' and the column in the estimate of profit and loss of 23d February 1813, headed, ' Prime Cost of Investment of Goods.'

" The column in N° B, headed " Imports Invoice Amount," is the actual shipment of cargoes in India, according to the dates of the invoices, and embraces a period from the 15th day of September 1793, to the 14th day of September 1811, eighteen years, and amounts to - £. 26,792,304

" The column in the estimate of profit and loss of the 23d February 1813, headed " Prime Cost of Investment of Goods" is the cost of the goods actually sold in England, and embraces a period from the 1st day of March 1793, to the 1st day of March 1812, nineteen years, and amounts to - - - - - - - - - - £. 25,134,672

Charles Cartwright, Esq.

"From this statement, it will be apparent, that an exact coincidence cannot exist; but the following adjustment will reconcile the difference:

"Prime cost of investment of goods from 1st March 1793, to 1st March 1812, nineteen years, as per estimate of profit and loss of 23d February 1813		£. 25,134,672
"Deduct prime cost of goods sold in the year 1793-4, being shipped in India before the period comprehended in the account, N° B.	£. 1,220,106	
"Prime cost of goods unsold in England on 1st of March 1794, the invoices of these goods being dated before the period comprehended in account B	747,000	
		1,967,106
"Add prime cost of cargoes lost homeward	1,409,195	
"Cost of saltpetre supplied government, deducting the amount shipped in India before the period comprehended in account N° B	355,291	
"Cost of hemp imported on account of government	83,779	
"Cost of rice imported at the desire of government, upon which government paid the loss	54,639	
"Cost of saltpetre destroyed by fire	16,500	
"Cost of goods unsold 1st March 1812	1,192,330	
"Value of bullion imported, not stated among the sales of Indian goods, in account of profit and loss of 23d February 1813	464,278	
"Cost of cargoes arrived since 1st March 1812, the invoices of which were dated within the period comprehended in account N° B	46,824	
		3,622,436
		£. 26,790,002

"Amount of imports from India in the column headed "Imports Invoice Amount," of Account N° B £. 26,792,304

"Amount of the column in the estimate of profit and loss of 23d February 1813, headed "Prime Cost of Investment of Goods," with its various adjustments £. 26,790,002

East India House, the 27th May 1813. } Errors excepted.

Cha^s Cartwright, Acc^t Gen^l."

THE next was, 'The Statement required to account for the difference in amount on comparison of the Appendix, N° 6, of the third Report, with the amount of bills stated in the account B, given in by the Accountant General, on the 15th instant.'

"Amount Bills of Exchange paid from the 1st March 1793 to 1st March 1810, after deducting therefrom bills from India in favour of the Company	£. 15,489,575
"Add bills in favour of the Company, from India, received from 1st March 1793 to the 1st March 1810, deducted above	873,225
	£. 16,362,800
"Bills paid since 1st March 1810, dated previous to 15th September 1811, and bills now running on the Company, dated previous to the 15th September 1811	9,123,875
	£. 25,486,675
"Deduct bills paid since 1st March 1793, dated previous to 15th September 1793	2,504,584
"Amount of bills drawn from India, dated between 15th September 1793 and 15th September 1811	£. 22,982,091

East India House, the 27th May 1813. } *Cha^s Cartwright*, Account^t General."

THE other Account was "A Statement to shew the Amount that has been or will be paid for Bills for Exchange drawn from India, from 15th September 1793 to 15th September 1811, beyond the current rates of 2*s*. per current rupee, 8*s*. the pagoda, and 2*s*. 3*d*. the Bombay rupee." *Charles Cartwright, Esq.*

	Paid more than the above rates.	Paid less than the above rates.
Bengal	£. 533,653	£. 75,805
Madras	210,474	15,270
Bombay	534,200	5,373
	£. 1,278,327	£. 96,448
Deduct	96,448	
Balance paid for bills drawn as above, 1793 to 1811, more than at the current rates	£. 1,181,879	

East India House, the 27th May 1813.

Cha^{s} *Cartwright*, Account^{t} General."

[The Witness withdrew.

[Adjourned sine die.

34.

Jovis, 27° die Maij, 1813.

MINUTES OF EVIDENCE

ON THE AFFAIRS OF

THE EAST INDIA COMPANY.

Charles Cartwright, Esq. p. 589, to p. 591.

(No. 23.)

Of Evidence before Select Committee.

Ordered, by The House of Commons, *to be printed,*
27 May 1813.

Part II

PAPERS

RELATING TO

EAST INDIA AFFAIRS.

Mutiny at Vellore.—Christians in Malabar.—Román Catholic Chapel.—
Temple of Jaggernaut; and Tax on Pilgrims.
Missionaries in Bengal.—Interior Government.—Company's Investment.

Ordered, by The House of Commons, *to be printed,*
12 *May* 1813.

LIST OF PAPERS

Presented to The Honourable House of Commons, pursuant to Orders, dated 13th—28th—and 29th April—and 4th May 1813.

—No. 1.—

RETURN to an Order of the Honourable House of Commons, dated 28th April 1813, requiring, "Copy of Letter from the Court of Directors of the East "India Company to the Governor and Council of *Fort St. George*, dated "23d January 1805" - - - - - - - - - page 1.

—No. 2.—

Copy of LETTER from the Court of Directors of the East India Company to the Governor and Council of *Fort St. George*, dated 29th May 1807 - *ibid.*

—No. 3.—

Copy of LETTER from the Commander in Chief of the Forces under the Presidency of *Fort St. George* to the Governor and Council of that Presidency, dated 24th November 1807; with the Proceedings of the Government thereupon - - - - - - - - - - page 10.

—No. 4.—

RETURN to an Order of the Honourable House of Commons, dated 28th April 1813, requiring, "Copy of the Proclamation issued by the *Madras* Govern- "ment to the Native Army, dated the 3rd December 1806 - page 12.

—No. 5.—

Copy of so much of the APPENDIX, No. 2. to the REPORT of the *Malabar* Commissioners, dated Cochin the 14th of October 1793, as contains Major *Dow*'s Account of the CHRISTIANS in *Malabar* - - - - *ibid.*

—No. 6.—

Copy of the RESOLUTIONS of the *Bengal* Government, granting permission for the erection of a ROMAN CATHOLIC CHAPEL near *Calcutta*, and an abatement of Jumma for the Land on which it is to be built - page 13.

—No. 7.—

Copies of such PROCEEDINGS of the *Bengal* Government respecting the Temple of JAGGERNAUT in *Orissa*, as have been the subject of Correspondence between that Government and the Court of Directors of the East India Company; together with Copies of the said Correspondence, and Minutes of any other Proceedings of the Court of Directors relative to the said Temple of Jaggernaut - - - - - - - - - - page 15.

— No. 8. —

Copy of LETTER from the Right Honourable *Robert Dundas*, President of the Board of Commissioners for Affairs of *India*, to the Chairman and Deputy Chairman of the East India Company, dated the 10th of August 1808; transmitting a Draft of a Dispatch in reply to the Secret Letter from Bengal, dated the 2nd of November 1807, on the subject of the Proceedings of the MISSIONARIES in *Bengal* - - - - - - page 87.

— No. 9. —

Copy of a LETTER from *George Holford*, Esq. Secretary to the Board of Commissioners for Affairs of *India*, to the Secretary to the Court of Directors of the East India Company, dated the 26th of August 1808; returning Draft, N° 167, on the subject of the Proceedings in *Bengal* respecting the MISSIONARIES, with the Draft of an additional Paragraph; together with the said Draft, N° 167. - - - - - - - page 88.

— No. 10. —

Copy of the LETTER, dated the 19th of July 1804, from the Governor General in Council of *Bengal* to the Government of *Fort St. George*, relative to the interior Government of the Country, and the provision of Goods for the Company's Investment - - - - - - - - page 91.

— No. 11. —

RETURNS of the Number of WRITERS, CADETS, SURGEONS, and CHAPLAINS, sent to *India* during the last Ten Years; specifying the number appointed to the different Presidencies in each year - - - - page 102.

East India House,
12th May 1813.

—No. 1.—

RETURN to an Order of the Honourable House of Commons, dated 28th April 1813; requiring, "Copy of LETTER from the Court of "Directors of the East India Company to the Governor and Council "of *Fort St. George*, dated 23d January 1805."

THE 16th Paragraph of the Letter from the Court of Directors to the Governor in Council of Fort St. George, dated the 23d January 1805, which, it is presumed, is the Document required by this Order, was presented to the House on the 30th April 1813, in return to an Order, dated the 14th of that month.

Examiner's Office, East India House,
the 12th May 1813.

—No. 2.—

Copy of LETTER from the Court of Directors of the East India Company to the Governor and Council of *Fort St. George*, dated 29th May 1807.

(Political Department.)

Our Governor in Council at Fort St. George.

Par. 1. ACCORDING to the intention intimated in our Dispatch of the 15th April 1807, of which a transcript will be herewith forwarded, we now proceed to communicate to you the opinions and the measures which have been suggested to us by a full consideration of the late unfortunate mutiny at Vellore, the transactions connected with it, and the conduct of our servants and others chiefly concerned in them.

2. Our attention has been, in the first place, directed to the disastrous event itself, which has made the deepest impression on our minds. It presents a feature new in our Indian history. Never before has there been any example of the Native troops rising upon the European, barbarously attacking them when defenceless and asleep, and massacreing them in cold blood; nor have the European soldiery ever before been under the necessity of employing their arms against the Sepoys, in any such act of signal retribution as was imperatively called for in this unhappy instance. Never upon any occasion before have we seen the Native troops enter into schemes of rebellion and revolt, and pursuing the most treasonable designs against our Government, by the most base and ferocious cruelty towards those to whom they owed and were accustomed to shew submission and respect. The causes of so extraordinary a proceeding have naturally become the subject of our most anxious enquiry; and the collection of evidence which you have transmitted for informing our judgment, as well as your own relations and opinions, and the sentiments of the Government General, concerning the whole of this important business, have been maturely considered. These voluminous materials, which contain a great body of concordant facts, exhibit also some diversities of opinion; but they lead on the whole to the same general conclusions, that the immediate cause of discontent among the Sepoys was the introduction of certain innovations in their dress, which were offensive, and, as they held, degrading to them; and that the captive sons of the late Tippoo Sultaun, with their adherents and abettors, took occasion, from the dissatisfaction of the Sepoys, to instigate them to insurrection and revolt, with the view of effecting their own liberation, and the restoration of the Mahomedan power in that quarter. Concerning the degree of efficacy which is to be ascribed to each of these causes separately, and the order in which they operated in producing the atrocious result, the opinions to which we have alluded do not perfectly agree. From all the evidence before us we can entertain no doubt, that these were the principal causes, whatever proportion of the effect may be assignable to each, and they will severally

No. 2. Mutiny at Vellore.

require some observations from us. But there are other points of enquiry to which our minds are naturally led in considering these causes, and concerning which the documents before us afford little or no light.

3. We are at a loss to understand how any of our servants, those especially in the first stations of the civil and military departments, and the officers acting immediately under them, could be so little alive as they appear to have been, to the feelings of the natives in whatever concerns their casts, and the delicacy of hazarding, without some object of great and undeniable importance, disputes with any class of them, especially with the Sepoys of our army, upon points of this nature on which their jealousy is so great, and their resistance, when they only think, though erroneously, their cast affected, is so determined. To have proceeded with a measure which compromised the authority of Government on the one hand, or risked the disobedience of the Sepoys on the other, seems to argue a want of that prudence and discernment so requisite in administering the government of a numerous and peculiar people.

4. The total absence of suspicion and vigilance apparent among all ranks of Europeans at Vellore, respecting the character and conduct of the captive princes, the accumulation of their followers, and their intercourses with our Sepoys, are also things altogether unaccountable to us. The choice of a fortress in the heart of the Carnatic, for the residence of the family and adherents of Tippoo, on which more will be said hereafter, was indeed an unhappy one; but that it should not be remembered, Mahomedans of rank, fallen from greatness into such a situation, would be prone to form schemes of liberation; that none of the symptoms of hostile disposition and design, which were visible before the massacre, should have attracted the least notice of any one of our people; that, in a word, the spirit of supineness should be such as to exclude all attention to the only native individual who had the fidelity to reveal the conspiracy; all these circumstances excite our astonishment. The materials which are before us discover not only the desperate extremes to which a concurrence of violent impulses had transported a part of the native troops, but a general state of estrangement between them, including their native officers and the European officers, against whom they even seem to have entertained sentiments of hatred; and it is a very strong presumptive evidence of the existence of this sentiment, that not one Sepoy or native officer, with the exception of the solitary instance already mentioned, made the least disclosure of the terrible danger that awaited the Europeans. This is so utterly unlike that attachment which we had always understood to subsist between the European officers and their Sepoys, that we cannot but be anxiously desirous to know by what means so unhappy a change has been produced.

5. The conduct of the country people in and about Vellore, who were the frequent witnesses of the treasonable intrigues which were going forward, and must have known they were designed to end in the carnage of all the Europeans, yet never conveyed the least intimation to them of the mine that was preparing for them, is another striking feature in this affair. If their entire silence proceeded from any cause besides the fear, and the indifference to the interests of others, natural to them, as seems most probable, it is a subject which deserves very serious investigation and attention.

6. The appearance of so many extraordinary circumstances does, we must confess, in our opinion, reflect upon the Government under which they occurred; and it excites in us an anxiety lest there should have been any thing in the disposition of the people at large which countenanced the dissaffection manifested by the Sepoys.

7. The state of public opinion, though it cannot be taken as the standard by which measures of state shall be uniformly regulated, will always be a subject of enquiry and regard in every wise Government, and we trust it will receive a due share of consideration from you.

8. Waving at present the farther prosecution of the general observations which this subject suggests, we shall now direct our attention to the details mediately or immediately connected with the business of Vellore, which will afford us an opportunity of giving our sentiments upon the two principal causes to which the origin and progress of that unhappy affair are ascribed.

9. Under all the circumstances that have been stated respecting the issuing of the General Orders of the 13th March 1806, which are said to consist of 150 folio sheets of Regimental Orders, about drills, discipline, and dress, it is not our intention to attach any great responsibility to the Government on account of those orders; but a responsibility does rest somewhere, for not pointing out to the Government, the articles that were new in them, respecting the marks of cast, &c. which afterwards received a construction that rendered them very obnoxious to the Sepoys. And we cannot help remarking, that a lesson is here furnished of the great expediency of withholding the sanction of Government to any regulation proposed from inferior departments, until the matter of it is clearly ascertained and understood.

10. With respect to the new turban, it does appear, that at an early period, considerable agitation existed among the native troops on that account; and on your Consultation of the 4th July 1806, we find recorded, a letter from the Commander in Chief of the 29th June, expressing his anxiety and embarrassment on the subject of it, and requesting the advice of your Government for his guidance; stating among other things, that he had the strongest reason to suppose, that almost universal objection had arisen against it, that the firm dislike to it did not abate, and that the frequent occurrence of severity may produce, though it might be remote, bad consequences. After so pointed a representation from the Commander in Chief, and considering the sudden and violent effects to be apprehended from the

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the slightest appearance of a violation of prejudices, deemed sacred among the natives of India (of which your Government ought to have been fully aware;) it is greatly to be lamented, that Lord William Bentinck should, instead of enquiring into the nature and extent of the objections made by the Sepoys to the turban, have ordered a sample of it for the use of the fencible corps under his personal command, and that zeal for the preservation of discipline, did not upon that occasion yield to the prejudices of the native troops, instead of producing a determination to enforce the turban. We are aware, that this determination was accompanied with a proposition to the Commander in Chief, to publish a G. O. framed for the purpose of removing the objections to the turban, and disclaiming all intention of infringing upon the religious prejudices of the Sepoys; and we are very much surprized, that he appears to have been so totally uninformed of the state of the army under his command, as to have thought even that proceeding unnecessary. We cannot, however, avoid expressing our opinion, that the reference made by him on that occasion, should have awakened more of your attention than it appears to have done, and should have induced you, without delay, to have made the fullest enquiry into all matters connected with the subject.

11. By your proceedings subsequent to the fatal catastrophe at Vellore, there is some reason to believe, that an unanimous opinion, on the 4th July, respecting the enforcement of the turban, did not prevail. The Governor, in his Minute of the 15th July, has very candidly explained the grounds of his former opinion respecting the turban, and the reasons which induced him entirely to change that opinion. He has also stated the material fact, of which he had such just reason to complain, that the introduction of other obnoxious orders into the code of military regulations, had only come to his knowledge since the recent reference from the Commander in Chief. Mr. Petrie, in his Minute of the 14th July, has observed, that on the reference alluded to, he felt a disposition to have conceded, as a boon to prejudice, what we might hereafter be compelled to yield to force and violence; and that he does not believe that ten Sepoys in the whole army would, at that time, have imputed the relinquishment of the turban to any cause that wounded the authority of Government, or of the Commander in Chief. It is the more to be regretted, that this was not the opinion of the Council held the 4th July, from what has been stated respecting the dissatisfaction of the troops forming the subsidiary force at Hydrabad, at the introduction of the new turban. The Resident at that station, as appears by his letter of the 14th August 1806, had not the slightest doubt that there were persons in the fort and city ready to assist in a general insurrection, connected with the same horrid circumstances as were exhibited at Vellore; and in his letter of the 22d of that month, it is observed, that the effect of the General Order published by the Commanding Officer, Colonel Montresor, revoking the turban, was almost instantaneous, and that it prevented a mutiny, by restoring confidence to the bulk of the native troops, and removing the delusion under which they laboured. It is not improbable, notwithstanding the intrigues and machinations of the Mysore princes and their adherents, which no doubt had been at work previously to the introduction of the turban, that a similar line of conduct might have operated in quieting the minds of the troops at Vellore, and in preventing the fatal mutiny which succeeded in that fortress; at least, the Sepoys would have had no plea to urge in excuse for their enormities.

12. We cannot quit this part of the subject, without expressing our regret and dissatisfaction, that Mr. Petrie did not, on the 4th July, explicitly record that opinion which he states himself, in a subsequent Minute of the 14th July, to have then declared. We entirely agree with him, that the subject should have been considered more as a question of political importance, than as one partially relating to the details of discipline; and if such was his opinion on the 4th July, he certainly would have acted very properly and consistently with his duty in recording it, and by not doing so, a greater degree of responsibility for the measure then adopted rests with him.

13. We must here express our entire approbation of the conduct of Lieutenant Sydenham, the Resident at Hydrabad, and Colonel Montresor, the Commanding Officer of the subsidiary force at that station, for the promptitude with which they acted in taking upon themselves the responsibility of revoking, by their own authority, the order respecting the turban, and suspending that relative to ear-rings and marks on the face, and by which timely interference tranquility appears to have been immediately restored among those troops.

14. The Commander in Chief, in his letter of the 29th June, has observed, that the order relative to the turban originated from the advice and under the superintendence of Colonel Agnew, the Adjutant General, and Major Pierce, the Deputy Adjutant General. But it is impossible for us to consider the Commander in Chief as exonerated from responsibility on that account. He is answerable in his own person for every order issued in his name, and under his authority, whoever may be his advisers. We likewise consider him responsible for the code of military orders and regulations issued under the authority of Government on the 13th March 1806. The circumstances under which those orders were issued, have fixed the responsibility upon him in a particular manner, for all such as were not distinctly pointed out to Government; among which was, Par. 10 of the 11th Section, containing the order relative to the marks of cast, whiskers, &c. Whatever relates to the dress and appearance of the troops, and the discipline of the army, was clearly within the province of the Commander in Chief. This opinion is corroborated by the Deputy Adjutant General, who has observed that the order in question was omitted to be noticed to Government, because the Commander in Chief was supposed to be vested with the power of regulating the discipline and details of the army, which included dress, appearance, &c. On its being subsequently proposed by the Government, that no alteration whatever in the

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dress of the soldier, or in the external marks and fashion of his cast, should in future take place without their previous sanction (a measure which has received our entire approbation) the Commander in Chief observed, "that he resigns with pleasure the *hitherto prerogative* "with respect to dress;" thereby charging himself with the responsibility of the former orders in that respect. Although the order respecting the marks is said to have existed to a certain extent for many years, yet it does not seem to have been followed up but in particular corps; and the publication of it in March 1806 appears to have given some dissatisfaction to the Sepoys, particularly at Hydrabad.

15. Among the effects which we have to lament, as resulting from those injudicious orders respecting the dress of the native troops, and the introduction of the turban, are the suspicions generated in the minds of the Sepoys, of an intention on the part of our Government to compel them to become Christians. In the whole course of our administration of the Indian territories, it has been our known and declared principle to maintain a perfect toleration of the various religious systems which prevailed in it; to protect the followers of each, in the undisturbed enjoyment of their several opinions and usages, and neither to interfere with them ourselves, nor to suffer them to be molested by others. Holding this principle still, as we had lately occasion to state to you in our public letter of the 23d January 1805, and never having had the least reason to believe that it was not strictly followed up by our Governments abroad, it has been to us both a matter of surprize and of great concern to find, that a contrary idea has obtained any footing among the native troops, and we have been solicitous to discover the commencement and progress of so injurious a notion.

16. Although it is stated by one evidence before the Vellore Commission, that the oath of secresy taken by the Sepoys, was administered as early as the time when the new dress of waistcoats and stocks came out, yet from the general tenor of the voluminous mass of information before us, it appears that the first distinct expression of disgust and apprehension, on the part of the native troops, was after the promulgation of the order for using the new turban. To the Mahomedan Sepoys, who alone appear to have strongly objected to this article, it had the resemblance of a hat; the wear of it, they said, would assimilate them to Europeans; would, in consequence, vitiate their cast; and the next step would be, to force them to become Christians. The prohibition of marks of cast on parade, which applied more particularly to Hindoos, and the prescription of an uniform fashion for the beard, which applied to both sects, served to corroborate the idea, that these changes were preparatory to the greater one of reducing them in all things to a conformity to Europeans; and before we proceed further we cannot help remarking, that at this early stage there seems to have been room for a safe accommodation, without compromising the authority of Government or the discipline of the army. When it was found that the Sepoys discovered great reluctance to the adoption of these novelties, the important question to be solved was, not whether the use of the turban was indeed inconsistent with the purity of casts, or whether the prohibition of marks and whiskers was sanctioned by any former practice; neither was it enough that the Mahomedan priest and Hindoo bramin, who were consulted, both admitted, that there was in the turban or in those other articles nothing contrary to their casts; but the matter of enquiry should have been, whether the Sepoys, ignorant and bigoted as they might be, were really persuaded that the usages imposed upon them did trench upon their casts; because, if they were, no compliance was to be expected from them, whatever might be the sacrifice; and if this enquiry, which might have been made in different modes, had given you reason to suppose what the Sepoys affirmed, that their conformity would have determined persons of the same cast no longer to associate with them, the impositions being of no real importance in themselves, might have been given up without discredit, and a new proof would have been afforded by Government of its tenderness to religious scruples: occasion, too fatally improved, would thus also have been taken away from the sons and numerous followers of Tippoo, who, as is common with people of their description in the East, however fallen, probably cherished some hope of future revolution. Those sentiments, by which they were themselves actuated, they would naturally endeavour to infuse into the minds of other natives within the sphere of their intercourse: they appear to have been early assiduous to attach our Sepoys to them, those especially of their own faith; and it is observable, that almost all the first conspirators, and all the determined opponents of the turban, the main instrument of mischief, were Mahomedans. "All the Hindoos and Parriahs," it is said, "agreed to wear the topee "(or hat, that is, the turban) but the Moormen determined not to wear it." "They made "no complaints," say the Vellore Commissioners, "relative to the prohibition of the cast "marks, till Tippoo's people began to insinuate that they were to be made Christians." As soon even as the jackets and stocks were introduced, it is stated, that persons in the interest of the princes began to poison the minds of the Sepoys; but from the moment the turban was brought forward, the adherents of the Mysore family, of whom Vellore was full, set themselves to inflame the prejudices of the Sepoys. "Unexampled pains were "taken," according to the Commander in Chief, "to instil jealousies into the Sepoys, as "to encroachment upon religion, cast, dress, &c." "By the most insidious and wicked "arts and machinations," says Mr. Petrie, "the families and adherents of the late Tippoo "Sultaun worked upon the native mind, and too successfully endeavoured to persuade the "Sepoys, that the most ordinary and simple distinctions in their military dress were types "and indications of Christianity; for example, the turban was termed a drummer's cap, "or the hat of the Christian; the turnscrew, which is attached to the fore-part of the "uniform, was converted into the figure of the cross; and the most odious epithets were

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"employed to inflame those prejudices which have, in the history of mankind, produced "the most bloody and fatal effects." Some appearances of attention to religious duties among our own people were construed into an evidence of design against other religions, and even the beneficent practice of vaccination, introduced with so much success into India, was represented to be intended to advance Christianity. At length, by these means, as Lord William Bentinck observes, "a general sentiment obtained among all ranks, that we meant "by force to convert the Sepoys to Christianity." Nor did slander stop there; for it was reported and believed at Hydrabad, in which every misrepresentation appears to have been circulated with the same industry as at Vellore, that the Europeans were about to make a human sacrifice of a native, and to massacre the native troops; "that a hundred bodies, without "heads, were lying along the banks of the Moise River, and that the Europeans had "built a church, which it required a sacrifice of human heads to sanctify; that they would "be ordered to massacre all the natives, excepting those who should erect the sign of the "cross on the doors of their dwellings, with several other reports equally monstrous."

17. From the evidence before us, it is abundantly plain that these extravagancies did not proceed solely from religious zeal, but were fomented by political views of the family of Tippoo, in which their adherents and our Mahomedan Sepoys at Vellore were embarked; and this conclusion is strongly confirmed by certain facts which the Commander in Chief has stated, namely, that the battalions in the Northern Circars, in the Ceded Districts, in Mysore, Malabar, Canara and the Southern Division, manifested no dislike at the turban; that, on the contrary, some of them manifested a decided partiality in its favour, and one desired to wear it after the mutiny and the orders of repeal, to mark their detestation of the massacre. As it was neither solely the introduction of innovations in the dress of the Sepoys, nor in any degree a design on the part of our Government to impose Christianity upon them, that produced the mutiny, so we think it, in different views, important that these facts should be fully apparent, and on this head the following observations, by authorities on the spot, are entitled to attention.

"The extravagant and absurd purposes," says the Commander in Chief, "which were "connected with the introduction of the turban, in the apprehension of the troops who "executed or meditated insurrection, affords another proof that causes extrinsic from the "peculiar circumstances of the turban excited the disaffection which prevailed among them. "If there is an idea remote from all apparent probability, and remote from every direct "cause of its being suggested to the minds of the people, the intention on the part of "Government, of converting them to Christianity by force, is of that description. In no "situation has so much toleration, and such an unlimited freedom of religious opinions and "ceremonials been displayed, as under the British Government in India, and in no situation "have so few measures been pursued by British subjects for the conversion of the people to "the religion which we profess. No Englishmen have hitherto been employed on this "duty in the provinces of the Peninsula; and from the almost total absence of re-"ligious establishments, in the interior of the country, from the habits of life prevalent "among military men, it is a melancholy truth, that so unfrequent are the religious obser-"vances of officers doing duty with battalions, that the Sepoys have not, until very "lately, discovered the nature of the religion professed by the English." It is the observation of your Government, that "there can be no question, a confederacy which involved "the essential interests of the British Government in India was formed under the name "and immediate sanction of the sons of the late Tippoo Sultaun;" and some of our own Sepoys talked insultingly of "the termination of the English empire, as at hand."

18. Although, whenever a ferment on the score of religion prevails in a state, it requires to be treated with great prudence and care, yet a distinction ought certainly to be made between that which arises solely from religious feelings, however misguided, and that which is exerted in whole or in part to serve the wicked designs of ambition and revolution. To persons who aim only at the secure enjoyment of their own religious system, it may be very practicable to afford satisfaction; but those whose object is the destruction of a Government through the medium of clamour about religion, which is the case of the Mysore family, and a very numerous body of Mahomedans in our territories, who raised and kept up the cry of a plot in our Government to force Christianity upon the native troops, no assurances on the score of religion can satisfy, because their object is to traduce and defame; and even the best intended assuasives may be perverted, by them, into new matter for prejudice to work upon. Nevertheless, aware that there is no principle of action in the human mind so strong as that which may be produced by religious feeling, and far more concerned at the deceptions which have been practised, than surprized that the sensation of those who were led to believe their religion in danger, whether Mahomedans or Hindoos, who are both known to be exceedingly tenacious of the faith they profess, should have been violent in their effects, we are anxious to remove whatever apprehension may have been impressed upon the minds of the natives, that it is intended to use any compulsory means to induce them to renounce their own faith and to embrace Christianity. When we afforded our countenance and sanction to the missionaries who have from time to time proceeded to India for the purpose of propagating the Christian religion, it was far from being in our contemplation to add the influence of our authority to any attempts they might make; for, on the contrary, we were perfectly aware that the progress of real conversion would be gradual and slow, arising more from a conviction of the purity of the principles of our religion itself, and from the pious example of its teachers, than from any undue influence, or from the exertions of authority, which are never to be resorted to in such cases.

19. We are therefore well pleased that you have, in two distinct publications to the

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army, declared that Government will afford every just protection to the native troops, in the exercise of their religious rites and the observance of their established usages, and an inviolable regard to their religious principles and customs; and if, after these repeated declarations, you shall think it to be further expedient, we authorize and direct you to cause it to be publicly announced at all our military stations, and at the stations of the several subsidiary corps, that the Company at home approve these declarations, and distinctly disavow any intention contrary to them, and have strictly forbidden the adoption of any regulation innovating on the ancient customs and religious habits of the native troops, or in the use of particular marks and articles of dress appertaining to their casts; that they have declared their determination to adhere to this line of conduct, and have directed the immediate revocation of every existing order and regulation that may be supposed to have a tendency to counteract this intention. If, however, the state of the public mind in India, at the time of the receipt of this dispatch, particularly among the Sepoys, shall be such as to render so public a declaration of our sentiments unnecessary or inexpedient, or should you be of opinion, that such a public declaration may occasion the revival of a subject, which, we trust, has been laid at rest, we authorize you to suspend the publication altogether; but, in that case, and, indeed, in any case, we most earnestly enjoin you to regulate your future conduct towards the natives of India, particularly towards the army, upon the principles we have here laid down, and from which our Governments in India ought never to depart. Should such a declaration, as is here suggested, be deemed necessary, it will afford you an opportunity, if you think it advisable, of stating, in the body of the declaration, the many privileges and advantages enjoyed by the Sepoys in the Company's service, over that of any of the native powers; such as,

1st. The Company's stores being thrown open to them, at reduced rates, when the price of rice exceeds a certain rate in the public markets.

2dly. The great indulgence which they experience, both in garrison and in the field.

3dly. The protection and succour afforded to them and their families, in times of famine and scarcity.

4thly. The practice of taking their sons into the Company's service after they have passed the age of eleven years, and allowing them half the monthly pay received by their father.

5thly. The supplying their families with certificates when the army takes the field, which enables them to receive a portion of the pay of their relatives and connections, for their support.

6thly. The great attention paid to their comforts on shipboard, when called upon to proceed on distant foreign service by sea.

7thly. The munificence and liberality which the Company have often shewn to the family of the native soldier, who dies in the field, either by wounds or sickness; and, lastly,

8thly. The native commissioned officer, non-commissioned officer, and soldier, when worn out in the service, either invalided or pensioned, according to the circumstances of his case.

20. The rapid decline of the Mussulman power, by the conquest of Mysore and the cession of the Carnatic, will undoubtedly account for the discontent of numbers of the Mahomedans, of whom a part may have entered into our army; and all those may, naturally enough, be supposed to have been desirous of communicating to others the sentiments of alienation from our Government they themselves felt. Whether other political causes, or any recent internal regulations, have contributed to augment that dissatisfaction in the country, and what are the proper means to allay any feelings of this kind that exist, may deserve your serious enquiry. Without going further into general considerations of this nature at present, and contemplating only the origin, causes, and issue of the mutiny and revolt at Vellore, as they are to be collected from the various documents you have transmitted to us, we think it scarcely possible they can fail to produce an impression, that, as we have already noticed, a latent design of mischief was in existence previous to the insurrection, which had for its object the restoration of the Mussulman power; and the commotions in that fortress and at Hydrabad, nearly at the same point of time, though they may possibly have happened without any concert, certainly seem to indicate an association of design, and co-operation of measures, to effect that purpose. The nefarious designs entertained on the part of the princes and their adherents, may have arisen, in part, out of the circumstance of fixing their residence so near to the scene of their former grandeur; to the splendid accommodation provided for them, unsuitable in every respect to their reduced situation; to the large allowances which were generously, though perhaps incautiously, assigned for their maintenance, by which they were furnished with the means of corruption; to the number of their retainers which accompanied them from Mysore, and from the too great indulgence which was shewn to them during their residence in the fortress of Vellore, which afforded them opportunities of intriguing and plotting for their own purposes, unsuspected by those whose duty it was to have observed a more vigilant line of conduct towards them. It appears that not less than 3,000 Mysorians have settled at Vellore and its vicinity, since the residence of the princes; that the number of their servants and adherents in the Pettah amounted to about 1800; and that the general population of the place had increased in the proportion of 5 or 6,000, exclusive of the Mysoreans, some hundreds of whom were without any visible means of subsistence. The disturbance in the 23d native regiment was supposed to have been in

part

part occasioned by there being in it so many Poligars, Colleries, and men from the southward, from Pandalamchourchy and Tinnevelly. In the case of any grievance, real or pretended, the minds of such might have been easily worked upon, under the impression of the strong measures which our Government had from time to time adopted towards their former chiefs and masters. There likewise may be reason to suppose, that so many distinct authorities having been established at Vellore, viz. the Commanding Officer, vested with the discipline of the troops, the Collector, charged with the police of the Pettah, and the Paymaster of Stipends, with the custody of the princes and their relatives, may have considerably relaxed the necessary vigilance which probably prevailed under the original system, when the military Commanding Officer was vested with the charge of the princes, the command of the troops, and the police of the place, and contributed to the success of those machinations which had so unfortunate a termination.

21. Having now adverted to those topics connected with the mutiny at Vellore which are of a more general nature, or involve the conduct of our Government in relation to that unhappy affair, we shall, before proceeding to other particular points, briefly express the view we have taken of that conduct.

22. It seems to us, that the Government, considered generally, did not exercise the discernment and vigilance which all the circumstances of the time required.

23. Besides the application of this observation to Sir J. Cradock in particular, the injudicious regulations enforced under his authority, the remarkable degree in which he was unacquainted with the state of his own army just at the eve of an insurrection, when he thought all was calm, and the unpopularity, which it is too justly to be apprehended the fatal issue of the whole would entail upon him, rendered it, in our opinion, impossible, whatever regret we felt on the occasion, to continue him in the command of the army.

24. With respect to Lord William Bentinck, of the uprightness of his intentions, and his regard for our service, we have no doubt, and we have had pleasure in expressing our satisfaction with different measures of his Government: but others, which we felt ourselves obliged, in the course of the last year to disapprove, impaired our confidence in him; and, after weighing all the considerations connected with the business of Vellore, we felt ourselves unable longer to continue that confidence to him which it is so necessary for a person holding his situation to possess.

25. It would have been very desirable if a full and faithful report had been made to us of the conduct of the officers, in their several capacities, who were invested with the charge of Vellore, and of the custody of the princes; and we very much approve of the enquiry which you have ordered to be instituted, as to the general propriety of the regulations adopted by Lieutenant Colonel Marriott, Paymaster of the Vellore Stipends; and how far the want of vigilance, of personal attention, or proper arrangement, might appear to make him responsible for the insurrection of that place.

26. Having made these cursory remarks respecting the situation of the Mysore princes, you will naturally be prepared to receive our entire approbation of your determination for removing them to Bengal, and of the manner in which that determination has been carried into execution. We concur in opinion with you, that, from the Vellore proceedings, no immediate guilt is chargeable to any of the princes, excepting Moiz-ud-Deen and Mohen-ud-Deen; the former of whom, in particular, appears deeply implicated, if not in the formation of the treacherous plot which took place at Vellore, at least in the abetment and encouragement thereof.

27. To find ourselves mistaken in the supposition we have formed of a co-operation between the insurgents at Vellore and the disaffected at Hydrabad, will be a source of very great satisfaction to us; but though the spirited exertions of Colonel Gillespie and his brave troops, and the removal of the Mysore princes to Bengal, may for a time have suspended the further operations in aid of such a design, it behoves our Indian Governments to be most watchful in discovering, and most vigorous in their measures for preventing, the effects of any further machinations on the part of those who may have contemplated the overthrow of the British authority, and the restoration of the Mahomedan Government.

28. After having fully and explicitly stated our sentiments on the respect to be paid to the prejudices and usages of the natives, you will conclude, of course, that the opinion of the Governor General in Council, contained in their letter to you of the 1st August 1806, relative to the alarming consequences which the orders concerning the dress of the Sepoys were calculated to produce, meets with our approbation. We therefore, upon the grounds stated by them, entirely approve of the revocation of the obnoxious orders.

29. Upon the occasion of writing the above letter, the Government General very properly suggested the expediency of issuing supplementary orders among the officers of the native army, signifying, that the native troops were to be at liberty to resume their distinctive marks, their ornaments, and their mode of wearing their beards and whiskers, without the slightest control. The General Orders issued by your Government on the 24th September 1806, in consequence of this suggestion, appear well calculated to quiet the minds of the native soldiery, and seem to embrace every article of grievance of which they had previously complained. The attachment which the Sepoys have hitherto in general manifested to the Company's service demands such attention at our hands; not as a matter of concession, yielded through compulsion, but of natural right, in return for unshaken fidelity on their parts. At the same time, no sacrifice should be made which will affect the ordinary discipline of the army, and for the preservation of which punishment ought invariably to follow every transgression of legitimate orders, or any act of insubordination. The Sepoy must be sensible of the superior advantages which he enjoys in our service (as enumerated in a preceding

paragraph)

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paragraph), and we hope, notwithstanding the artifices which have been too successful upon the late occasion to induce him to swerve from his allegiance, we may still confide in his attachment, so long as he shall be well treated, and have no just cause of complaint with respect to his ancient prejudices. The General Order published on the 24th July, expressing confidence in the attachment of the native soldiery, we would hope has produced the desired effect. It is with pleasure we read in the 22gth par. of your letter of the 30th September 1806, that the appearance which at one time threatened, in various parts of the country, the serious disturbance of the public tranquillity, has happily ceased, and that every circumstance indicates such a renewal of those ties of union and confidence, as will speedily obliterate every painful recollection.

30. As the article of dress, both with the Hindoos and Mahomedans, is said to be an indication of their cast, and a badge of their respective distinctions and place in society, we were surprized that any alterations therein should have been introduced without permission from head-quarters. These capricious innovations in the dress of the Sepoy, evince the necessity of the order of which, in the preceding paragraph, we have signified our approbation.

31. It is impossible for us not to notice, in terms of the highest disapprobation, the conduct of Colonel Agnew, the Adjutant General, and of Major Pierce, the Deputy Adjutant General, in the advice which they gave to the Commander in Chief, on the subject of the obnoxious orders. Those officers had been long in the Company's service, and had opportunities of acquiring a more accurate knowledge of the prejudices of the native troops than they appear to possess. A much shorter period of service, and the most superficial observance, might have enabled them to offer better counsel to their Commander in Chief than they appear to have done upon the late occasion. We therefore direct, that those officers be removed from their situations as Adjutant and Deputy Adjutant General, and that they be ordered to proceed to Europe by an early opportunity.

32. It is impossible for us, in this place, not to notice in terms of the strongest reprehension, the conduct of Lieutenant Colonel Darley, as stated by himself in his evidence before a Committee of Enquiry at Vellore the 17th May. He says, that "on the 7th, in the morning, he had the corps under arms; and after informing them he was determined to carry "the orders of the Commander in Chief into execution, desired them to off *turbans*, and "leave them at their feet; which they instantly did. He then marched them over them, "and into their barracks. A proportion from each company was ordered to parade "again, and to carry the turbans into the stores; which was done. This was effected "without the least murmur." Instead of no murmur being heard among the Sepoys, in consequence of this highly injudicious mode of enforcing the orders of the Commander in Chief, we should not have been surprized, if a mutiny had followed, attended with all the fatal consequences naturally arising from the offended prejudice occasioned by so wanton and capricious an exertion of authority. And we direct, that a transcript of this paragraph be communicated to Lieutenant Colonel Darley.

33. Having signified our approbation of the several General Orders which were issued by your Government, subsequent to the unhappy event which occurred at Vellore, we shall proceed to notice the gallantry, judgment and activity of Colonel Gillespie, of His Majesty's 19th Dragoons, in the prompt suppression of the insurrection at that place, and direct that he be presented with the sum of pagodas (7,000.) seven thousand, in testimony of the high sense which we entertain of his services and zeal for the interests of the Company upon that trying occasion.

34. We further direct, that Serjeant Brady, in consequence of his spirited exertions on the same occasion, be presented with the sum of pagodas (800) eight hundred.

35. We have also resolved, that Mrs. Fancourt, widow of Colonel Fancourt, who was unfortunately killed by the mutineers at Vellore, shall be allowed £. 100. per annum during her life, in widowhood, and £. 25. per annum each for her two children; the son till he attain the age of sixteen, the daughter till she attain the age of 21, or marries; to commence from the day of Colonel Fancourt's decease.

36. We approve of the gratuity of a month's pay to the non-commissioned officers and privates of the 19th dragoons who were at Vellore, and of your distinguishing the services and fidelity of the native commissioned and non-commissioned officers and private troopers employed upon the same occasion, as expressed in the General Orders published by you on the 24th July 1806; but we wish it had been done rather by donation than increase of pay.

37. In the 43d paragraph of your dispatch of the 30th September 1806, reference is made to the names of those officers who are reported by Colonel Gillespie to have particularly signalized themselves in the suppression of the mutiny at Vellore, viz.

Lieutenant Colonel Kennedy, Captain Mason, Captain Skelton, Captain Doveton, Captain Young, Lieut. Woodhouse.

We entertain a due sense of the merits of those officers in particular; and we have great satisfaction in observing, that Colonel Gillespie has expressed his sense of the assistance and ready obedience to his orders, which he uniformly found throughout the whole of the officers in every department under his command.

38. The 65th and 66th paras. of your before-mentioned dispatch, have alluded to a few examples of unshaken fidelity and humanity on the part of some of the Sepoys of the garrison of Vellore, who meritoriously exerted their endeavours to rescue some of the officers and European troops from the torrent of rapine and carnage which threatened to overwhelm the whole of the European part of the garrison in indiscriminate destruction. We hope

that

that you have been able to ascertain the particular persons who thus virtuously resisted the allurement of the general depravity, and that, agreeably to your intention, you have bestowed upon those persons a recompence worthy of their merits and of their honourable examples.

39. You have advised us, in the 83d and following paragraphs of your before-mentioned letter of the 30th September 1806, of your having allowed to the faithful Sepoy, Mustapha Beg, who made an early, though unhappily fruitless, discovery to Colonel Forbes, of what was passing in the garrison of Vellore, the sum of (2,000) two thousand pagodas, and a pension equal to that of subadar of infantry, with a medal to perpetuate in his family the memory of this signal instance of fidelity. In signifying our entire approbation of the reward which has been so deservedly bestowed upon Mustapha Beg, we are naturally led to advert to the circumstance upon which it was founded. From the serious and alarming nature of the information communicated by the Sepoy to Lieut. Col. Forbes on the 17th June, respecting the agitation among the troops in the garrison, and the conversation which he had overheard between two men, with respect to an intention of destroying the European officers, it was incumbent upon Col. Forbes to have observed a more cautious line of conduct, instead of so credulously attributing at once, on the assertion of a naig, the Sepoy's information to insanity. Though he might have disbelieved the Sepoy's report, Col. Forbes should have acted upon the possibility of its being true, and taken his measures accordingly, with prudence and secresy, for the satisfaction of his own mind, for discovering how far there might have been grounds for the information which had been communicated to him. We fear, however, that Col Forbes's conduct upon that occasion proceeded from the same laxity of system which there is reason to suppose predominated at Vellore for a considerable period before the unfortunate mine was sprung. The information upon the same subject tendered to the late Col. Fancourt, and to Lieut. M'Leane, by Mrs. Burke, appears to have been unheeded, for reasons the most frivolous. Whatever suspicion might attach to the character of this woman, her information upon so momentous a point should have been probed to the bottom.

40. In corroboration of an observation in the preceding paragraph, alluding to the lax state of discipline in the Vellore garrison for a considerable time previous to the mutiny, Mr. Petrie has remarked, in his Minute of the 21st August 1806, that on the Vellore proceedings it appears that the plan, object, and preparation for the revolt had been commonly talked of in the barracks of the native corps and in the pettah, for a month before the horrid plot was carried into execution, without its having come to the knowledge of even one European officer in either of the battalions. It is with the deepest concern we observe that much of the discontent and disaffection among the Sepoys has been ascribed to the machinations of the native commissioned officers; and that at Hydrabad, as well as at Vellore, the native officers have been the active agents in fomenting the discontents among the troops, and have been equally successful in obliging their numerous adherents to withhold all information relating to their treasonable designs. We have too much reason to apprehend, that to the neglect and disrespect manifested towards the native officers by the European officers, this disposition on the part of the former is principally to be attributed. It is asserted, in the Governor's Minute of the 24th August, that the native troops appear to have lost all the respect, which for years they had entertained, of the European character, and to keep in ignorance those officers who had formerly engaged their attachment. We understand that the native officers seldom receive those attentions from the European officers, which are due to their situation, and which are so necessary in order to engage their attention, and animate their zeal. We therefore very much approve of the positive instructions which have been given by Sir John Cradock to all commanding officers, that they should instil into every class of officers under their command, the absolute necessity of a just respect being shewn to the native commissioned officers, and that they should in general be admitted to have an intercourse of common confidence and communication with the European officers. The policy and humanity of those instructions are so obvious, that we need not enforce the observance of them upon the attention of every officer, both in the King's and Company's service. If a further enforcement of those instructions, under the special authority of your Government, shall be deemed expedient, you will not fail to enforce them accordingly.

41. We are very apprehensive that the present constitution of the native battalions does not allow of a sufficient number of European officers to each regiment, exclusively of the present deficiency of officers in the Company's service, and the number of those employed upon the staff and absent on furlough. In consequence of the small proportion of officers present with regiments, the military emulation and ambition of excellence, which are excited in large bodies of officers, are not called into action. Inattention to duty and insensibility to military feelings are supposed to be the natural consequences of this deficiency. But without entering further, at present, into this subject, we shall merely acquaint you, that we shall use every possible endeavour for the completion of the number of officers in our native regiments; and shall take into our early consideration the expediency of new modelling the internal system of the native battalions, so as that they may admit of an increased number of European officers approaching more nearly to the numbers in His Majesty's service; and which is especially necessary, for obvious reasons, in an Indian army, for the purpose of cultivating a more intimate connection and intercourse between the Native and European officer.

42. It has been represented to us, that the deficiency in the knowledge of the languages of the country, prevalent among the officers of the native army, may have operated as

No. 3. Mutiny at Vellore.

another cause of the absence of confidence between the European officers and their troops. We are aware of the injurious effects which this ignorance on the part of the European officers is likely to produce, and which, we are informed, prevails to a great extent. A plan for studying the native languages, among the gentlemen cadets at Cuddalore, might, we conceive, be easily established, if not already done. As the accomplishment of this object might be materially forwarded by assigning some pecuniary reward or honorary distinction to such of those gentlemen as might be qualified to undergo an examination, we recommend the subject to your early attention.

43. We have reason to believe, that the authority of the European officers over the native troops has been in some degree impaired by the interference, with respect to the conduct of the Sepoys, of the zillah and criminal courts lately established. We are so sensible of the injurious effects on the subordination and discipline of the Sepoys, which are likely to be produced by a system which divides the powers formerly exercised by commanding officers, and which subjects the native troops to an authority, with the nature and extent of which they are entirely unacquainted, that we recommend to your consideration, whether it might not be eligible to relieve them from the jurisdiction of the native courts in trivial cases, by making them again subject to the prompt decision of their commanding officer, or to the jurisdiction of a court martial.

44. The opinions of the several members of your board, respecting the disposal of the prisoners who were concerned in the late mutiny, as well as of those who were not in confinement, are so various, and your Minutes so voluminous, that we are under the necessity of postponing the consideration of that subject to a future opportunity.

We are your loving friends,

(Signed) EDWARD PARRY, CHARLES GRANT, JOHN MARSHIP, JOHN ROBERTS, JOSEPH COTTON, JOHN INGLIS, GEORGE SMITH, WILLIAM BENSLEY, W. F. ELPHINSTONE, WILLIAM THORNTON, S. TOONE, JOHN JACKSON, T. METCALFE, C. MARJORIBANKS, JOHN BEBB.

London, the 29th May 1807.

— No. 3. —

Copy of LETTER from the Commander in Chief of the Forces under the Presidency of *Fort St. George* to the Governor and Council of that Presidency, dated 24th November 1807.; with the Proceedings of the Government thereupon.

EXTRACT FORT ST. GEORGE MILITARY CONSULTATIONS
24th November 1807.

Read the following Letter from the Commander in Chief.

The Chief Secretary to Government.

Sir,

IN obedience to the wish expressed by the Honourable the Governor in Council, contained in the Military Secretary's Letter of the 17th instant, I have the honour to convey my sentiments on the important subject.

The plea of interference in religious scruples, has been, during many ages, a dreadful weapon in the hands of the factious, discontented and bigoted; but the emissaries who were said to be so assiduously employed in rendering the loyalty and affection of the Sepoys, have happily, under this pretext, made little progress in their insidious and malignant designs.

It may occasion some degree of surprize, that the people of this country should be brought to believe, that those who apparently conduct themselves with so much apathy in respect to what concerns religious worship, should have formed any serious scheme for converting whole nations of different casts and persuasions to the Christian faith. None but the weakest and most superstitious could have been deluded by so improbable a tale; and accordingly we find the rumour alluded to was by no means general, and, except at Hydrabad, it had made little or no impression.

In making the above remark on the indifference which is manifested on the adoration of the Supreme Being, I must add, in justice to the military character, that it chiefly proceeds from

from a want of places (and at several stations of clergymen) exclusively appropriated for divine service; and I trust I shall be excused if I suggest the propriety of having convenient chapels, of moderate price, constructed in all situations within the Company's territories where European troops are likely to be quartered. Whatever may be urged to the contrary, I am convinced, that such an improvement, independent of the obvious advantages, would render the British character more respected by the natives, and be attended by no evil consequences.

Viewing the object of the Honourable Court of Directors to have been fully anticipated by the several orders which have already been promulged, and being of opinion that this almost obsolete question ought not to be revived, the discussion should here terminate publicly. I take the liberty, however, to propose to the Honourable the Governor in Council, that a copy of the extract from the dispatches of the Honourable Court should be transmitted confidentially to General Officers or others, in command of divisions or separate bodies of troops, that the judgment of the Court on this point may be disseminated with delicacy and caution.

I have the honour to be, &c. &c.

Madras, 19 November 1807. (Signed) *Hay M'Dowall.*

Resolved, That the recommendation of the Commander in Chief, for the construction of Chapels at the several stations usually occupied by European troops, be brought to the notice of the Honourable the Court of Directors; and that in the mean time the Commander in Chief be desired to issue such directions as he may deem most proper for ensuring the regular performance of divine worship at those stations, without incurring expense in the construction or hire of buildings for that particular purpose.

Resolved, That the Commander in Chief's opinion, respecting the inexpediency of publishing to the Native Army any further declaration on the subject of their religion and customs, be confirmed; but that he be authorized, according to his suggestion, to communicate the sentiments expressed by the Honourable Court, regarding the Native Troops, in a confidential manner, to Commanding Officers of Corps and Stations.

Extract Military LETTER from Fort St. George, dated the 24th December 1807.

46. Your Honourable Court having particularly adverted, in your Political Dispatch of the 29th May 1807, to the apprehension which was supposed to prevail among the native troops, that it was intended by the British Government to compel them to become converts to Christianity, and having furnished us with conditional instructions for counteracting that unfounded fear, by the formal publication of certain Resolutions of a different tendency, in the name and by the order of your Honourable Court, we deemed it proper to furnish the Commander in Chief with copies of the paragraphs containing your sentiments and instructions on that subject. Consultation, 17th November.

47. The general knowledge which we possessed of the present state of the native army of Fort St. George, induced us to believe that the publication eventually authorized by your Honourable Court, would, under existing circumstances, be equally inexpedient and unnecessary; but considering the particular responsibility which attaches to the Commander in Chief on every question relating to the fidelity and subordination of the army, it was thought proper that his opinion should be formally required on this point, and that he should be requested to state his sentiments fully for our consideration.

48. We consider the Letter which we received from the Commander in Chief, in reply, to be highly creditable to that officer, and to deserve the particular attention of your Honourable Court. Consultation, 24th November.

49. The Commander in Chief has observed, that it may occasion some degree of surprize that the people of this country should be brought to believe that persons, who apparently conduct themselves with so much apathy in respect to religious worship, should have formed any serious scheme for converting whole nations of different casts and persuasions to the Christian faith; and Lieutenant General M'Dowall is accordingly of opinion that the rumour was by no means general, and that, except at Hydrabad, it had made but little impression.

50. The Commander in Chief has, at the same time, in justice to the military character, expressed his belief that the indifference manifested by the European inhabitants of India in the adoration of the Supreme Being, chiefly proceeds from the very limited number of clergymen and from a want of places exclusively appropriated for divine service. He has therefore suggested the propriety of constructing convenient chapels at a moderate expense, at all stations where European troops may probably be quartered; and, whatever may be urged to the contrary, he has stated his conviction that such an improvement, independent

of

No 3. Mutiny at Vellore

of its advantages in a religious view, would render the British character more respected by the natives, and would not be attended by any evil consequences.

51. With respect to the object of your Honourable Court, the Commander in Chief considers it to have been fully anticipated by the several orders already published under the authority of this Government; and being of opinion that this obsolete question ought not to be revived, he has recommended that the public discussion of it should be immediately terminated. It has however been suggested by Lieutenant General M'Dowall, that extracts from the Dispatch of your Honourable Court should be transmitted confidentially to commanding officers; that the judgment of your Honourable Court, on this point, may be disseminated with delicacy and caution.

52. Entirely concurring in the sentiments expressed by the Commander in Chief, we have desired him to circulate your orders in the manner which he may deem most advisable; and with respect to his suggestion for the general construction of chapels at the principal stations of the army, we beg that you will furnish us with early directions on that subject. In the mean time, Lieutenant General M'Dowall has been requested to issue such orders as may appear to be best calculated to ensure the regular performance of divine worship, without incurring expense in the construction or hire of buildings for that particular purpose.

— No. 4. —

RETURN to an Order of the Honourable House of Commons, dated 28th April 1813; requiring, "Copy of the PROCLAMATION "issued by the *Madras* Government to the Native Army, dated "the 3d December 1806."

THE Document required by this Order has already been presented on the 30th April 1813, in Return to an Order, dated the 7th of that month.

Examiner's Office, East India House,
the 12th May 1813.

— No. 5. —

Copy of so much of the APPENDIX, No. 2. to the REPORT of the *Malabar* Commissioners, dated Cochin the 14th of October 1793, as contains Major *Dow*'s Account of the CHRISTIANS in *Malabar*.

SUMMARY ACCOUNT of the ROMAN CATHOLICS, and ST. THOMAS'S CHRISTIANS, on the MALABAR COAST; and obtained from Major Dow.

THE hierarchial system of the Roman Catholic church on the Malabar coast consists of three ecclesiastical chiefs, two of which are appointed by the Portugueze Government at Goa, and one by the Holy See of Rome; exclusive of the Babylonian bishops, presiding over the Nestorian community.

The greatest diocese is that of the bishop of Cochin, now residing at Coilan. It begins southwards of Cochin, and extends towards Negapatam, including the island of Ceylon. Upwards of 100 churches are under his care.

The next diocese is that of the archbishop of Cranganore, extending from Mount Delly towards Cochin. Most of the inland churches, formerly belonging to the Nestorian community, are included in it. This see, which is in the nomination of Goa, is at present vacant; the episcopal functions, however, are performed by a Vicar General, residing at Tegree Paliporte: eighty-nine churches are comprized in it.

The

No. 5. Christians in Malabar

The third chief of the Roman church is a Vicar Apostolic, appointed by the Pope, or rather the famous Congregatio de Propaganda Fide. He is of the Order of the Carmelite friars, and resides at Verapoly. His convent, the first appointment of a Vicar Apostolic invested with episcopal powers, was made in the year 1656, on account of the disputes amongst the Syrian Christians, who protested against the Portugueze bishops, and refused obedience to them; and especially on account of the Dutch Company's banishing the Portugueze bishops from all their dominions, as they were continually fomenting intrigues and disturbances.

At present no more than twenty-six churches, and about 20,000 souls, are under the care of the bishop of Verapoly; the Portugueze employing every means in their power to extend anew their spiritual jurisdiction and influence since the decline of the power of the Dutch.

Besides these three, there is a Babylonian or Syrian metropolitan, residing at Nairnate, in the kingdom of Travancore. Forty-four churches compose, at present, the Nestorian community, which contained above two hundred thousand souls before the arrival of Vasco de Gama, and is now reduced to about forty thousand.

The number of the native Christians on the whole Malabar coast, the Syrians or Nestorians included, is computed to amount to somewhat more than two hundred thousand souls, of which about ninety thousand are settled in the Travancore country.

Extract of a LETTER from John Agnew, Esq. Commercial Resident of Calicut, to the Commissioners; dated the 23d March 1793.

Besides Hindoos and Mapillas, there are native Christians or Portugueze, who assert, that their religion was established upon this coast, particularly to the southward (soon after our Saviour was crucified) by the Apostle St. Thomas, who, they say, died near Madras, where he is buried; that, after his decease, their religion had not so many followers till the arrival of Vasco de Gama in this country, and the great missionary, Francis Xavier, who made a number of proselytes amongst the natives. There are also several natives to the southward who profess the Greek religion, introduced into this country by a Greek bishop, said to come from Syria, and sent by the patriarch of Constantinople; but the exact time of his mission is difficult to be ascertained. There are also Jews and Arabs from Muscat.

— No. 6. —

Copy of the RESOLUTIONS of the *Bengal* Government, granting permission for the erection of a ROMAN CATHOLIC CHAPEL near *Calcutta*, and an abatement of Jumma for the Land on which it is to be built.

EXTRACT BENGAL PUBLIC CONSULTATIONS;
the 7th April 1809.

Mrs. GRACE ELIZABETH to the Right Honourable GILBERT Lord MINTO, Governor General in Council, Fort William. (No 45.)

My Lord,

THE Roman Catholic congregation in this Settlement having so much increased under your Lordship's humane administration, many of whom, from indigent circumstances, or other causes, being removed far distant from their Parish Church in town, are often prevented from attending to their devotions, particularly during the hottest part of the season and the rains, and very often deprived of the benefits of the Holy Communion being administered to such as need the same, when sick and in danger.

Under these circumstances, and to obviate such inconveniences, the late Mr. Lewis Barnetto had obtained permission from his Excellency the Most Noble Richard Marquis Wellesley, in the year 1804, to erect a chapel at Dhee Entally; but before the commencement of such a work, that gentleman dying, the erection of such an edifice was either laid aside or given up, and not brought forward. Wherefore, my Lord, I crave the indulgence of your Lordship's protection, to allow me the fabrication of such a building, at or near Boytocannah, for the better accommodation of such of the community as might be prevented by age, infirmities, or other unforeseen causes, from attending to their religious duties, and from motives already stated, and that religion should not decay, but flourish, under your Lordship's wise administration in this country.

I have the honour to be, &c.

Calcutta, 28th March 1809. (Signed) *Grace Elizabeth.*

Resolved, That the request contained in the foregoing Letter be complied with

No. 6.
Roman Catholic Chapel.

EXTRACT BENGAL REVENUE CONSULTATIONS;
the 8th September 1809.

Board of Revenue to the Honourable JOHN LUMSDEN, Esq. Vice President in Council; Fort William.

(No. 5.)

Honourable Sir,

1. WE have the honour to transmit to you the enclosed Petition, from a person named Grace Elizabeth, who appears to have obtained permission from Government to erect a chapel at the Boytocannah, for the exercise of the Roman Catholic worship.

2. The petitioner requests, that the Government will be pleased to remit the revenue assessed upon the ground on which the chapel is building, and that a rent-free pottah may be granted to her.

3. As the annual amount is inconsiderable, and as we understand the chapel will prove convenient to the Roman Catholic inhabitants in the neighbourhood, we beg leave to recommend, that the Collector of the 24 pergunnahs be instructed to write the sum (being rupees 6, 10 per annas) from off the settlement account of the district.

We have, &c.

Rev. Board, 31st August 1809. (Signed) *B. Crisp.* *H. S. G. Tucker.*

EXTRACT BENGAL PUBLIC CONSULTATIONS;
the 20th June 1810.

(No. 19.)

Mrs. GRACE ELIZABETH to the Right Honourable GILBERT Lord MINTO, Governor General in Council (Revenue Department.)

My Lord,

HAVING obtained your Lordship's permission to my application, of the date 28th March 1809, to be built at Boytocannah a new church, having been now completed, under the management of Messrs. Diego Pereira, Philip Seal, Charles Cornelius, and Joseph Pereira, deputed by me, and the sanction of his Excellency the Archbishop of Goa obtained for ecclesiastical jurisdiction, I request the indulgence of your Lordship will be pleased to order, that the said edifice, and the spot of ground I have taken at Belighaut for a cemetery, be exempted from the annual tax and kazanah, as such buildings are dedicated to divine service.

I remain, with the profoundest respect,
My Lord,
Your's, &c.
Grace Elizabeth.

Calcutta, the 18th June 1810.

Ordered, That the Letter from Mrs. G. Elizabeth be referred to the Revenue Department, for such orders as may be judged proper, on her application for permission to hold, exempt from the government rent and taxes, the ground on which a church has been built by her in the town of Calcutta, as well as that at Balliah Ghaut, which she proposes to appropriate as a burying-place.

EXTRACT BENGAL REVENUE CONSULTATION;
the 6th July 1810.

Extract LETTER to the Board of Revenue, from the Secretary to Government; dated as above.

Par. 6. I AM directed to transmit to you the enclosed Extract from the Proceedings of Government in the public Department; and to acquaint you, that his Lordship in Council has been pleased to grant to Mrs. Grace Elizabeth a remission of the land-tax payable on account of the ground on which the church mentioned by her has been erected, and which has been assigned by her for a public cemetery.

—No. 7.—

Copies of such PROCEEDINGS of the Bengal Government respecting the TEMPLE of JAGGERNAUT in Orissa, as have been the subject of Correspondence between that Government and the Court of Directors of the East India Company; together with Copies of the said Correspondence, and Minutes of any other Proceedings of the Court of Directors relative to the said Temple of Jaggernaut.

Extract REVENUE LETTER from Bengal; dated 15th May 1806.

39. ON the annexed dates are recorded our Proceedings relative to the establishment of a tax on pilgrims resorting to the Temple of Juggernauth, in the district of Cuttack. With the dispatches from the Judicial* Department, your honourable Court will also receive copies of a Regulation † passed for defining the rates of taxes, for the guidance of the officers of Government in the performance of that duty; and for the superintendence of the Temple.

* See Mr. Udney's Minute, in p. 41.

† page 41.

40. We have however determined, on further consideration, to modify certain clauses of that Regulation. The principal alterations which we have it in contemplation to adopt, are, to permit certain officers of the Temple to collect their fees directly from the pilgrims, agreeably to former usage, instead of receiving the amount of those fees from the public treasury; to allow the Pundits, who are to superintend the affairs of the Temple, to be elected by particular classes of persons attached to it, instead of being appointed by the Government, and to vest in the Pundits so elected, the entire controul over the Temple, and its ministers and officers, as well as over the funds allotted for its expenses; restricting the interference of the officers of Government to the preservation of the peace of the town, to the protection of the pilgrims from oppression and extortion, and to the collection of the tax to be appropriated to the use of Government.

41. We have appointed Mr. J. Hunter to be collector of the tax on pilgrims, with a salary of 500 rupees per month, and a commission of 1½ per cent. on the amount of the gross collections.

42. We are unable at present to furnish your honourable Court with any estimate which can be depended on, of the probable receipts from the Temple of Juggernauth, but we have the honour to transmit (a separate number in the packet) for your information, a statement of the monthly collections from the period of the first establishment of the tax.

Extract REVENUE LETTER from Bengal; dated 21st August 1806.

Para. 11. WE do not possess any accurate data by which we can judge of the amount of the gross or net revenue which may be derived from the tax on pilgrims at Juggernauth, and at Allahabad. In the 40th Paragraph‡ of our Dispatch from this department, of the 15th of May last, we had the honour to acquaint your honourable Court, that we had it in contemplation to revise the rules which had been established for the collection of the tax on pilgrims resorting to the Temple of Juggernauth, but the Board of Revenue have not yet furnished us with the report required by us on the § 19th June last, regarding that point, nor the information required on the 12th of that month, respecting the tax proposed to be levied on pilgrims at Allahabad. The revenue, which may be derived from any source of that nature, can never be an object, compared with the high importance of consulting on all occasions the religious opinions and civil usages of the natives. But as both those taxes had been established during the Nawabes and the Mahratta government, we are not aware of any substantial objection to the continuance of the duties, under proper rules for the collection of the tax. In that case, we imagine that the gross revenue from both those sources may be estimated 2,00,000 rupees per annum.

‡ See above.

§ page 48.

Extract REVENUE LETTER from Bengal; dated September 15th, 1808.

Para. 76. THE Proceedings* noted in the margin, contain the Correspondence, which has lately passed between us and the Board of Revenue, respecting the expense and superintendence of the Temple of Juggernauth, and the produce of the tax collected from pilgrims resorting to the Temple.

Rev. Cons. 29 Jan. 1808. 8 April.

* p. p. 62 & 66.

77. The following is an abstract of the expenses incurred for the support of the Temple, agreeably to the adjustment ordered by us to be made, of the accounts of that institution, from the year 1211 to the year 1214.

No. 7. Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

	1211:	1212:	1213:	1214:
Charges, as stated in the accounts - - - - -	69,605	72,050	71,107	73,476
Deduct charges disallowed, as not having been incurred -	7,294	6,090	10,706	4,335
Rupees - -	62,311	65,960	60,401	69,141

78. It is not to be inferred that the whole of the above charges have been paid from the treasury of Government. The accounts will show that during the period above specified, about the sum of rupees 33,891 has been annually contributed by Government for the support of the Temple. The remaining charges have been defrayed from the produce of lands held free of assessment, and other established endowments of that institution.

79. The following is an Abstract of the amount realized on account of the tax on pilgrims at Juggernauth, from the 1st January 1806 (when the tax was first established, under the authority of the British Government) to the 30th April 1807:

From 1st January to 30th April 1806 - - - - - R° 72,684.
From 1st May 1806 to 30th D° 1807 - - - - - - 1,17,490.

80. The expense of the Temple may be computed at about rupees 56,000 per annum. To provide for that expense, it is proposed to grant, in addition to the established endowments of the institution, which are insufficient for its support upon that scale, an allowance at the rate of 20 per cent. upon the net receipts arising from the tax on pilgrims. By this arrangement, the remainder of the receipts, after defraying the charges of collection, will become a net revenue to Government. It is possible that this tax, considered as a source of revenue to the state, may on former occasions have been overrated. Certain it is, that great difficulties have occurred, from the peculiar nature of the case, in placing the management of the Temple, and the collection of the tax, on a proper footing. We trust, however, that those difficulties have at length been nearly overcome, and that the final arrangements now in contemplation, will, among other advantages, be productive of some increase in the public revenue. But whatever may be the result with respect to that point, your honourable Court will consider the revenue which may be obtained by these means, as of little moment, compared with the importance of consulting the wishes and religious opinions of the natives, in a case affecting them with so lively an interest as must necessarily be excited, by arrangements for the support of their most celebrated place of worship.

Extract LETTER from George Holford, Esquire, Secretary to the Right honourable the Board of Commissioners for Affairs of India, to William Ramsay, Esquire, Secretary to the Court of Directors; dated 18th January 1809.

I AM directed by the Commissioners for the Affairs of India to return the Bengal Revenue Draft,* No. 33, with some alterations.

* page 19.

The Board are sorry that they are not able to accede to the positions laid down in paragraph 14, on the subject of the arangements made in India respecting the Temple of Juggernauth.

They concur with the Court in their approbation of the proposed amendments in Regulation IV. of 1806, as announced in the letter under consideration; and they are fully convinced of the propriety and expediency, on every account, of avoiding all unnecessary control or interference on the part of Government in regard to the management of the Temple; but they cannot sanction a paragraph denying the competency of a government professing Christianity to regulate such matters, and withdrawing the religious concerns of the Hindoos altogether from the province of the civil magistrate; it appearing to the Board, on the contrary, to be the duty of the magistrate (and as such, nowise inconsistent with the principles of our religion) in a country in which the worship of the Hindoos must be suffered to prevail under its protection, to interfere so far in the direction or superintendence of the religious establishments of that people, as may be necessary for the maintenance of the public tranquillity, or for the preservation of peace and good order among the Hindoos themselves.

† page 41.

Upon the subject of the taxes on pilgrims resorting to Juggernauth and Allahabad, which the usage of former governments had established, and of which those who are the object of them do not complain, the Board agree in the opinion expressed in the Letter from Bengal, in the Revenue department, of the 21st August 1806, that there is no substantial objection to their continuance; and they are not prepared to assent to the introduction into India of the principle of taxation proposed by the Court, with reference to the Hindoos, which would measure the amount of the taxes connected with the establishments or observances of the Hindoo religion, by the exact limits of the expense occasioned by them to our Government.

The Board are not aware of any reason why a Government administered by Christians, may not derive a revenue applicable to ordinary purposes, from a tax on persons performing superstitious rites or pilgrimages, in a case in which these practices are not introduced or tolerated for the sake of the tax, but have been found among the ancient usages of the country, and must be permitted to continue, in a case therefore in which the operation of the tax in regard to such practices (as far as it can be supposed to operate respecting them) must be to diminish rather than to increase their frequency.

No. 7.
Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

Extract LETTER from William Ramsay, Esquire, Secretary to the Court of Directors, to G. Holford, Esquire, Secretary to the Right honourable Board of Commissioners for Affairs of India; dated 24th February 1809.

THE amendments* which the Board have been pleased to enjoin in the orders proposed by the Court relative to the Temple of Jaggernauth, and the explanations they have been so good as to give of the reasons on which those amendments are founded, render it necessary for the Court to state the sentiments by which they have been influenced, in framing the orders in question.

* page 19.

The Temple of Jaggernauth is esteemed the most sacred of all the religious establishments of the Hindoos, and pilgrims annually resort to it from every part of India. According to the Hindoo laws, it may have been allowable for a Hindoo Government to interfere in the appointment of the ministers of that temple, and the management of its affairs, but for our Government to elect its priests and officers, to assume a controul over the official conduct of those persons, to take the direction of its funds and the charge of preparing its annual processional car, whose emblems are so well known, was, in the opinion of the Court, to furnish to the ill-intentioned, pretexts incomparably more plausible than some alterations in the dress of the Sepoys (not, as it now appears, new to them) for alarming the scrupulosity and superstition of the Hindoos in respect to their religion. And if an alarm were to be excited by our interference in the matters now mentioned, it could not be confined to a particular class of men, or be appeased by the plea of military regulation, but might extend to all the Hindoo people. The Court therefore, thinking the interference of our Government in those matters generally improper, on the principles of the Hindoos and on our own, and especially improper at such a time, judged it right, for the prevention of such interference in future, to express their disapprobation of it. The acts of interference disapproved by the Court were specified, to be—"electing the priests of the Temple, controuling its ministers "and officers, taking the management of its funds, or any other proceeding which would "not leave the Hindoos in perfect possession of their religious immunities."

The Court beg leave respectfully to state, that they still deem it their duty to propose the prohibition of these things; and if there be any points relating to the religious establishments of the Hindoos, beyond the "care of the police, the administration of justice, the "collection of a tax requisite for the due attainment of those ends," that it would be proper to specify it to the Government, instead of leaving an universal interference in all matters without exception open to them, on the ground of securing the public tranquillity; because it is to be presumed there must be some point at which the interference of a government, not Hindoo, in the religious concerns of a people, so remarkably separated and scrupulous in matters of that kind, must stop. The Court intended to provide for the maintenance of the public tranquillity, and humbly conceive they have done so, by leaving to the magistrate "the care of the police, and the administration of justice," and they beg leave to offer it as their opinion, that instead of interfering, by a direct exercise of the authority of Government in such matters as the contests between priests and different sects about the expenditure and provision of its funds, the possession and the preeminence of particular images, with other questions of that nature, which have already arisen, and are likely always to arise in the internal administration of the Temple, it will be better to refer all such questions to the judicial determination of our established Courts; which being done, the interference of Government for the public peace can only be necessary, should the parties proceed to acts of open hostility against each other.

With regard to imposing a tax on the Hindoos for admission to a religious privilege. Where the imposer believed, as the Hindoo Government did, that the privilege was a real and solid good, it was, on his principles, allowable for him to put a price upon it; but where the Government knew the supposed privilege to be a delusion, the Court must question the propriety of its continuing the practice, though it may be ancient, that reason not having been deemed by our Government, in other instances, sufficient to sanction customs repugnant to the principles of justice. And with respect to disbursing out of the public treasury any thing towards the support of religious establishments, Hindoo or Mahomedan, beyond what their own endowments furnish, the Court cannot but deem the principle objectionable, and the practice to be preferred which has been lately adopted by the Madras Government, who have determined not to receive into their hands the funds belonging to such institutions, nor to be concerned in the expenditure of them.

Extract LETTER from George Holford, Esquire, Secretary to the Right honourable the Board of Commissioners for Affairs of India, to William Ramsay, Esquire, Secretary to the Court of Directors; dated 4th March 1809.

I AM directed by the Commissioners for the Affairs of India, to acknowledge the receipt of your letter to me of the 24th † ultimo, containing a representation on the part of the Court of Directors, on the alterations made by the Board, in the paragraphs 11, 12 and 14, of the Bengal Revenue Draft, No. 33, and to state to you for the information of the Court, the Board's reasons for continuing to approve of those paragraphs, as sent down in January last.

† See above.

With respect to the Temple of Juggernauth, the Board are fully sensible of the great importance of avoiding, either to give real cause of offence to the Hindoos, or to furnish ground of misrepresentation, in regard to our views and intentions concerning their religion, by any unnecessary interference in the religious concerns of that people; and the alteration,

which

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which is the subject of the present representation on the part of the Court, has accordingly expressed that sentiment more distinctly than the Court's original paragraph; but the Board are not prepared (as was stated in my former letter) to accede to the denial which was contained in the Court's paragraph, of the competency of the civil government to interfere under any circumstances, or to any extent however limited, in matters of that nature, a denial founded by the Court (very erroneously as the Board apprehend) as much on the principles of the Christian religion as upon regard to the prejudices of the Hindoos.

The Board do not conceive that the latter of these motives for abstaining from interference in the arrangements of Juggernauth, can either call for or warrant positions so general as those laid down in the Court's paragraph. The universality of the maxims which would exclude all interposition in those matters from the province of the magistrate, may be considered as flowing rather from a desire of disclaiming all connection between our Government and the religious establishments of the natives of India, (a principle in the policy and propriety of which the Board cannot acquiesce) than from a conviction of the danger of giving offence to the Hindoos, a danger against which the Board will be equally ready, with the Court, at all times to guard, by any course of proceeding that may be necessary for such purpose.

The Board conceive that even upon the subjects which your letter mentions, as particularly referable to the judicial determination of our established courts, cases may sometimes arise, in respect to which the interference of Government may be useful, as there must be many questions of the nature alluded to, upon which the sentence of the ordinary courts of justice would be much less satisfactory to the Hindoos than the decision of some of their own priests, or of the learned members of their own body especially selected for the occasion by the authority of the Governor General in Council; nor can the Board admit that the interference of Government in the religious concerns of the Hindoos, with a view to the public peace, "can only be necessary should the parties proceed to acts of open hostility against each "other;" on the contrary, in a country in which the natives, differing widely among themselves on religious subjects, all concur in despising the religion of their rulers, and in which such feelings and prejudices operate more powerfully than in any other part of the world, it may at times become necessary to prevent the occurrence of religious feuds, or the growth of disaffection founded on religious pretences, by keeping a degree of influence in the hands of the civil power over those who have the direction of the establishments and institutions of the country.

It appears therefore to the Board to be impracticable to define the degree of interference which should be exercised by the Governor General in Council upon these subjects, by any precise rule which may be applicable to all times and circumstances, or to give any other instruction on this head, than that by which the expediency of refraining as much as possible from such interference, is pointed out as the principle by which the general conduct of the Government in this particular should be regulated.

The argument brought forward towards the conclusion of your letter against the continuance of the tax upon pilgrims, viz. that "an imposition formerly laid on the Hindoos for admission to a religious privilege, should not be continued by a government which knows that supposed privilege to be a delusion," does not appear to the Board to be well founded, there being no reason whatever for confining taxation to those customs and practices only which have originated in true opinions, or which are productive of real and substantial benefits. Neither are the Board prepared to concur in the position laid down by you in the same paragraph, that the principle "of disbursing out of the public treasury "any thing towards the support of religious establishments, Hindoo or Mahomedan, beyond "what their own endowments furnish," is objectionable, when they consider that the revenues by which that treasury is supplied, are wholly derived from persons of those religious persuasions.

The expressions in your letter, however, are somewhat ambiguous. If it is intended merely to state as a general principle, that it is better to leave to the Hindoos the administration of the funds appropriated to the endowment of their temples, the Board are fully prepared to acquiesce in that proposition; but if it is contended that the East India Company, in their government of the Provinces which they have acquired by cession or conquest, are at liberty to withhold a fair and adequate support to their religious establishments, because the people do not profess Christianity, the Board must object decidedly to any such doctrine. They conceive that it is at variance with the intention of the Legislature in vesting the supreme authority in India in the hands of the Court of Directors; and that the Company have virtually contracted an obligation, before they draw a single rupee of revenue from the country, to support and maintain on a proper footing, and under proper regulations, these establishments, which have immemorially been held in reverence and deemed sacred by their native subjects. As long as the East India Company are permitted to retain political power and authority over the British territories in India, their Directors will be held responsible for their adherence to those maxims of government on which the preservation of the national character for good faith, justice, and moderation, must in these countries mainly depend.

The Board have felt it incumbent upon them to detail thus fully and explicitly their sentiments on these topics, not only with reference to the subject more immediately under their consideration, as stated in your letter, and in the paragraph to which it adverts, but as applicable to similar matters, which have already been, or which may hereafter be submitted for their decision.

Extract

Extract REVENUE LETTER to Bengal; dated the 24th March 1809.

Para. 14. We have perused the papers referred to in these paragraphs, detailing the measures you have adopted for collecting a tax on pilgrims resorting to the Temple of Jaggernauth, and for the management of the affairs of that establishment.

{Letter from, dated 15 May 1808 (39 a 42) Revenue of the Juggernauth Pagoda.

Dft. No. 33.

Inserted by the Board of Commissioners.

and it appears to us that the principles of the intended modifications of Regulation IV. A.D. 1806, as advised in the letter which we are now answering, are very judicious It is undoubtedly desirable to avoid as much as possible the exercise of any controul over the management and concerns of the Temple, as our interference in such matters cannot but be at all times disagreeable to the feelings and prejudices of the Hindoos, and may occasionally furnish ground of jealousy and misrepresentation in regard to our views and intentions respecting their religion.

15. *Upon the subject of the tax upon pilgrims resorting to Jaggernauth and to Allahabad, we agree in the sentiments stated in your Revenue Letter of the 21st August 1806, that "the revenue which may be raised from "any source of that nature, can never be an "object, compared with the high importance "of consulting on all occasions the religious "opinions and civil usages of the natives;" but that both the taxes above mentioned having been established during the Nawaubs and the Marhatta governments, there does not appear to be any substantial objection to the "continuance of those duties, under proper rules "for their collection."*

As proposed by the Court of Directors, but expunged by the Board of Commissioners.

It appears to us that your Regulation, the IVth, A. D. 1806, went too far in interfering in the interior economy of the Temple, and we are pleased to find that you had, subsequent to the promulgation of that Regulation, determined to restrict your interference to the preservation of the public peace, the protection of the pilgrims, and the collection of the tax imposed by Government. For a government which is not Hindoo to elect the priests who are to superintend the affairs of a Hindoo temple, or to exercise a controul over its ministers and officers, or to take the management of its funds, would seem to us to be a direct invasion of some of the most revered of the Hindoo institutions; and for a government professing Christianity to do those things, would be to act incompatible with its own principles. In order therefore to leave the Hindoos in perfect possession of their religious immunities and privileges, and the undisturbed enjoyment of their religious exercises, as well as to prevent our Government from interfering in matters which it cannot be proper or competent for that government to regulate; we desire that the exercise of your authority may extend only to objects which fall duly within the province of the magistrate; as the care of the police, the administration of justice, and the collection of such a tax as may be requisite for the due attainment of these ends; for it is not our opinion, whatever the example of preceding governments may have been, that the British Government ought to tax the Hindoos purely on a religious account, for instance, to make them pay merely for access to any of their places of devotion; and we therefore must approve of the suggestion contained in the Letter of the Board of Revenue of the 17th June 1806, to confine the interference of Government at Juggernauth to the levy of a duty on pilgrims, in like manner as is done at Gyah and Allahabad; but the quantum of the tax ought to be fully sufficient to defray the expense incurred by Government for the establishment it shall maintain at Juggernauth.

Extract REVENUE LETTER from Bengal; dated 30th December, 1809.

Para. 18. The arrangements to which these paragraphs allude, have been formed into a Regulation* (Regulation IV. 1809) and copies of it have been already transmitted to your honourable Court. We have every reason to believe that the rules now established for the superintendence of the Temple of Jaggernauth, are perfectly satisfactory to the natives. The revenue derived from the tax on pilgrims, will form the subject of a future report.

{Letter to, dated 24 March 1809, Paras. 14 and 15. Juggernauth and Allahabad Tax on Pilgrims.

* page 81.

130. In continuation of the remarks contained in the 18th paragraph of this Dispatch, respecting the Temple of Juggernauth, we beg leave to draw the attention of your honourable Court to the Proceedings of the annexed dates, which will inform your honourable Court of arrangements finally made for the collection of the tax on pilgrims.

Rev. Cons.
11th Feb. 1809.
17th March.
5th May.
4th August.

131. On the grounds stated by the Commissioners in Cuttack, we have deemed it advisable to abolish the appointment formerly held by a covenanted servant, of collector of the tax on pilgrims, and to appoint a person, not being in the service of the honourable Company, to that situation, with reduced allowances, and a reduced establishment.

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132. From the Commissioners letter recorded on the 4th August last, your honourable Court will learn, that the arrangements in question promise to be attended with substantial benefit to Government.

Extract REVENUE LETTER from Bengal; dated 12th February 1811.

Rev. Cons. 15 Dec. 1810.

Para. 65. The proceedings of the annexed date contain our correspondence with Mr. Buller, the late Commissioner in Cuttack, regarding a very liberal offer made by Muha Rajah Sockmoy Roy, to contribute the sum of a lack and fifty thousand rupees for the construction of a road from Calcutta to the celebrated Temple of Juggernauth in the district of Cuttack. A road in that direction is an object highly desirable, considered only with respect to the reputed sanctity of the Temple, the great number of pilgrims who annually resort to it, and to the general convenience of the community. It is however still more essentially requisite in a military point of view, for the purpose of affording a free communication between the provinces immediately dependent on the presidency of Fort William, and the territories subject to the Government of Fort St. George. Under these circumstances we doubt not that your honourable Court will contemplate with sentiments of great satisfaction the solicitude evinced by Rajah Sockmoy Roy, in the offer above noticed, to promote the public convenience. It is with concern we add that the Rajah died soon after he had paid the money, which he had proposed to contribute for the purpose above noticed, into the general treasury.

66. We have not yet determined on the arrangements, which it will be necessary to adopt for the construction of the road, nor can we at present state what expense must be incurred by Government, in addition to the amount contributed by Rajah Sockmoy Roy, on account of the execution of that work. Those points will however command our early attention.

Extract REVENUE LETTER to Bengal; dated 29th January 1812.

Letter from, dated 30 Dec. 1809, (130 a 132.) Final arrangements for the collection of the Tax on Pilgrims resorting to the Temple of Jaggernauth.

Para. 101. We concur in the general tenour of the sentiments contained in paras. 76 a 80 of your letter of the 15th September 1808, respecting the superintendence of the Temple of Jaggernauth and the management of the tax collected from pilgrims resorting thither. It is certainly equitable that Government shall be indemnified for the expense of supporting the Temple.

Extract REVENUE LETTER from Bengal; dated the 21st March 1812.

Para. 14. On the grounds stated in a letter from the Board of Revenue, recorded on the Proceedings of the annexed date, we have authorized the disbursement of the sum of rupees 10,206, for the construction of a wall in the vicinity of the Temple of Juggernauth in the district of Cuttack. The work was stated to be necessary for the purpose of preventing the pilgrims from forcing their way to the Temple, and by those means evading payment of the established tax.

Extract REVENUE LETTER to Bengal; dated 9th September 1812.

Letter from 12 Feb. 1811. (165 a 166) Donation of Rajah Sookmoy Roy towards the construction of a Road from Calcutta to the Temple of Juggernauth.

Para. 56. We have derived much satisfaction from your communication of the very liberal contribution of a lack and fifty thousand rupees paid by the late Rajah Sookmoy Roy, for the purpose of constructing a road from Calcutta to Juggernauth. We trust that you will take proper measures for giving effect to the intentions of this public-spirited native; and that in the execution of the work, every attention will be paid to the wish of the donor, to have his name transmitted to posterity as the original promoter of so laudable an undertaking.

57. When arrangements have been made for the construction of the road, and the probable expense of the work has been ascertained, you will transmit the plan and estimate for our information.

Extract REVENUE LETTER to Bengal; dated 29th January 1813.

2. We now proceed to reply to your letter of the 15th September 1808.

3. We were prevented from answering all the paragraphs of your letter in the Revenue Department, of the above-mentioned date, in the regular course of correspondence, by the loss of your Consultations on some of the subjects of which it treats, in one of the ships supposed to have gone down at sea in 1809. The chasm in your proceedings occasioned by that calamity, was supplied by the arrival of a fresh set in September last; and although on recurring to your letter, we now find that most of the topics to which it drew our attention, and which were not replied to in our dispatch in the Department of the ceded and conquered Provinces, dated 27th February 1810, have been finally decided upon in our intermediate correspondence, we shall again shortly advert to its contents.

(76 a 78.) Charges of the Temple of Juggernaut; and receipts from the Tax on Pilgrims resorting thither.

33. Have been replied to in Paras. 14 and 15 of our Revenue Letter, dated 24th March 1809.

EXTRACT Bengal Revenue Consultations, 26th September 1805. No. 7. Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

Late Commissioners in Cuttack, to George Dowdeswell, Esq. Secretary to Government, in the Judicial Department, Fort William.

Sir,

1. THE enclosed Petitions having been presented to us by the two principal native officers employed amongst the amla of the late Marhattah Government in Cuttack, and subsequently by us, we beg leave to submit them for the favourable consideration of the honourable the Vice President in Council. (No. 32.)

2. It may be requisite to add our belief of the facts stated by the Petitioners; and that we consider them to be fully deserving of every attention which may be consistent with the Regulations of Government, and with the pleasure of the honourable the Vice President in Council.

We have, &c. (Signed) *George Harcourt*, Col and late Comm^r for Cuttack.
Calcutta, 14th Sept. 1805. *J. Melvill*, late Commander.

PETITION of a Narindar Rae Sudur Kanoongoe, of the Province of Cuttack. (No. 33.)

Presented to the Commissioners, on the 14th September 1805.

(After the usual Compliments.)

THE office of Sudur Kanoongoe of the province of Cuttack, has been hereditary in the family of your Petitioner for generations back; and your Petitioner has accordingly, with the usual establishment of his office, continued to discharge the duties of this situation since the conquest of the province by the British forces in the year 1211 Umlee hitherto. The judicial and revenue departments of the province having now been placed under distinct authorities, and the records of the latter having descended to your Petitioner in regular succession from his forefathers, with every necessary information connected with the Juma of the Mogulbundy and Gurjat territories, your Petitioner is led humbly to conceive that his services may be useful to the collector, until the final conclusion of the settlement of the province. Your Petitioner therefore requests that his office of Kanoongoe, with the establishment thereof, and whatever shall be deemed suitable, may be authorized and sanctioned until the settlement shall have been completed.

A true Translation, (Signed) *J. Mac Innes*, Assistant.

PETITION of Gopal Pundit, Keeper of the Marhattah Records in the Province of Cuttack. Presented to the Commissioners on the 14th September 1805. (No. 34.)

(After the usual Compliments.)

YOUR Petitioner begs leave humbly to state, that since the commencement of the Berar government about 60 years ago in the province of Cuttack, he and his forefathers have held the office of keeper of the Marhatta Records under the said government. For the last 30 years your Petitioner by himself discharged this office, and has accordingly performed the duties thereof since the province became a part of the British possessions. Your Petitioner further humbly begs leave to bring to mind the assistance he has afforded in reducing to order the deranged records of the Marhatta Government, and in extracting from them information, which he presumes it will be confessed has been found of considerable use. His character in the province, the zeal with which he has discharged his duty to the British Government, and the service which he has rendered, by the ready communication of his extensive and intimate knowledge on all points connected with the province, are well known to you, and will he trusts procure to him the attention and favour of Government, more especially at his present advanced age. Your Petitioner in conclusion humbly begs that he may be continued in his office, and (with the usual establishment) directed to do the duties thereof under the collector.

A true Translation, (Signed) *J. Mac Innes*, Assistant.

Ordered, That copies of the foregoing letter from the late commissioners in Cuttack, and of the petitions mentioned to accompany it, be transmitted to the Board of Revenue and to the Sudder Dewanny Adawlut, with directions to forward the petitions to the judge and collector of Cuttack, requiring them to report whether the petitioners can be conveniently employed in any situation on their respective establishments.

EXTRACT Bengal Revenue Consultations, the 21st November 1805.

THE Secretary lays before the Board the draft of a Regulation prepared in conformity to the provision contained in section 31, Regulation XII. 1805, for the collection of a tax on pilgrims resorting to the Temple of Juggernauth. The Vice President in Council observes, that the above-mentioned Regulation will immediately be taken into consideration, and

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and that it will hereafter be recorded, with such modifications as may appear to be proper. In the meantime the Vice President in Council is pleased to depute Mr. James Hunter to officiate, for the present as collector of the tax on pilgrims resorting to the Temple of Juggernauth.

Ordered, That the Secretary write the following letter to Mr. Hunter:

To James Hunter, Esq.

(No. 20.)

Sir,

I AM directed to acquaint you, that the honourable the Vice President in Council has been pleased to constitute an office, under the appellation of the Office of Collector of the Tax on Pilgrims at Jaggernauth, and to appoint you for the present to officiate in that capacity.

2. Enclosed you will receive an extract from a Regulation, which has been prepared for the collection of the tax on pilgrims, and for the maintenance of good order, regularity and tranquillity in the interior of the Temple, and in the town of Juggernauthporee and its dependencies; and which will hereafter be printed and published in the manner prescribed in Regulation XLI, 1793, with such modifications as, on a further consideration of the subject, may appear to Government to be advisable.

3. In the meantime you are desired to make the necessary arrangements for collecting the tax on pilgrims, at the rate specified in the accompanying draft.

4. The Vice President in Council likewise desires that you will make it an object of your particular attention, to establish such rules respecting the admission of pilgrims to the Temple, as may be best calculated to preserve good order, and prevent accidents, on the principles stated in the draft of the Regulation now transmitted to you.

5. The Vice President in Council desires that you will submit to him, as soon after you shall have taken charge of your office as may be practicable, the draft of any rules which you would recommend to be adopted in addition to, or on modification of the provisions contained in the enclosed rules, being particularly careful in any suggestions which you may offer to Government on this subject, to attend to the religious opinions of the Hindoos, and to the particular institutions (so far as they are known) of the Temple of Juggernauth.

6. You will direct your early attention to the establishments which it may be necessary to maintain for the collection of the tax, and will submit to Government a statement of the officers who you may deem it necessary to employ for that purpose, and of the allowances which it may be proper to grant to them respectively.

7. You will concert with the magistrate of Cuttack, the measures necessary to be adopted for the maintenance of the general peace and tranquillity of the town of Juggernauthporee and its dependencies, under the provisions contained in sections 23 and 24 of the accompanying draft.

8. Until the proposed Regulation shall have been formally passed into a law, you will correspond direct with the Secretary to Government in the Revenue Department.

I am, &c.

Council Chamber, 21st November 1805.

(Signed) *G. Dowdeswell*, Secretary to Government, Revᵉ Depart.

(No. 13.)

EXTRACT Bengal Public Consultations, the 29th November 1805.

Acting Collector of the Tax on Pilgrims at Juggernauth, to George Dowdeswell, Esq. Secretary to Government, in the Revenue Department.

Sir,

1. I HAVE the honour to acknowledge the receipt of your letter of the 21st instant, with its enclosure, and in compliance with the 6th paragraph to acquaint you, that for the present, the Establishment enumerated in enclosure (A.) will be necessary for the due collection of the tax on pilgrims to the Temple at Juggernauthpooree.

2. I therefore hope it will meet the approbation of the honourable the Vice President in Council, and that I may be permitted to entertain those servants to whose names a (*) is attached, immediately, as they cannot be procured at Poorshoottom Poonee.

3. The above-mentioned Establishment may hereafter, upon enquiry, be encreased or reduced as may appear necessary.

4. I have also the honour to inclose a list (B.) of Stationary and other articles, of which those bearing a (†) are not procurable at the station of Pooree.

5. I trust I shall be able to reach that place on or about the 10th of January 1806, and beg to be honoured with instructions regarding the necessary cutcherries.

I have the honour, &c.

Calcutta, 28th November 1805.

(Signed) *J. Hunter*, Acting Collector of Tax.

(A.)—LIST of Amla for collecting the Tax on Pilgrims resorting to the Temple at Juggernauthpooree. (No. 14.)

	At the Akhara Nalla.	At Lokhnat	Total	Monthly Allowance.
				Sa. Rs.
Darogha	1	-	1	150
Naeb D°	-	1	1	50
English Writer	*1	-	1	80
D°	*1	-	1	40
Persian Writers	3	1	4	80
Poona D°	3	1	4	40
Khazanchee	1	-	1	50
Naeb D°	-	1	1	15
Potadars	1	1	2	20
Record Keeper	*1	-	1	30
Moonshee	*1	-	1	40
Nazir	*1	-	1	16
Naeb D°	*1	-	1	8
Chuprassees	*10	-	10	46
Peeadas	6	4	10	30
Dufturees	*1	*1	2	18
Sweeper	1	-	1	3
Funash	*1	-	1	4
Bihister	1	-	1	5
Country Paper, &c.	-	-	-	49
		Sicca Rupees	- -	759

(Signed) *J. H.* A. C.

(B.)—LIST of Stationary and other Articles necessary for the use of the Office of the Collector of the Tax on Pilgrims resorting to the Temple of Juggernauth. (No. 15.)

*4 Writing tables,
*1 Set of pigeon holes,
*6 Chairs,
2 Stools of English Writers,
*1 Treasure chest,
*1 Smaller ditto for Ghat Lokhnat,
2 Book shelves,
2 Boxes for native records,
*6 Office boxes,
*6 Carpets for respectable natives to be seated on,
*1 Office seal as collector,
*1 Ditto as Assistant Magistrate,
*1 Inkholder for ditto,
Copies of the Regulations,
The Calcutta Gazette,
2 Small Bells,
10 Chuprasses and belts,
*1 Ream of folio paper,
*1 Ditto medium ditto,
5 Ditto foolscap,
2 Ditto quarto post,
5 Quires blotting paper,
12 Canisters of wafers,
3 Dozen pencils,
6 Slates and pencil,
12 Blank books of sizes,
24 Long narrow check-books for tickets to be given to each pilgrim,
12 Penknives,
6 Paper weights,
12 Papers of sand,
60 Sticks of sealing wax,
4 Wafer seals,
1 Seal for official letters,
6 Rulers,
6 Inkstands,
6 Sand boxes,
6 Pair of scissars,
2 Pair large ditto,
50 Bundles of red tape,
6 Bottles of India rubbet,
24 Papers of black ink-powder,
12 Papers of red ditto,
6 Erasing knives,
6 Paper cutters,
500 Quills,
6 Bundles of pounce,
1 Map of the Province of Kutuk, if procurable.

(Signed) *J. H.* A. C.

Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

Ordered, That the Secretary write the following Letter to the Acting Collector:

To the Collector of the Tax on Pilgrims at Juggernauth.

Sir,

I AM directed by the honourable the Vice President in Council to acknowledge the receipt of your letter of the 28th instant, with its enclosures.

1 Writer - - - 70.
1 Record keeper 30.
1 Moonshy - - 30.
Jemmadar - - 10.
Peons, 10 - - - 40.
1 Duftry - - - 6.

The Vice President in Council has been pleased to authorize you to entertain the establishment specified in the margin, to assist you in the collection of the Tax on Pilgrims at Juggernauth.

2 Writing Tables.
6 Chairs.
1 large Treasury Chest.
1 small ditto.
2 Boxes for Records
10 Chuprases and Belts.

3. You are likewise authorized to furnish yourself with the several articles detailed in the margin, submitting to Government a statement of the actual expense which may be incurred on that account.

4. Seals of office will be prepared under the inspection of the Secretary, and forwarded to you from the Presidency.

5. The Committee of Stationary will be directed to furnish you with such articles of Stationary as they may deem necessary for the use of your office, you will accordingly transmit your indent to the Committee.

6. The Vice President in Council is not aware that any necessity can exist for any disbursements in addition to those above stated; at all events it appears to the Vice President in Council to be proper to suspend his sanction for incurring any further expense until you shall have actually taken charge of the office, and shall be able to state from experience what further expense may be indispensably necessary.

7. Adverting to the remark contained in the last paragraph of your letter, that you expect to arrive at Juggernauth about the 10th of January, I am directed to acquaint you, that the Vice President in Council considers it to be highly desirable that you should expedite your journey to Cuttack, and that he is not aware of any circumstances which should protract your arrival at that place to so distant a period; I am accordingly directed to desire that you will proceed by Dawk to Juggernauth, as soon after the receipt of this letter as may be practicable.

8. You will report, on your arrival at Juggernauth, what arrangement you would propose to be adopted with regard to the cutcherries required for the collection of the duties.

I am, &c.

Council Chamber,
the 29th November 1805.

(Signed) *G. Dowdeswell,*
Secretary to the Government, Revenue Department.

Resolutions:

(No. 16. A.) Ordered, That the Committees of Stationary be directed to furnish Mr. James Hunter, the Acting Collector of the tax on pilgrims at Juggernauth, with such articles of stationary as they may deem necessary for the use of his office.

(Signed) *G. Dowdeswell,*
Secretary.

EXTRACT Bengal Revenue Consultations, the 5th December 1805.

(No. 32.) Acting Collector of Tax on Pilgrims at Juggernauth, to George Dowdeswell, Esq. Secretary to Government, in the Revenue Department.

Sir,

Par. 1. I HAVE the honour to acknowledge the receipt of your letter of the 29th ultimo, and to acquaint you that I shall entertain the persons therein named, as they must be procured in Calcutta. The 2d English writer, however, seems to be necessary, as not only the office is a new one, which will probably require a good deal of English correspondence and accounts, but it would be a serious inconvenience were I to be deprived of my writer's services by sickness, which will not be improbable; and at Juggernauthpoore another English writer (to supply his place temporarily, in the event of such an accident) is not to be found, unless I may be allowed one from the magistrate's cutcherry. I had also intended, as the office was new, to divide my time between Ghat Athara Nala and Ghat Lokhnat, for which purpose I propose an establishment of two dufturees, with four writing tables and a few office boxes, for the carriage of my letters, &c. from one cutcherry to the other. Should the honourable the Vice President deem this advisable, I trust the expense will be admitted.

I have, &c.

Calcutta,
4th Dec. 1805.

(Signed) *J. Hunter,*
Collector.

Ordered, That the Acting Collector be informed that the Vice President in Council does not think it advisable to authorize him to incur any further expense on account of the tax on pilgrims, until he shall have arrived at Juggernauth, and commenced the duty.

No. 7.
Proceedings of the Bengal Government respecting the Temple Jaggernaut.

EXTRACT Bengal Revenue Consultations, the 19th December 1805.

Acting Collector of Tax on Pilgrims at Juggernauth, to G. Dowdeswell, Esq. Secretary to Government, in the Revenue Department.

'Sir,'

Par. 1. I HAVE to request you will obtain the sanction of the honourable the Vice President in Council for my drawing the sum of sicca rupees (1,000) one thousand, on account, to enable me to make the advances required by my Amla, for their expenses to Juggernauth, and for the purchase and carriage of the office desks, &c.

(No. 29.

2. I have further to request that I may be permitted to draw my allowances as Register of Poornea from the treasury at Juggernauthpooree.

I have the honour, &c.
(Signed) *J. Hunter*,
Acting Collector of Tax on Pilgrims.

'Calcutta,
'14th Dec. 1805.

The following Resolution was passed on the 17th instant.

'The Vice President in Council directs that an order be granted in favour of Mr. James Hunter, on the general treasury, for the sum of rupees 1,000, on account of the establishment and contingencies of the office of collector of the tax on pilgrims at Juggernauth.

Ordered, That an extract from the Resolutions be sent to the public department, that the order on the treasury may thence be issued. The Vice President in Council is pleased to authorize Mr. Hunter to draw the salary receivable by him as Register of the Zillah Court at Poorneah, from the treasury of the Collector of Cuttack.

Ordered, That the Board of Revenue be directed to issue the necessary orders to the collector for the payment of Mr. Hunter's salary from the date of his appointment to that situation.

EXTRACT Bengal Revenue Consultations, 30th January 1806.

(No. 29.)

'ON the 23d instant a Petition was read from 'Mosar Pundit, Juggernauth Rajekowar, and Sewajee Enties, stating that they had been employed on the part of Government at Cuttack, for the purpose of discharging and conducting the religious duties of that place, and that all the monies allowed them in the preceding year, were applied to the use of the religious sanctuaries at Juggernauth; that during the four months of the present year nothing whatever has been paid to them for the same purpose, which has compelled them to borrow; that grain is now cheap, which renders purchasing very advisable; that delay will enhance the price, and occasion great loss to Government, and want to themselves; and praying that the necessary orders for the usual expenses of the Tacoor, &c. at Juggernauth may be issued to the collector.

In consequence of the above representation, the Acting Collector of the tax on pilgrims at Juggernauth, was authorized, on the above-mentioned date, to make such advances of cash as might appear to be necessary for the support of the Temple, and for the maintenance of its ministers and officers, and as might be conformable to former established usages.

EXTRACT Bengal Revenue Council, February 6th, 1806.

Acting Collector of the Tax on Pilgrims at Juggernauth, to George Dowdeswell, Esquire, Secretary to the Government, in the Revenue Department.

Sir,

I HAVE the honour to acquaint you, that after making the necessary enquiries and arrangements for the collection of the tax on pilgrims, I have this day, in consequence of your letter of the 2d instant, stationed Gopal Pundit as Darogha at Ghat Athara Nala, and Naimdur Rac as Darogha at Ghat Lokhnat, with the under-mentioned Amla attached to their respective Kuchibrees, without which it appears impracticable that they should be able to do their duties, and I therefore hope it will meet the sanction of the honourable the Vice President in Council; viz.

(No. 26.)

At Ghat Athara Nala:
1 Peshkar.
3 Persian and Ooreea Mohurrurs.
1 Treasurer, who will also have charge of the Sudder Treasury.
1 Poldar, and
1 Persian and Ooreea Mohurrur, } for Sudder Treasury.

At Ghat Lokhnat:
1 Peshkar.
2 Persian and Ooreea Mohurrurs.
1 Treasurer's Naib.
1 Poldar, and
1 Persian and Ooreea Mohurrur, } for [illegible]

I shall very shortly do myself the honour of proposing the allowances which may appear proper for the Amla above mentioned, as also for the under-mentioned additional Amla, whom

No. 7. Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

whom I have found necessary for my own Kuchiharee, until I may be honoured with the orders of the honourable the Vice President in Council at the Sudder Kuchihree:—

1 Peskhar, 5 Persian and Ooreea Mohurrurs, and 1 Sweeper.

3d. For the present, each Punda (or person who conducts the pilgrims) or pilgrim, if he have no conductor, on arriving at the Ghat, and paying the established fees, receives a certificate from the Darogha, which is lodged by the Punda or pilgrim at the Sudder Kuchihree, and there exchanged for another bearing my signature (the seal will be added when it arrives;) without producing which, or proving to the satisfaction of the Purchas that he lives within Purykosee, or fifteen miles of Poree, those people being in the habit of visiting the Pagoda almost daily, he is not permitted to enter the Pagoda, nor to make durisun.

4th. I take the liberty of proposing that the above-mentioned certificates be printed, with vacancies for the pilgrims names, according to a form which I s[illegible], if the plan be approved of, forward for the inspection of Government, and until then, the number of Mohurrurs whom I have employed cannot be dispensed with, and must even be increased during the times of the Jatrees or festivals.

5. In answer to the 7th paragraph of your letter of the 21st November and 9th paragraph of the Regulation, I beg leave to state, that I called upon the Magistrate of Kutuk, and shewed him my instructions; as he declined giving me any orders respecting my conduct as his assistant, I have been necessitated to commence my duty without the aid of the police officers.

6. (Para. 7th of Regulation.) I beg to be informed, whether it is my duty to ascertain what are the usual fees of the officers of the Temple, as it will require some days to do it with correctness.

7. I have repaired the old Marhatta Kuchihree at Ghat Athara Nala for Gopal Pundit's office, built a small temporary Chupper at Ghat Lokhnat for Narindur Rae, and am repairing a building belonging to Government, near the Pagoda, for my own Kuchihree.

8. I have therefore to request the sanction of Government to the expense, in order that my bill may be audited when presented.

9. I have not been able to procure a dufturee for six rupees per month, as directed in your letter of the 21st November, and request I may be permitted to engage one at eight rupees.

10. I shall shortly be able to give the necessary information respecting Kuchihrees, the present ones not being at all fit for the required uses

I have, &c.

Juggernauth, 22d January 1806.

(Signed) *J. Hunter,*
Acting Collector of Tax on Pilgrims.

Ordered, That the Secretary write the following Letter to the Acting Collector of the Tax on pilgrims.

To the Acting Collector of the Tax on Pilgrims at Juggernauth.

Sir,

(No. 27.) I AM directed by the honourable the Governor General in Council to acknowledge the receipt of a letter from you, dated the 22d ultimo.

2. The Governor General in Council authorizes you to entertain the officers mentioned in the 1st and 2d paragraphs of your letter, to assist you in the conduct of the duties of your office, but you are desired to state, without loss of time, the allowances which you would propose to be granted to those officers respectively.

3. The Governor General in Council approves your proposition for printing the certificates required for the admission of pilgrims, you are accordingly desired to furnish the form of a certificate, and to state the number which will be wanted in the first instance, when the necessary orders for printing them will be issued.

4. On the publication of the Regulation regarding the Temple of Juggernauth (which will shortly be issued) the magistrate will of course conform to the provision contained in it regarding the police in the vicinity of the Temple.

5. The Governor General in Council is of opinion that it will be in every point of view advisable to ascertain the fees hitherto received by the minister and officers of the Temple. It will be determined, by a clause in the Regulation, whether such fees are to be paid separately, or whether they are to be included in the tax leviable from the pilgrims on the part of Government, and proportionable allowances assigned to the officers from the public treasury.

6. You will submit a bill for the expense incurred in the repair of the buildings mentioned in the 7th paragraph of your letter, for the consideration of Government.

7. Under the circumstances stated by you, the Governor General in Council has been pleased to fix the wages of your duftory at eight rupees per month.

I am, &c.

Council Chamber, 6th February 1806.

(Signed) *G. Dowdeswell,*
Secretary to Government, Revenue Department.

EXTRACT Bengal Revenue Council, February 13th, 1806.

No. 7
Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

Acting Collector of the Tax on Pilgrims at Juggernauth, to George Dowdeswell, Esq. Secretary to the Government, in the Revenue Department.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 25th January, and to acquaint you, that my treasury is as yet in its infancy, and unable to answer the demands that will be made against it, in consequence of your letter; I therefore take the liberty of requesting that the Collector of Kutuk may be directed to answer my draft upon him for any amount under 20,000 rupees, which I may find indispensably necessary to make up the deficiency of my treasury. (No. 30.)

I request also that the Collector of Kutuk may be directed to correspond with me, and to furnish me with copies of any papers relating to the Temple, which I may have occasion for, from among the records of his office.

I have, &c.

Juggernauth, 1st February 1806.

(Signed) *J. Hunter*, Acting Collector.

Acting Collector of the Tax on Pilgrims at Juggernauth, to G. Dowdeswell, Esq. Secretary to the Government, in the Revenue Department, Fort William. (No. 31.)

Sir,

I HAVE the honour to acquaint you, for the information of the honourable the Vice President in Council, that I have held proceedings against Dyaneedhee Gunes, a Pujharee, for receiving two gold mohurs and seven rupees from Nourung lal Jatiee and three Barung Jatrees, without the knowledge of the collector, and that he confesses having done so, but pleads as his excuse that no other person of his description presented petitions for leave to take presents.

One mohur has been expended on Bhog, or holy food, presented to the god; and I have directed the rest to be lodged in the treasury, until I receive the orders of Government.

3. I have also taken the liberty of suspending Dianeedee Gunes from his functions until then.

4. Having only received one petition to take a present, since the publication of the Orders of Government on the subject, I suspect that an immense number of the conductors of pilgrims will be found to have infringed the order, I have therefore in a former letter of this day's date, taken the liberty of recommending fines, instead of dismissal from office, as an adequate punishment, and which will not effect the established duties of the Temple.

I have the honour to be,

Juggernauth, 3d February 1806.

(Signed) *J. Hunter*, Acting Collector of Tax.

Acting Collector of the Tax on Pilgrims at Juggernauth, to J. Dowdeswell, Esq. Secretary of the Government, in the Revenue Department, Fort William.

Sir,

1. I HAVE the honour to acquaint you, that for these two days past, the crowd has been increasing considerably at Ghatathara Nala, and on going to the spot yesterday evening, I found it necessary to station four Bat Peadas" at that Ghat.

2. Bat Peadas are road peons, who were formerly employed by the Marhatta Government to prevent accidents, and also to act as a check upon the Pundas and Pujharees, for the purpose of preventing their bringing Lal Jatiees under the appearance of Kungals; and these persons are the more necessary, as very few pilgrims indeed have passed, who were not called Kungals, both by their conductors and by themselves, until upon enquiry many of them proved Lal Jatrees, and paid accordingly.

3. It appears proper that some punishment should attach to a Punda, who knowingly attempts to deceive the officers of Government in the above respects.

4. As the punishment attached to taking presents from pilgrims, without the knowledge of the Collector, viz. dismissal from their employment, appears as if it will deprive the Pagoda of the services of numbers of Pundas and Pujharees, who are indispensably necessary for the interior duties of the Temple; I take the liberty therefore of recommending that fines, under the controul of Government, or of the Board of Revenue, be substituted in its stead.

5. In explanation of the above paragraph, I beg leave to state, that the only present for which I received an argee, was, on the 25th January, presented by Demra Beesee Purharee, for permission to receive four annas from a *Lal* Jatiee.

I have the honour to be, &c.

Juggernauth, 3d February 1806.

(Signed) *J. Hunter*, Acting Collector of Tax.

No. 7. Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

Ordered, That the Secretary write the following Letter to the Acting Collector at Juggernauth.

To the Collector of Juggurnauth.

Sir,

I AM directed by the honourable the Governor General in Council to acknowledge the receipt of the following Letters from you:

1. Letter, 1st instant.
2. D° - - 3d D°.

(No. 33.)

2. The Board of Revenue will be directed to grant an assigment in your favour, for the sum of rupees 10,000, or for such part of that amount as may be indispensably required on account of the expenses of the Temple of Juggernauth. Adverting to the information contained in one of your letters of the 3d instant, respecting the large concourse of pilgrims assembling at Juggernauth, the Governor General in Council concludes that you cannot have occasion for a larger sum from the treasury of the Collector than that above specified.

3. It was not intended by the draft of the Rules transmitted to you on the 21st November last, that every person who might receive presents from the pilgrims, without duly notifying them to the Collector, should be dismissed without reserve from his office, but only that he should be liable to dismission, if the circumstances of the case should appear to warrant that punishment. The Governor General in Council will probably deem it expedient to make further provisions for cases of that nature, in the regulation now in consideration.

4 With respect to the case of Dyaneedhee Gunes, the Governor General in Council has pleased to authorize you to restore him to the situation heretofore held by him.

I am, &c.

Council Chamber, February 13th, 1806.

(Signed) *G. Dowdeswell,*
Secretary to Government, Revenue Department.

Ordered, That the Board of Revenue be desired to grant an assignment on the Collector of Cuttack, in favour of Mr. G. Hunter, the Acting Collector of the Tax on Pilgrims at Juggernauth for the sum of 10,000 rupees, or for such part of that amount as Mr. Hunter may indispensably require on account of the Temple at Juggernauth.

(No. 50.)

EXTRACT Bengal Revenue Consultations, 20th February 1806.

To G. Dowdeswell, Esq. Secretary to the Government, in the Revenue Department, Fort William.

Sir,

I HAVE the honour to enclose my Treasury Account, from the 23d till the 31st January, and a List of the Number, Description, &c. of Pilgrims permitted to pass between the 22d and 31st January.

I have the honour to be, &c.

Juggernauth, 8th February 1806.

(Signed) *J. Hunter,*
Acting Collector of Tax.

No. 51.—TREASURY ACCOUNT of the Office of Collector of Tax on Pilgrims, for the Month of January 1806.

Month. — Date	NAMES of the GHATS	Denomination of Pilgrims.	Number of Pilgrims	Each paying		TOTAL.
				S[a] R[s]	S[a] R[s]. Ans. Ps.	S[a] R[s]. An[s]. P[s].
January 23.	Athara Nala	Bhurung	5	2	10 — —	
	Lokhnat	— — — — —	— —	— —	—	
						10 — —
— — 24.	Athara	Lall	2	10	20 — —	
	Nala	Bhurung	3	2	6 — —	
	Lokhnat	D°	6	2	12 — —	
						38 — —
— — 25.	Athara	Lall	3	10	30 — —	
	Nala	Bhurung	21	2	42 — —	
	Lokhnat	Lall	6	6	36 — —	
		Bhurung	10	2	20 — —	
						128 — —
— — 26.	Athara	Lall	1	10	10 — —	
	Nala	Bhurung	36	2	72 — —	
	Lokhnat	— — — — —	— —	— —	—	
						82 — —
— — 27.	Athara	Lall	1	10	10 — —	
	Nala	Bhurung	13	2	26 — —	
	Lokhnat	— — — — —	— —	— —	—	
						36 — —
— — 28.	Athara	Lall	8	10	80 — —	
	Nala	Bhurung	7	2	14 — —	
	Lokhnat	— — — — —	— —	— —	—	
						94 — —
— — 29.	Athara	Lall	3	10	30 — —	
	Nala	Bhurung	21	2	42 — —	
	Lokhnat	— — — — —	2	2	4 — —	
						76 — —
— — 30.	Athara	Lall	6	10	60 — —	
	Nala	Bhurung	22	2	40 — —	
	Lokhnat	D°	2	2	4 — —	
						108 — —
— — 31.	Athara	Lall	22	10	220 — —	
	Nala	Bhurung	212	2	424 — —	
	— — — — —	Lall	1	6	6 — —	
	Lokhnat	Bhurung	2	2	4 — —	
						654 — —
				TOTAL S[a] Rupees		1,226 — —

E. E.

Juggernauth, 1st February 1806.

(Signed) *J. Hunter,*
Act[g] Collector of Tax.

No. 52.—ABSTRACT DAILY ACCOUNT of PILGRIMS resorting to Juggernauth, from the 22d to the 31st January 1806.

Month. Date.	NAMES of the GHATS.	Number of Ruwanars.	Number of Pilgrims	Tree.	Kungal	Desee.	Byragus, &c	By Order of the Governor General.	Paying Duty.	Lall.	Under the charge of Punda.	Under the charge of Pucharee.		Eburung.	Under the charge of Punda	Under the charge of Pucharee.		TOTAL.
													S^a R^s. An^s. P^s.				S^a R^s. An^s. P^s.	S^a R^s. An^s. P^s.
January 22.	Athara Nala	6	96	96	70		26											
	Lokhnat																	
	TOTAL	6	96	96	70		26											
23.	Athara Nala	9	120	115	97		18		5					5	5		10	10
	Lokhnat	3	5	5	2		3											
	TOTAL	12	125	120	99		21		5					5	5		10	10
24.	Athara Nala	17	226	221	207	14			5	2		2	20	3		3	6	26
	Lokhnat	3	12	6		6			6					6		6	12	12
	TOTAL	20	238	227	207	20			11	2		2	20	9		9	18	38
25.	Athara Nala	23	214	190	161	29			24	3		3	30	21	10	11	42	72
	Lokhnat	3	18	2	1		1		16	6	6		36	10	10		20	56
	TOTAL	26	232	192	162	29	1		40	9	6	3	66	31	20	11	62	128
26.	Athara Nala	37	378	341	339	2			37	1		1	10	36		36	72	82
	Lokhnat	1	2	2			2											
	TOTAL	38	380	343	339	2	2		37	1		1	10	36		36	72	82

January - 27.	Athara Nala - - -	21	253	239	236	3	- -	- -	14	1	1	- -	10	—	—	13	10	3	26	—	—	36	—	—
	Lockhnat - - -	2	8	8	- -	- -	8	- -	- -	- -	- -	- -	-	-	-	- -	- -	- -	-	-	-	-	-	-
	TOTAL - - -	23	261	247	236	3	8	- -	14	1	1	- -	10	—	—	13	10	3	26	—	—	36	—	—
- - - - 28.	Athara Nala - - -	27	251	236	179	57	- -	- -	15	8	- -	8	80	—	—	7	4	3	14	—	—	94	—	—
	Lokhnat - - -	1	13	13	13	- -	- -	- -	- -	- -	- -	- -	-	-	-	- -	- -	- -	-	-	-	-	-	-
	TOTAL - - -	28	264	249	192	57	- -	- -	15	8	- -	8	80	—	—	7	4	3	14	—	—	94	—	—
- - - - 29.	Athara Nala - - -	23	394	370	354	16	- -	- -	24	3	- -	3	30	—	—	21	3	18	42	—	—	72	—	—
	Lokhnat - - -	6	18	16	1	6	9	- -	2	- -	- -	- -	-	-	-	2	- -	2	4	—	—	4	—	—
	TOTAL - - -	39	412	386	355	22	9	- -	26	3	- -	3	30	—	—	23	3	20	46	—	—	76	—	—
- - - - 30.	Athara Nala - - -	20	344	316	313	3	- -	- -	28	6	- -	6	60	—	—	22	4	18	44	—	—	104	—	—
	Lokhnat - - -	1	2	- -	- -	- -	- -	- -	2	- -	- -	- -	-	-	-	2	- -	2	4	—	—	4	—	—
	TOTAL - - -	21	346	316	313	3	- -	- -	30	6	- -	6	60	—	—	24	4	20	48	—	—	108	—	—
- - - - 31.	Athara Nala - - -	30	502	268	256	- -	12	- -	234	22	1	21	220	—	—	212	10	202	424	—	—	644	—	—
	Lokhnat - - -	7	42	39	22	4	13	- -	3	1	- -	1	6	—	—	2	- -	2	4	—	—	10	—	—
	TOTAL - - -	37	544	307	278	4	25	- -	237	23	1	22	226	—	—	214	10	204	428	—	—	654	—	—

E. E.

Juggernauth, 1st February 1806.

(Signed) *J. Hunter,*
Acting Collector of Tax.

No. 7. Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

EXTRACT Bengal Revenue Consultations, 27th February 1806.

Extract of Governor General's Minute; dated 27th February 1806.

THE Governor General proposes the following appointment:

Mr James Hunter to be Collector of the Tax on Pilgrims at Juggernauth.

Ordered, That the appointment of Mr. Hunter be issued from this Department.

(No. 18) EXTRACT Bengal Revenue Consultations, 6th March 1806.

(No. 51.) Collector of Tax at Juggernauth, to George Dowesdwell, Esquire, Secretary to Government, in the Revenue Department, Fort William.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 6th instant, and in answer to the second paragraph, to acquaint you, that since writing my former letter I have found it necessary to make a few trifling alterations in my establishments, which will I hope meet the approbation of the honourable the Governor General in Council.

2. The alterations are contained in the accompanying list (A,) which also contains the allowances, which I take the liberty of proposing for my Amla.

3 In compliance with the third paragraph, I have the honour to enclose forms of Certificates to be printed, each having six inches of blank paper under the printing for the insertion of each pilgrim's name; and to acquaint you that the number of each, will probably be expended in six months, is as follows:

Shoomarees, or Certificates	1,00,000
Reemantus, or Passes	1,00,000
Khulas Chithees	1,30,000

4. I have the pleasure to enclose a bill (B.) for the temporary building at Ghat Lokhnat, and will forward bills for the repairs of the other Kuchihrees as soon as they are finished, which will be very shortly.

5. I beg also to submit my bill (C.) for the articles procured, in compliance with your letter of the 29th November 1805, amounting to sicca rupees 497; and to acquaint you that I have paid to the Collector of Kutuck sicca rupees 1,000, on account of that sum advanced to me while in Calcutta.

6. I beg to be informed whether the Salaries of my Amla are to be paid by me, or by the Collector of Kutuk.

I have the honour to be, &c.

Juggernauth, 19th Feb. 1806. (Signed) *J. Hunter*, Acting Collector Tax.

(No. 52.) (A.)—LIST of Amla attached to the Sudder Kuchihree, &c.

	Monthly Allowance.	Date of Appointment.	REMARKS.
	Sa.Rs		
1 English Writer	70	13 Dec. 1805	By order of Government.
1 Peshkar	50	- - -	Ditto.
1 Moonshee	30	7 Jan. 1806	Ditto.
1 Serishtadar	30	6 Dec. 1805	Ditto.
2 Persian Mohurrurs, at 20/ each	40	20 Jan. 1806	Ditto.
1 Head Ooreea Mohurrur	20	20 - Do -	Ditto.
2 Ooreea and Persian Do, at 20/ each	40	20 - Do -	Ditto.
1 Treasurer	50	20 - Do -	Ditto.
1 Persian Mohurrer for Do	15	18 Feb. Do	Appointed on the removal of the Treasurer to the Sudder Kuchihree, and the abolition of the Nath Treasurer appointed by order of Government.
1 Dufturee	8	- - -	—
1 Jumadar	10	4 Dec. 1805	Ditto.
4 Chuprasses, at 4/ each	16	1 - Do -	Ditto.
6 Do - Do	24	4 - Do -	Ditto.
1 Sweeper	3	8 Feb. Do	Ditto.

(Signed) *J. H.*
Acting Collector Tax.

No. 7.
Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

ATHARA NALA GHAT.

	Monthly Allowance	Date of Appointment.	REMARKS.
	Sa. Rs		
1 Darogah - - -	100	16 Jan. 1806	By order of Government.
1 Peshkar - - -	25	20 - D° -	- - Ditto.
3 Persian Mohurrurs, at 20 each - - - -	60	20 - D° -	- - Ditto.
1 Murhuttee Neavees -	15	11 Feb. D°	At the Darogah's request, Murhutta being the character in which he transacts business.
1 Persian Mohurrur, at Koomarpara - -	15	17 D° -	For examining the passes of Pilgrims returning, in order to prevent a crowd at Athara Nala.
3 Bat peadas at the Ghat, at 3 each - - -	9	On the 3d Feb. 2; on the 11th, D°	Four by order of Government, the other two found requisite for the Phandees or inferior Ghats, at which Pilgrims are not allowed to enter.
3 Ditto - at Phandees, Hoolhoolea, Balooghat, Khundeeabund, at 3 ea.	9	- - -	
1 Potdar - - - -	6	20 Jan. 1806	By order of Government.
1 Mohurrur - - -	12	20 - D° -	- - Ditto.
1 Dufturbund - - -	3	11 Feb. D° -	The Darogahs request for one, one appearing reasonable.

(Signed) *J. H.*
Acting Collector Tax.

LOKHNAT GHAT.

	Monthly Allowance.	Date of Appointment.	REMARKS.
	Sa. Rs		
1 Darogah - - -	80	16 Jan. 1806	By order of Government.
1 Peshkar - - -	25	20 - D° -	- - Ditto.
2 Mohurrurs, at 20 each -	40	20 - D° -	- - Ditto.
1 Naib Treasurer - -	25	20 - D° -	Abolished on the 17th Feb. 1806.
1 Potdar - - - -	6	20 - D° -	By order of Government.
1 Mohurrur - - -	12	20 - D° -	- - Ditto.
1 Dufturbund - - -	3	11 Feb. D° -	As at Ghat Athara Nala.
1 Bat peada at Ghat -	3	11 - D° -	—
3 D° at Phandees, Lokhnat, Mungla Ghat, and Machjan, at 3 each -	9	11 - D°	To prevent Pilgrims from entering at those roads, and thereby escaping the duties.
1 D° at Dantkatheea -	3	17 - D° -	—

(Signed) *J. H.*
Acting Collector Tax.

No. 7. Proceedings of the Bengal Government respecting the Temple of Juggernaut.

(B.)—CHARGES incurred for making the Kuchmree at Ghat Lokhnat.

	A^t. R^s.	A^s.	G^s.
To 582 Bamboos	11	15	14
- 14 Posts	4	6	—
- 23 Phulms of Grass	10	12	10
- 79 Ghuramies	7	6	10
- 7 Carpenters	—	14	—
- 10,000 Kuttahs of String	1	—	—
- 9½ Tuttybunds	—	10	—
- 4 Persons, for trying the grass and assisting the Ghuramies	—	6	—
- 4 Thulhas	—	1	—
- 2 Mats	—	6	—
Total A^t Rupees	37	13	14
or Sicca Rupees	35	8	6

(Signed) *Kewul Ram*,
Acting Darogha.

(Nurinder Rae being absent on account of his health.)

(Signed) *J. Hunter*,
Acting Collector Tax.

(No. 54.)

(C.)—The Honourable Company - - - Dr.

	S^t R^s.	A^s.	P^s.
To 2 Writing Tables	160	—	—
- 6 Chairs	30	—	—
- 1 large teak wood Treasure Chest bound with iron	70	—	—
- 1 smaller D^o for Ghat Lokhnat	25	—	—
- 2 Record Boxes	28	—	—
- 10 Chuprases and Belts	32	—	—
- Carriage of Writing Tables from Calcutta	65	—	—
- Carriage of 6 Chairs from Kuttack	1	—	—
- D^o of Record Boxes from Calcutta	27	—	—
- A Box of Stationary	8	—	—
- Carriage of D^o from Calcutta	26	—	—
- 1 small Treasure Chest for Ghat Athara Nala, the Sudder Treasury being removed to the Sudder Kuchelree	25	—	—
Total S^t Rupees	497	—	—

Juggernauth, 19 Feb. 1806.

(Signed) *J. Hunter*,
Acting Collector Tax.

Ordered, That the Secretary write the following Letter to the Collector of Tax at Juggernauth.

(No. 55.)

To the Collector of the Tax on the Pilgrims at Juggernauth.

I am directed by the honourable the Governor General in Council to acknowledge the receipt of a letter from you, dated the 19th ultimo, with its enclosure.

2. The Governor General in Council has been pleased to sanction for the present the revised establishment recommended by you for the collection of the Tax on Pilgrims at Juggernauth, as specified in the statement submitted with your letter.

3. The Governor General in Council is of opinion that the allowances of your officers, should be paid by yourself, and not by the collector of Cuttuck.

4. You are authorized to charge in your accounts, the expense incurred by you in the repair of the cutcherry at Ghaut Lokhnat amounting to sicca rupees 35. 3. 6.

5. You are likewise authorized to charge in your accounts the expense incurred by you on account of contingencies, being sicca rupees 497.

6. Previously to ordering the different certificates required by you to be printed, the Governor General in Council desires that you will furnish him with the necessary explanation respecting those certificates respectively; stating particularly the places at which they are to be issued, with such other information as may enable the Governor General

General in Council, to judge in what manner this branch of the business is to be conducted, you are desired to furnish the information here required, as soon as circumstances will conveniently permit.

I am, &c. &c.

Council Chamber, 6th March 1806.

(Signed) G. *Dowdeswell*, Secretary to Government, Revenue Department.

No. 7. Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

Extract Bengal Revenue Consultations, 20th March 1806.

(No. 18.)

Collector of Tax on Pilgrims at Juggernauth, to George Dowdeswell, Esquire, Secretary to the Government, in the Revenue Department, Fort William.

Sir,

I HAVE the honour to enclose a list of pilgrims arrived, &c. for the month of February, and a separate account of the receipts, and to acquaint you, that on account of the crowds of pilgrims arriving for Gobind Doadushee (a holiday which occurs only once in about 25 years.) I find it necessary not only to employ the additional Amla enumerated in List (A.) but to dispense with the Shoomaree, (or counting the number) of Kungal pilgrims, until the 5th March, at Ghat Athara Nala, where I held my own Kuchihree for several days, and after removing it back, I also thought it advisable to attend myself at that Ghaut, during the greatest part of each day, in order that I might, from actual observation, be the better enabled to lay down rules to be observed at the Ghauts by pilgrim and their conductors.

2. During the festival, I opened two other ghats for the admission of Desee pilgrims, or those living between Byturnee and Ganjam, the lives of the pilgrims being endangered by the greatness of the crowd at Athara Nala, and hope the measure will be approved.

3. In compliance with your letter of the 13th ultimo, I have restored Dyaneedhee Gunes, and returned the gold mohur and seven rupees.

4. I have advanced (on account) to the Purchas at rupees 10,000, and have also made a small advance to Dol Gobind the Ruth Purcha, for the expense of building the Ruths, &c. and shall not be necessitated to draw upon the Collector of Kutuck for money, as my treasury increased considerably during the month of February.

5. To the best of my information it is the duty of the Duspulla Baja to forward the wood for the Ruths, to Poorshootoom direct this year, however, he has left it at Kutuck, and the season being near at hand, I have not time to correspond with him on the subject, but have ordered the wood to be brought down at Government's expense, and have informed the Raja that if he has failed in his duty, (for correct information respecting which I have applied to the collector) a suit shall be instituted against him in the adawlut.

6. In former years, Government furnished from 100 to 300 Burkundazes, for taking care of the Ruths while building, I must therefore apply to the Thanadar for people for that purpose.

7. The Ruth Purcha and the Dewul Purchas make a demand for last year's balances, I beg to be informed whether I shall discharge them, and if so, beg to be vested with authority to examine their accounts.

8. I beg leave to recommend the Arcot rupee to be fixed as the standard at Ghat Loknat, as much time it lost in counting and receiving the batta.

9. As the pilgrims will never be well treated by their conductors, unless they receive a present from their own hands, I beg leave to propose that the fees of the Pundas, &c. be publicly fixed, and collected by the Pundas themselves, separate from the tax, as was formerly done under the Marhatta Government.

10. I take the liberty of representing, that it appears, if the Purchas are appointed (as intended by the 24th paragraph of the Regulation) Daroghas of police jointly and separately, they will be confused, more especially as they are perfectly ignorant of the rules and regulations of the service; for this reason, it appears more advisable that one Purcha should be sole Darogha, whether his jurisdiction shall extend to the town and its dependencies, or be confined to the interior of the temple.

11. I beg to be informed whether the Burkundazes procured from the Thanedar must be paid in my revenue or my magisterial capacity; or if they must be furnished by the magistrate, under the general head of Police.

12. My Kuchihree is not furnished with a copy of the honourable Company's Regulations.

I have the honour to be, &c.

Juggernauth, 7th March 1806.

(Signed) *J. Hunter*, Collector Tax.

No. 7.
Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

(No. 19.)

LIST of Extra Amla employed for Ghat Athara Nala, &c.

AMALA.	Engaged.	Discharged.	Days.	At the Monthly Rate of	Total.
					S^a R^s. An^a. P^s.
3 Mohururs - - - -	23 Feb. -	7 March -	12	20 Rs. ea.	40 — —
5 Bat peadas - - -	23 D° -	7 D° -	12	3 Rs. ea.	6 — —
2 Potdars - - - -	24 D° -	7 D° -	11	6 Rs. ea.	4 6 4
1 Treasurer's Mohurer -	24 D° -	7 D° -	11	12 Rs. -	4 6 4
4 Mushalchees - - -	24 D° -	7 D° -	11	3 Rs. ea.	4 6 4
50 Burkundazes - - -	24 D° -	7 D° -	11	4 Rs. ea.	73 5 4
1 Hanildar - } 2 Naicks - } From the Commanding Officer, 20 Sepoys - }					
At Balee Ghat.					
1 Mohurur - - - -	23 Feb. -	7 March -	12	3 Rs. ea.	8 — —
4 Bat peadas - - -	23 D° -	7 D° -	12	3 Rs. ea.	4 12 9
2 Burkundazes - - -	24 D° -	7 D° -	11	4 Rs. ea.	2 14 10
At Hoohooleea.					
The Mohurrur, attached to Koomarpara, removed with an additional allowance of 5 Rupees per month -	23 D° -	7 D° -	12	5 Rs. ea.	2 — —
1 Bat peadas - - -	23 D° -	7 D° -	12 Rs.	3 Rs. -	1 3 2
2 Burkunduzes - - -	24 D° -	7 D° -	11	4 Rs. ea.	2 14 10
At Khundeabund.					
2 Bat peadas - - -	23 D° -	7 D° -	12	3 Rs. ea.	2 6 8
Sudr Kuchihree.					
4 Mohurrurs - - -	23 D° -	7 D° -	12	20 Rs. ea.	32 — —
				Total Sicca Rupees - -	188 12 3

Errors Excepted.

Juggernauth, March 1806.

(Signed) *J. Hunter*, Collector of Tax.

(No. 20.) Collector of Tax on Pilgrims at Juggernauth, to G. Dowdeswell, Esq. Secretary to the Government, in the Revenue Department, Fort William.

Sir,

I HAVE the honour to acquaint you, that a number of persons have claimed Khyrats (one person to the amount of 1,000 rupees) from Ghat Athara Nala, and many of them produce Sunuds, a few of which mention on what account the Khyrat has been granted. I have not particularly examined their Sunuds, until I may be favoured with the orders of Government on the subject.

I have, &c.

Juggernauth, 10th March 1806.

(Signed) *J. Hunter*, Collector of Tax.

No. 7.
Proceedings of the Bengal Government respecting the Temple of Jaggernaut.
(No. 21.)

To G. Dowdeswell, Esq. Secretary to Government, &c. Fort William.

Sir,

I HAVE the honour to acquaint you, that I had overlooked four mistakes in my list of pilgrims for February, and to request you will oblige me by correcting them as under:

February 2.	10 Column,	for 304	read 404.
23.	18 D°	for 83	read 283.
24.	5 D°	for 2716	read 2719; and
		for 2961	read 2964.
28.	12½ D°	for 373	read 413.

I have the honour to be, &c.

Juggernauth, 11th March 1806.

(Signed) *J. Hunter*, Collector of Tax.

Ordered, That the Secretary write the following letter to the Collector of Tax on Pilgrims.

To the Collector of the Tax at Juggernauth.

(No. 22.)

Sir,

I AM directed by the honourable the Governor General in Council, to acknowledge the receipt of three letters from you, dated the 7th, 10th, and 11th instant.

2d. 7th instant. In consequence of the circumstances stated in the first paragraph of your letter, the Governor General in Council has been pleased to authorize you to entertain the additional officers specified in the list submitted to you, marked A. you will of course report, whenever it may be practicable to dispense with the services of those officers.

3d. The Governor General in Council approves the orders which you have given, respecting the admission of pilgrims living in the vicinity of the Temple, as stated in the second paragraph of your letter.

4th. The Governor General in Council sanctions the advances of cash which you have made for the support of the Temple with respect to the Rutts mentioned in the 4th, 5th, 6th, and 7th paragraphs of your letter. The Governer General in Council is of opinion that the preparation of them ought to be intrusted to the native officers of the Temple, and expense defrayed from the funds which have been, or may be assigned for its support; and that it is not advisable that the Collector should interfere in details of that nature.

5th. You are desired to specify the amount claimed by the officers of the Temple, on account of the expense of the Rutts in the last year; at the same time reporting whether, according to established usage, that expense should be defrayed by Government, or from the produce of the lands, or other funds already assigned for the support of the Temple.

6th. The Governor in General in Council approves your proposition for permitting the Pandas to collect a fee from the pilgrims, exclusive of the tax payable to Government, you will accordingly fix the rates at which such fee should be levied, and publish the rates for general information at the Temple and in its vicinity; you will report the rates of fee which you may fix under the present orders, for the confirmation of Government.

7th. The Governor General in Council will take into his consideration the expediency of modifying the rules proposed to be adopted for the appointment of Darogahs for the maintenance of the peace at the Temple and its vicinity, on the principle stated in the 11th paragraph of your letter.

8th. The Governor General in Council is of opinion that it will be advisable to adhere to the tenor of the orders issued to you on the 6th instant, respecting the receipt of money from the pilgrims in payment of the established tax.

9th. The Secretary has been directed to furnish you with a set of the Regulations, in the English, Persian, and Bengal languages.

10th. You are desired, as soon after the receipt of this letter as may be practicable, to prepare and submit to Government, a statement of the produce of the lands appropriated to the support of the Temple, and to the maintenance of its ministers and officers, and of any other funds appropriated to those purposes.

11. You will at the same time prepare and submit to Government a statement of the sums annually required for the support of the Temple (including, as far as practicable, contingencies of every description) and for the maintenance of the ministers and officers attached to it, on the principle stated in the draft of the Regulation with which you have been furnished, in order that such amount as may be required, in addition to the present endowments of the Temple, may be assigned for those purposes.

12. The accounts of the receipts arising from the tax on pilgrims, in the months of January and February, will be forwarded to the Accountant in the Revenue Department, with directions to furnish you with proper forms for keeping your accounts; you will accordingly conform to such instructions as you may receive on that point from the Accountant.

13. 10th instant. The Governor General in Council desires that you will furnish him with more particular information respecting the claims noticed in this letters: should you consider them to be well founded, you will report whether the parties should be referred to the

Collector

No. 7. Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

Collector for the prosecution of their claims, under the general regulations respecting pensions, or whether provision should be made for the payment of these demands, from the funds proposed to be assigned for the support of the Temple.

14. 11th instant: Requires no reply.

I am, &c. &c.

Council Chamber, 20th March 1806.

(Signed) *G. Dowdeswell*, Secr[y] to Gov[t] in the Revenue Dep[t]

Ordered, That the original accounts of the receipts arising from tax on pilgrims, in the month of January, recorded on the proceedings of the 20th ultimo; and in the month of February, which accompanied the letter from the Collector, above recorded, be transmitted to the Accountant in the Revenue Department, with directions to furnish the Collector with proper forms for keeping his accounts.

Ordered, That the Collector be furnished with a set of Regulations in the English, Persian, and Bengal languages.

(No. 1.) EXTRACT Bengal Revenue Consultations, 27th March 1806.

Collector of Tax on Pilgrims at Juggernauth, to G. Dowdeswell, Esq. Secretary to the Government, in the Revenue Department, Fort William.

Sir,

1. I HAVE the honour to acknowledge the receipt of your letter of the 6th instant, and in compliance with the 6th paragraph to inclose one Shoomaree Ruwana and Khulas Chithee, filled up for a set of 28 Lal Jatrees, under charge of Gopal Gopbundhor Gochkar Punda.

2. The Puiharees are a set of people who reside at Poorshootom, governed by four Surdars, one of whom, Hurihur Purharee, is their Gomashta, and always attends at the Athara Nala: they have a great number of Gomashtars, who travel about in search of pilgrims, and bring them in sets to Juggernauth, they then are called Batwas, and generally each set has also a Sathwa or head pilgrim, who takes care of the rest. The Batwa, on his arrival at Poorshoottam, reports to his Purharee, who takes charge of the pilgrims, before they arrive at the Ghat, and is then their sole conductor; he, after making many difficulties, agrees that he has so many Lall, so many Bharung, and so many Kungal Jatrees, and receives a Shoomaree not signed. This he shews to the Potdar, pays the money, and gets it signed by him; and on returning to the Darogha, he also signs it. The pilgrims are then passed, and come to the Sudr Kuchihree, where the Shoomaree is lodged, and a Rawana, with the Collector's signature, given in exchange. This Rawana is their passport for admission to the pagoda,—(I have ordered the Dewell Purchas to admit no person without one) —and after making Dursum, i.e. seeing the god as often as they wish, they present a petition at the Sudr Kuchihree, stating what present they may wish to make to their conductor, and receive a Khalas Chithee, by which they are allowed to leave the town.

3. Khulas Chithees were given in the former government, and I have adopted the system on the principle of bringing the pilgrims to the Sudr Kuchihree, in case they should have reason to complain of their treatment. I believe, however, that the Puiharees take advantage of it, and refuse to procure the Khulas Chithees until they have taken every thing they possess from the pilgrims thus in their power; for this reason I am of opinion that the Khulas Chithees are rather prejudicial to the comfort of the pilgrims; however, I purpose continuing them for some time, till I have been able to ascertain their real effect.

4. The Pundas, whose chief is Kishen Chundr Maha Patr, are servants of Juggernauth, and their duty is principally in the pagoda; they also do the same duties as the Puiharees at the Ghats.

5. Should the honourable the Governor General in Council deem it expedient to order the certificates to be printed before the publication of the Regulation, it may save expense if the Khulas Chithees are not printed until it may have been ascertained whether the plan ought to be continued or not.

I have, &c.

Juggernauth, 15 March 1806.

(Signed) *J. Hunter*, Collector of Tax.

(No. 2.) Collector of Tax on Pilgrims at Juggernauth, to G. Dowdeswell, Esq. Secretary to the Government, in the Revenue Department, Fort William.

Sir,

I HAVE the honour to acquaint you that I have fined Kishen Chundr Maha Patr ten rupees for not attending my summons, nor making any excuse for so doing.

2. I have also ordered the fees of a Purharee, Runpoor Khoontua, upon four Lal and nine Bhuruing Jatrees, to be forfeited, for disobeying my order directing the Pundas and Purharees to bring their Shoomarees to the Sudr Kuchihree, without delay of two days in so doing; and

and beg to be informed if such are the punishments which should be inflicted for similar offences, as those two classes of people are inclined to be dilatory in their obedience, and the regularity of my accounts suffers considerably from that cause.

I have, &c.

Juggernauth, 15th March 1806. (Signed) *J. Hunter*, Collector of Tax.

Collector of Tax on Pilgrims at Juggernauth, to G. Dowdeswell, Esq. Secretary to the Government, in the Revenue Department, Fort William. (No. 3)

Sir,

I HAVE the honour to acquaint you that Dob Gobind Ruth Purcha presented the original of the inclosed at my Kuchhree, and demanded compliance with it.

2. The seal and signature are correct, but the order is not the one passed by the commissioners, but a new paper neatly attached to it.

3. On writing to the Collector of Kutuk, to ascertain whether such an order had been passed, I am informed that it is a forgery, and have accordingly taken the liberty of suspending Dob Gobind from his employment, and have appointed Nuhuree Putnack to officiate as Ruth, until I shall be honoured with the orders of Government.

4. I have also confined Dob Gobind until he shall have delivered over charge, and shall then send him to the magistrate of Kutuk with the original paper which he presented, and a copy of Mr. Webb's letter stating it to be a forgery.

5. I formerly paid Dob Gobind rupees 285 15. 9. and on the 10th instant I paid him 800 rupees for the purchase and carriage of articles for the Ruth, and I appointed Nuhuree Putnack to succeed him, at the recommendation of the three Purchas.

I have, &c.

Juggernauth, 17th March 1806. (Signed) *J. Hunter*, Collector of Tax.

Collector of Tax on Pilgrims at Juggernauth, to G. Dowdeswell, Esq. Secretary to the Government, &c. (No. 4.)

Sir,

I HAVE the honour to acquaint you, that the Dewul Purchas are very negligent in the duty I have assigned to them; viz. not to permit pilgrims to enter the pagoda, without my Ruwanas; many pilgrims having done so to my knowledge, notwithstanding my several orders to that effect, I have therefore, at the request of the Purchas themselves (it having for this last fortnight appeared to me exceedingly requisite that no pilgrim should be induced to break through the Ghats, under the idea of getting Dursun without my Ruwana, and seeing that many of them are permitted to do so) appointed a Mohurrur at 20 rupees per month, to examine every Ruwana at the gate of the pagoda, and to make a daily report of the number of pilgrims entering.

2. The step also appears proper for another reason, viz. the Purchas receive fees upon all presents made to the god, it is therefore their interest that pilgrims should escape the tax, as by their doing so they are enabled to make greater presents to the god.

3. The Mohurrur at the pagoda will also be a strong check upon the Daroghas at the Ghats, by making it absolutely necessary that every Shoomaree should be brought to the Sudr Kuchhree before the pilgrims can make division

I have, &c.

Juggernauth, 18 March 1806. (Signed) *J. Hunter*, Collector of Tax.

Collector of Tax on Pilgrims at Juggernauth, to G. Dowdeswell, Esquire, Secretary to the Government, &c. (No. 5)

Sir,

1. I HAVE the honour to acquaint you that Ram Bukhsh and Ramhutgeer, pilgrims, presented a serviceable elephant to Juggernauth on the 12th instant, 200 rupees for its expense, which will last about six months.

2. The god's establishment is six elephants, and this is at present an extra one, but may be kept, in case of any accident happening to one of the others.

3. At or before the end of the six months it will be necessary for Government either to order the elephant to be disposed of (to which I am informed there is not the smallest objection,) or to appoint some fund for its support, should it be deemed advisable to keep it for Juggernauth's use.

I have, &c.

(Signed) *J. Hunter*, Collector of Tax.

Juggernauth, 9th March 1806.

No. 7. Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

Ordered, That the Secretary write the following Letter to the Collector of Tax at Juggernauth.

To the Collector of the Tax on Pilgrims at Juggernauth.

Sir,

I AM directed by the honourable the Governor General in Council, to acknowledge the receipt of the following Letters from you, with their enclosures:

(No. 6.)

2 Letters, 15th instant.
1 - D° - 17th D°
1 D° 18th D°
1 - D° - 19th D°

2. 15th instant.—The Governor General in Council will take into his consideration the expediency of inserting a provision in the Regulation intended to be passed for the management of the Temple of Juggernauth, to empower you to levy small fines from the officers mentioned by you, whenever they may be guilty of neglect of duty or other misconduct. In the meantime you are authorized to levy such fines from those officers as shall appear to you to be necessary to enable you to conduct the duties of your station with effect and regularity. But in the exercise of that power the Governor General in Council desires that you will observe due moderation, and that you will be careful to proportion the fines to the nature and degree of the offence, and to the advantages which the Officers in question derive generally from their situations.

3. 15th instant.—The superintendent of the press will be directed to print one hundred thousand copies of each of the Certificates denominated by you "Shoomaree and Rowannee."

4. With respect to the Khelas Chitties, it would appear to the Governor General in Council to be advisable to dispense with those Certificates altogether. He however suspends his final decision on that point, until you shall have submitted to Government any further information on the subject which you may deem necessary.

5. 17th instant.—On the grounds stated in this letter, the Governor General in Council approves the suspension of Dol Govind from the office held by him, you will of course take the necessary measures for the prosecution of that person for the forgery with which he stands charged, delivering him over without delay to the custody of the magistrate.

6. The Governor General in Council is not aware of any objection to the appointment of Neer Hurree Putnaek to succeed to the office lately held by the above-mentioned person.

7. Whenever you may have occasion in future to submit papers in any of the country languages, you are desired to accompany such papers with translations.

8. 18th instant.—The Governor General in Council has been pleased to sanction the appointment of an additional Mohurrur on your establishment, with a salary of rupees 20 per month.

9. 19th instant.—Having taken into consideration the circumstances stated by you respecting the elephant mentioned in this Letter, the Governor General in Council is of opinion that on this and similar occasions, you should be guided by the opinion of the principal officers of the Temple. You are accordingly desired either to retain or to dispose of the elephant, as they may deem most advisable and proper. In the former case, the expense attending it is of course to be defrayed from the general funds which have been or may be assigned for the support of the Temple, as mentioned in my letter to you of the 20th instant.

Council Chamber,
27th March 1806.

I am, &c.
(Signed) *G. Dowdeswell,*
Sec^{r} to Government, Rev. Dep^{t}.

(No. 7.)

Resolution:

Ordered, That the superintendent of the press be directed to print one hundred thousand copies of each of the Certificates required by the Collector of the tax on pilgrims at Juggernauth, leaving sufficient paper for the insertion of the names of ten or twelve pilgrims, at the bottom of the Certificates.

Ordered, That the superintendent be informed that such parts only of the Certificates as are written with black ink are to be printed, and that the parts written with red ink, are to be left blank.

Ordered, That the superintendent be directed to send a proof of the Certificates to the Secretary, for inspection, previously to their being struck off.

(Attested.)

(Signed) *G. Dowdeswell,*
Secretary.

EXTRACT Bengal Judicial Consultations, the 3d April 1806.

No 7: Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

(Civil.) Minute of Mr. Udny.

I APPROVE of the following Regulations, with the exception of those parts of it which provide for the superintendence and management of the Temple at Juggernauth, and the payment of its officers.

The making provision by law for such purposes, it appears to me, would operate to sanction, and tend to perpetuate a system of gross idolatry, which Government is neither bound, nor does it seem becoming in it to do.

(No 8. A)

I would leave the Temple and its whole economy exclusively to the direction and management of its own officers, allowing them to collect the regular established fees they have hitherto been accustomed to do, securing the pilgrims at the same time against every thing of a vexatious nature from the extortion and oppression of those officers.

If the revenue with which the Temple is endowed be insufficient for its support, I would reduce the rate of tax proposed to be levied from the pilgrims, relinquishing the remainder to be applied to that purpose, in order that Government should have no direct concern of any kind in what relates to the maintenance of the Temple, or the payment of its officers, but appropriate solely to its own use the whole of the tax levied from the pilgrims by its officers.

(Signed) *G. U.*

A. D. 1806. REGULATION IV.

A REGULATION for levying a Tax from Pilgrims resorting to the Temple of Juggernauth, and for the Superintendence and Management of the Temple—Passed by the Governor General in Council, on the 3d of April 1806; corresponding with the 22d Chyte 1212 Bengal era; the 30th Chyte 1213 Fussily; the 22d Chyte 1213 Willaity; the 15th Chyte 1863 Sumbut; and the 13th Mohurrum 1221 Higeree.

Preamble.

WHEREAS it is provided by Section XXXI, Regulation XII, 1805, that a tax shall be levied from pilgrims resorting to the temple of Juggernauth: And whereas it is essentially necessary that provision should be made for the protection of the pilgrims from undue exactions on the part of the officers of government or of the temple, and also for the preservation of order, tranquillity, and regularity in the town of Juggernauthporee, and its dependencies, and for the trial of civil suits of inconsiderable amount or value within those limits; the following rules have been passed, to be in force from the time of their promulgation.

A tax shall be levied on pilgrims resorting to the temple of Juggernauth, to be collected by a covenanted servant of the Company under the control of the Board of Revenue.

II. A tax shall be levied on the part of government (as was heretofore done under the late Marhatta government) on pilgrims resorting to the temple of Juggernauth. The collection of the tax shall be entrusted to an officer, (being a covenanted servant of the Company) with the official designation of the collector of the tax on pilgrims at Juggernauth. The general superintendence of the collections, and the controul of the officers employed in the performance of that duty, shall be vested in the Board of Revenue at Fort William.

The avenues for the admission of pilgrims to the temple confined to ghaut Attarah Nullah and ghaut Lokenauth

III. The avenues for the admission of pilgrims to the temple of Juggernauth shall be confined to two; viz. ghaut Attarah Nullah on the north, and ghaut Lokenauth on the south of the town of Juggernauthporee.

Rate of tax to be levied at each of those ghauts respectively on pilgrims of the description of Laal Jautreys

IV. The tax to be levied at ghaut Attarah Nullah, shall be fixed at ten rupees; and the tax to be levied at ghaut Lokenauth, shall be fixed at six rupees, on each person of the class of pilgrims, commonly called Laal Jautreys, whether such appellation shall have been assumed by the pilgrims themselves, or whether they shall be so denominated by their conductors

Rate of tax on other pilgrims

V. The tax on all other pilgrims indiscriminately shall be levied at the rate of two rupees from each person.

The abovementioned tax shall include the usual fees of the officers of the temple, with exception of those denominated Purharees and Pundahs, who shall be entitled to receive the usual fees, according to a table of rates to be fixed up for general information.

Voluntary presents or gifts may be received by the officers

Deviations from these rules will subject the officer to be dismissed from his employment.

VI. The above-mentioned rates of tax on pilgrims, are to be considered to include the usual fees of the officers of the temple; and these fees shall in future be paid to them out of the funds which have been, or may be assigned for the support of the temple. Provided, however, that this rule shall not be considered applicable to the officers denominated Purharees and Pundahs, who shall be entitled to receive, in conformity to established usage, a fee from the pilgrims, according to a table of rates which shall be kept fixed at the temple of Juggernauth, and in places adjacent to the temple for general information. The officers attached to the temple, are accordingly strictly prohibited from making any demands for money, exclusive of the tax and fees specified in this and the preceding sections. This restriction, however, shall not be construed to preclude the said officers from receiving presents or gifts; the same being voluntarily made. Any deviation from these rules will subject the officer by whom such offence shall be committed, on proof thereof made to the satisfaction of the Board of Revenue, or of the Governor General in Council (if the nature of the case shall require a reference to Government under the general provisions contained in Regulation V. 1804,) to be dismissed from his employment.

VII. It

The collector with the approbation of the Board of Revenue shall establish such rules as may be necessary for the due collection of the tax, &c

VII. It shall be the duty of the collector of the tax on pilgrims to establish, with the approbation of the Board of Revenue, such rules as may be necessary for the due collection of the tax; for keeping regular and clear accounts of the receipts; for the prevention of embezzlement by the native officers; and for guarding against any evasion of the established tax by the pilgrims.

He shall likewise with the assistance of the police officers establish the necessary rules for preserving regularity and good order amongst the persons resorting to the temple.

VIII. It shall likewise be the duty of the collector to establish, with the sanction of the Board of Revenue, and aided by the officers of police, such rules for the admission of pilgrims into the town of Juggernauthpooree through the prescribed avenues of ghaut Attarah Nullah and ghaut Lokenauth, as may be necessary to guard against accidents and confusion, and to preserve regularity and good order among the great concourse of people resorting to the temple.

What persons shall be exempted from the tax

IX. In conformity to long and established usage, the following descriptions of persons shall be considered to be exempt from the payment of the tax on pilgrims at Juggernauth, viz. Byraghies; persons employed in carrying the water of the Ganges to the temple of Juggernauth, or to any other Hindoo temple; persons residing between the Byturnee Nullah and the Ganjam river; persons resorting to the town of Juggernauthpooree for trade, or for any other purpose, excepting on pilgrimage. Pilgrims likewise in an actual state of poverty shall be exempted from the payment of the established tax, on declaring, under such form or ceremony as shall be prescribed by the native officers entrusted with the management of the temple, that they cannot contribute the prescribed tax of two rupees, and that they have not in their immediate possession more money than is absolutely necessary to defray their expenses on their return from the pilgrimage.

Any other class of people heretofore exempted may be exempted by the Governor General in Council, who reserves to himself the power of granting temporary and special exemptions.

X. If it should appear that any other class of people was heretofore exempted from the payment of the duty levied on pilgrims under the late Marhatta Government, the collector of the tax shall report the circumstance to the Board of Revenue. That Board shall submit the case, with their sentiments on the subject, to the Governor General in Council, who will order such class of people to be in future exempted from the payment of the tax, or not, as may appear to him to be proper. The Governor General in Council likewise reserves to himself the power of granting any temporary and special exemptions from the tax in favour of individuals which he may consider to be proper.

The superintendence of the temple and its interior economy, and the controul over the officers and servants attached to it, shall be vested in an assembly of pundits or learned Brahmins

XI. The superintendence of the temple of Juggernauth and its interior economy; the conduct and management of its affairs; and the entire control over the priests, officers and servants, attached to the idol and to the temple, shall be vested in an assembly of pundits or learned Brahmins, who on all occasions shall be guided by the recorded rules and institutions of the temple, or by long and established usage.

The assembly of pundits shall consist of three members recomended by the collector

XII. The assembly of pundits shall consist of three members, to be recommended by the collector of the tax on pilgrims, through the Board of Revenue, to the Governor General in Council.

Rules to be observed by the collector in making the selection.

XIII. In the selection of persons to fill that situation, it shall be the particular duty of the collector to consult the opinions of the most respectable Hindoos, with respect to the description of persons, from whom the selection ought to be made, and to satisfy himself that the character and qualifications of the persons whom he may recommend, are such as afford reasonable grounds of belief, that they will exercise the important trust to be committed to them with propriety. Nothing however contained in this, or in the foregoing Section, shall be construed to preclude the Governor General in Council from nominating in the first instance any person to fill the office of pundit, should he at any time deem it advisable to exercise that power.

The foregoing rules shall not preclude the Governor General in Council from nominating in the first instance any person to fill the office of pundit.

The opinion of the majority of the assembly shall be adopted.

XIV. In all cases of difference of opinion amongst the members, the opinion of the majority shall be adopted by the assembly.

The pundits shall hold their situations during good behaviour, but may be removed on proof of misconduct

XV. The pundits shall hold their situations so long as they shall continue to conduct themselves with integrity, diligence and propriety, but nothing contained in this Regulation shall be construed to preclude the Governor General in Council from removing any person from that situation on proof of misconduct in such person made to the satisfaction of government.

The assembly of pundits are authorized to punish persons subject to their controul for neglect or misconduct, by fine or suspension, under certain restrictions and rules.

XVI. To enable the assembly of pundits to perform the duties of their station with greater effect, they are hereby empowered to punish persons subject to their control, for any instance of neglect or misconduct, by imposing small fines upon them not exceeding one month's salary or income, or by suspending the offender from his office, if the offence shall appear to merit that punishment; provided however that, in the former case, the fines so imposed shall be reported to the collector, in order that the amount may be deducted from the offender's salary or wages, and that in the latter case, viz. the suspension of any officer from his employment, a report shall be made to the collector for the decision of the Board of Revenue, or of the Governor General in Council, according to the nature and the circumstances of the case, on the principle of the rules contained in Regulation V, 1804.

Rules in cases of criminal offences of a nature requiring greater punishment than that stated in the foregoing section.

XVII. If any person attached to the temple of Juggernauth shall be guilty of any offence of a criminal nature, which may appear to the assembly of pundits to require any greater punishment than that above stated, the person accused shall be delivered over to the charge of the officers of police, who will proceed against him in the manner prescribed in the general regulations.

XVIII. Such

XVIII. Such salaries shall be allowed out of the funds to be assigned for the support of the temple, to the persons composing the assembly of pundits at Juggernauth, and to the other ministers and officers of the temple, as the Governor General in Council may hereafter think proper to fix for their support.

Salaries will be hereafter allowed out of the funds assigned for the support of the temple to the several persons attached to it

XIX. It shall be the duty of the collector to report to the Board of Revenue whenever vacancies may occur among the ministers and officers of the temple; when that Board will either order the vacancies to be filled, or refer the case to government, as may appear to be proper, in conformity to the principle of the rules contained in Regulation V, 1804. In the recommendation of persons to fill such vacancies, the collector is required to attend particularly to the established usages of the temple, and to the religious opinions of the officers of the temple, and of the pilgrims who resort to it.

Rule to be observed in cases of vacancy occurring among the ministers and officers of the temple.

XX. To enable the collector of the tax on pilgrims at Juggernauth, to perform the duty entrusted to him with effect, he is hereby empowered to levy small fines from any of the ministers, officers, or servants attached to the temple for neglect of duty, or other misconduct. Provided, however, that no fine shall be levied, exceeding the actual or computed monthly allowance of the person by whom it may be payable. Provided also, that any person, on whom such punishment may be imposed, shall be at liberty, should he deem himself aggrieved, to apply for redress to the Board of Revenue; who will pass such orders on the subject as shall appear to be just and reasonable, and whose decision shall be final.

The collector authorized to levy fines from the ministers, officers, &c. in certain cases.

Any person so punished may apply to the Board of Revenue for redress, should he think himself aggrieved.

XXI. The collector of the tax on pilgrims at Juggernauth shall be ex-officio assistant to the magistrate of the zillah of Cuttack, and shall be competent to exercise all the powers, which either are, or at any time may be vested in the head assistants to the zillah and city magistrates. The person, by whom these powers may be exercised, is required at all times; to give every attention to the religious opinions of the Hindoos, and to the particular institutions of the temple of Juggernauth, which may be consistent with the general regulations, and with the maintenance of peace and good order at the temple, and its vicinity; and he shall on no account suffer his peons or ministerial officers to enter the precincts of the temple.

The collector shall be ex-officio assistant to the magistrate of the zillah of Cuttack, and may exercise all the powers vested in the head assistants to the zillah or city magistrates, under certain restrictions.

XXII. The town of Juggernauthporee, and the country adjacent, shall constitute a police jurisdiction within such limits as may be fixed with the approbation of government; and either one or more of the Dewul Purchas, as the Governor General in Council may direct, shall be appointed to be darogahs of police within those limits, with the powers vested in the darogahs by Regulation XIII, 1805, and the other regulations thereby extended to Cuttack.

One or more of the Dewul Purchas shall be appointed to be darogah of police for the town of Juggernauthporee and its vicinity.

XXIII. It shall be competent for the court of Sudder Dewanny Adawlut, to appoint the Dewul Purchas to be commissioners in the town of Juggernauthporee and its dependencies, for the trial of civil suits to a limited amount, under Regulation XL, 1793, and Regulation XLIX, 1803, extended to Cuttack by Regulation XIV, 1805. The Sudder Dewanny Adawlut is likewise hereby further authorized to prescribe such rules, as may appear to be necessary for the conduct of the duties of the commissioners, either in rotation, or in such other mode, as may appear to be best calculated for the speedy decision of the suits of which the commissioners are empowered to take cognizance, and as may the least interfere with the duties of the temple.

The Sudder Dewanny Adawlut may appoint the Dewul Purchas to be commissioners for the trial of civil suits to a certain amount in the town of Juggernauthporee and its dependencies, and may prescribe such rules for their conduct as may appear necessary.

EXTRACT Bengal Revenue Consultations, 3d April 1806.

THE Governor General in Council observes, that a Regulation for the collection of the tax on pilgrims at Juggernauth, will be passed in the Judicial Department on the present date.

Read a Letter from the Collector of tax on pilgrims, requesting orders to the Collector at Cuttack to correspond with him.

Ordered, That the Secretary write the following Letter to the Board of Revenue.

To the Board of Revenue.

(No. 42.)

Gentlemen,

1. I AM directed by the honourable the Governor General in Council to transmit to you, for your information and guidance, the enclosed copies of a Regulation for the superintendence and management of the Temple of Juggernauth.

2. Under the provisions of that Regulation, the correspondence with the Collector on all points excepting the police and the administration of justice in the vicinity of the temple, is to be conducted by your Board.

3. On the 27th February last, Mr. Hunter was appointed to the office of Collector of the tax on pilgrims of Juggernauth, with a salary of 500 rupees per month, and a commission at the rate of one and a half per cent on the gross collections.

4. Enclosed you will receive for your information, a copy of the correspondence which has taken place on that subject between Government and the Collector.

No. 7. Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

5. I am likewise directed to transmit to you the enclosed original letter from the Collector, for such orders as you may deem it necessary to issue on the subject of his address to the Collector of Cuttack.

6. You are desired to acquaint Mr. Hunter that his letters are in future to be addressed to your Board.

I have, &c.

Fort William, 3d April 1806. (Signed) *G. Dowdeswell*, Sec^{y} to Government, Rev. Dep^{t}.

EXTRACT Bengal Revenue Consultations, 17th April 1806.

(No. 15.) The Secretary was directed to write the following Letter to the Board of Revenue on the 15th instant.

Gentlemen, To the Board of Revenue.

ON the 3d instant you were furnished with copies of the Regulation enacted for the superintendence and management of the Temple of Juggernauth. The honourable the Governor General in Council understanding that, in addition to the several descriptions of persons enumerated in section 9 of that Regulation, it would be advisable to exempt persons of the religious order denominated Sonassies, from the payment of the established tax, I am directed to acquaint you, that the Governor General in Council has been pleased to desire that you will order the Collector of the tax to grant such exemption accordingly, and to fix up a notification to that effect at the several Cutcherries for general information. You are desired to communicate the foregoing order to the Collector without delay.

I have the honour to be, &c.

Fort William, 15th April 1806. (Signed) *G. Dowdeswell*, Sec^{y} to Government, Rev. Dep^{t}.

A. D. 1806. REGULATION V.

A REGULATION for preventing Persons from evading payment of the Tax established by Regulation IV, 1806.—Passed by the Governor General in Council, on the 17th of April 1806; corresponding with the 6th Bysaak 1213 Bengal era; the 14th Bysaak 1213 Fussily; the 6th Bysaak 1213 Willaity, the 14th Bysaak 1863 Sumbut; and the 27th Mohurrum 1221 Higerée.

Preamble. WHEREAS it has been deemed advisable to make further provision for preventing evasion of the payment of the tax established by Regulation IV, 1806, on the part of persons resorting to the temple of Juggernauth: And whereas it has been likewise judged advisable to grant an exemption from the payment of that tax in favour of persons of the religious order, denominated Sonassies; the following rules have been established, to be in force from the time of their promulgation.

Persons of the description of Lall Jatrays, who may attempt to evade the tax by assuming the appellations of inferior ranks, shall make good the difference of the tax and be liable to a fine of double the amount.

II. The appellation of Loll Jatrays being applicable to all classes of Hindoos of substance and respectability, when engaged on a pilgrimage to the temple of Juggernauth; if any person of that description shall endeavour to evade payment of the prescribed tax, by assuming an appellation applicable only to the inferior ranks, he shall be compelled, not only to make good the difference between the sum actually paid by him, and the established tax; but he shall likewise be subject to the payment of a fine equal to double the amount of the tax; provided, that it shall be proved to the satisfaction of the Collector, that such pilgrim ought in the first instance, to have paid the tax at the rate ordered to be levied from Loll Jatrays: provided, however, that it shall not be competent for the Collector to order any personal search or examination to be made of the pilgrims, for the purpose of ascertaining whether any cash be discoverable in their possession.

Collector not competent to order any personal search or examination.

Sonassies exempted from the payment of the tax.

III. Persons of the religious order, denominated Sonassies, shall be exempted from the payment of the tax established by Regulation IV, 1806, in common with the several descriptions of persons specified in section 9 of that Regulation.

Restrictions contained in Section XXI, Regulation IV, 1806, only applicable to peons, &c. serving process or executing their duty as police officers.

IV. It being prescribed in section 21, of the above-mentioned Regulation, that "the "magistrate shall on no account suffer his peons or ministerial officers to enter the precincts "of the temple;" it is hereby explained, that such restriction is only to be considered applicable to persons of that description when employed in serving process, or in the execution of other duty entrusted to them in quality of officers of police, and that the said restriction is not intended to extend to such peons or other officers, whenever they may be desirous of visiting the temple for religious or other purposes.

EXTRACT Bengal Revenue Consultations, the 1st of May 1806.

Translation of a PETITION presented by Shee Ram Shunker Bhartee.

(No. 25.) AFTER offering up prayers for the increase of the power and glory of the British government, I have the honour to represent, that the Swamees (a particular cast of religious devotees

devotees) of Pursootum Chuttur, sent a letter to Juggut Gurroo Shunker Uchary, at his residence in Skeengeenee, on the subject of the replacement of the idol Bhyroo, stating that they had used their best endeavours for that purpose with the Soubahdar of the Marhatta government, but without effect; and requesting that he would dispatch some confidential person who might be able to succeed in that object, and thereby re-establish the religious worship of the Swamees. The Gooroo, upon the receipt of that letter, was desirous of sending some person to Pursootum Chuttur, but every one declined the office, at length he desired me to go; I replied, "That country is under the government of the Marhattas, and the Byragees are the authors of that mischief, my proceeding there will be of no avail, I will however obey your commands; if I am successful, I will return to you, but otherwise I will make that place the deposit of my bones." Having said this, I proceeded to Pursootum Chuttur, where I was informed of the following particulars with regard to the Swamees: That from antient times the two idols of Bhyroo and Gooroo had stood upon the throne of Sree Juggernauth Swamee Muha Peerbhoo; that lately, on the occasion of some repairs being made to the throne, Berkmeharee, who was vested with the chief authority, has removed the two idols from their place, and that when the throne had received the necessary repairs, he had been persuaded by Sree Ram Das, Jye Ram Das, and other Byragees and followers of Bishnoo, not to replace them; on the day that the idols Bhyroo and Gooroo were not replaced, Ram Kishon Jeeruth Swamee and others abstained from food, and for four years subsisted on fruit alone. From dread of Birhemcharee, who governed during that time, they durst not make any complaint on the subject of his proceeding. It is now nearly a period of four years since the mother of the Muha Rajah Ragojee Bhooslah, accompanied by Munnia Bapoo the Rajah's brother, visited Pursootum Chutteer on a pilgrimage to the temple of Sree Juggernauth. The Swammes having communicated to those personages a full account of the wicked proceedings of the Bishnoos on removing the idols, they immediately gave orders that both the idols should be restored to their former places. The Muha Rajah himself, upon being informed of this affair, sent four Hurkarra to convey Birhmchaiee to his presence; Birhmcharee having perused the order requiring his attendance at the Rajah's court, suddenly decamped during the night, and took the road to Benares, one year after the departure of the Muha Rajah, mother and brother, from Pursootum Chutter, Bala Jee Kaleekur, the Muttusuddee of the Muha Rajah, came on a visit to inspect the state of affairs in the Soubah of Orissa. The Byragees having conciliated his favour by the donation of a bribe, and having assembled a body of their tribe to the number of 300 or 400 armed men, took down the two idols, and having broken them in pieces threw them at midnight into the sea. The next day Balagee Kaleeken's house suddenly caught fire, and was burnt to the ground. That person then removed into another dwelling, which soon afterward shared the same fate. He then took up his residence in the quarters where his attendants were stationed, but they were also consumed to ashes. At last he removed into a tent on the banks of the Mahanuddee. The tent likewise was consumed by fire. Soon afterwards a ball of fire fell from the clouds, and killed a person in his retinue. Thus pursued by the divine wrath, he at last fixed his abode for some days under a tree, and then fled towards Nagpore; at the place where he stopped on the road, a fire suddenly broke out, and the day he reached Nagpore his house there was likewise consumed; Ragojee Bhooslah being informed of all these particulars, levied a fine, and afterwards inflicted some punishment upon him. A few days subsequent to this, Balajee was struck with blindness in both his eyes; at this period Ramkishen Teeruth and others of the Dundee or Swamee sect, arrived at the Rajah's court, and related the circumstances attending the destruction of Bhyroo. The Rajah, upon the receipt of this intelligence, dispatched a Hurkarra to Pursootum Chuttur, to summon the Byragees to his presence. The Hurkarra having assembled all the Byragees, and taken his leave of Inkajee Sookhdeo, set out on his return with them to Nagpore; during the journey, at a place called Kutlow, the Byragees dispersed, and fled in the direction of the Fort of Eeth Gach and Gnoome Sir. The Rajah being informed of the flight and dispersion of the Byragees, dispatched Swajee Pundit to Pursootum Chuttur, to sequestrate the charitable funds belonging to them. About this period Ramkishen Teeruth, unable longer to support the want of nourishing food, resigned his soul to his Creator; and the Rajah having satisfied the minds of the Dundees, dismissed them with an order to Inkajee Sookhdoe, the Naib Governor of the province, and to the chief priests and attendants of the temple, to replace the two idols according to former custom; the Dundees having arrived in Pursootum Chuttur, delivered the Rajah's order to Sookndeo, who promised to replace the two idols accordingly. Deewan Her Buns Race happening to arrive at this time from Nagpore, and interesting himself deeply in the cause of the Byragees, prevented the two idols being replaced, and deferred the execution of the Rajah's orders from day to day.

The Swamees being at last hopeless of success, waited on the Dewan in a body, and requesting to know what were his motives for distressing them by such conduct, begged that he would give them a decisive answer without further delay. The Dewan replied, "I will not allow Bhyroo to be replaced—you may do as you please." The Swamees answered, "We are Soonnassees, we cannot oppose your will, but we will lie down and die at your door." The Dewan told them, that their dying, and the non-replacement of Bhyroo, would not occasion any loss to his Government. The Swamees observed, it would be seen hereafter whether or not his Government would suffer in consequence. The Dewan replied, "When this Government shall suffer loss, then I will cause the idols to be replaced." The Dundees then said, "When your power shall be reduced, we ourselves will replace Bhyroo, and until that time we will neither see your face nor live in your city." With these words they went out of the city at midday. Sree Jugunauth had compassion upon them, and accordingly

punished

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punished the Dewan in the very manner he himself had mentioned, and bestowed the Province upon the honourable Company.

Under these circumstances, I pray that you will be pleased to investigate this matter according to the rules of justice and equity, and cause the two idols to be replaced as formerly, that thus the religious faith of the Dundees may remain firm, and the reputation of the British Government for justice to its subjects become notorious to the whole world.

Last year I had the honour to state in detail all the above particulars to Mr. John Melville, Colonel Harcourt, and Mr. Græme, the Commissioners for the Affairs of Cuttack. These gentlemen informed themselves fully on the subject, but never made me any answer to my representation, and afterwards returned to Calcutta. I accompanied them to this place, and I have now been eight months expecting a decision. As I find that my object cannot be accomplished without an order from the Council being issued in my favour, I accordingly submit this Petition to its favourable consideration. Mr. John Melville is fully acquainted with my case, and if necessary, reference may be made to him for further particulars, moreover, let an order be issued to the authorities in the province of Orissa to summon the Chief Priests and attendants of the Temple of Juggernauth, Shewajee Pundit, Deewiel Kurrum Purcha, and others, and to cause these persons to enter into a bond to declare what they know of the dispute between the Swamees and the Byragees, whether the service of the temple first belonged to the Soonnassees or to the Byragees, and whether the superintendence and management of it is the right of the Swamees or of the Byragees. Having ascertained these points, let my case be favourably considered, and an order be issued for the examination of my claim and sunnuds, and for the settlement of all matters as in former times. In so doing, the Governor General and the other Members of the Council will perform a very virtuous action, and acquire a high reputation.

A true translation,
(Signed) *George Swinton*, Assistant Persian Secretary.

Ordered, That the Secretary write the following to the Board of Revenue.

(No. 26.)

To the Board of Revenue.

Gentlemen,

I AM directed by the honourable the Governor General in Council to transmit to you the enclosed copy and translation of a Petition from Shee Ram Sunker Bhartee, in order that the case stated by the petitioner may be referred to the assembly of Punduts at Juggernauth.

2. The Governor General in Council observes, that it is not desirable that Government should interfere in the decision of questions of the nature of that stated in the accompanying petition, except in cases in which such interference may be necessary for the security of public revenue, or for the maintenance of tranquillity and a good understanding among the several classes of its native subjects. The Governor General in Council therefore trusts that the religious disputes which are stated to prevail among the different sects of Hindoos at Juggernauth may be satisfactorily and finally settled by the reference above directed to the Pundits. But as the Governor General in Council understands that great importance is attached to the decision of this question by the different sects of Hindoos, you will direct the Collector to inform you, should the further interference of Government appear to be absolutely necessary for the decision of the dispute in question.

3. The Petitioner has been directed to attend you, you will accordingly communicate to him the orders which have been passed, with a view to a proper decision upon the case stated in his Memorial.

I have the honour to be, &c.

Fort William, the 1st May 1806. (Signed) *G. Dowdeswell*, Sec^{y} to Government, Rev. Dep^{t}.

(No. 37.)

EXTRACT Bengal Revenue Consultations, 15th May 1806.

Extract of LETTER from the Secretary to Government, to the Board of Revenue, dated as above.

Para. 18. I AM directed to desire that you will submit to Government, until further orders, a monthly statement of the collections made on account of the tax on pilgrims at Juggernauth, commencing from the period at which the tax was first established.

(No. 32.)

EXTRACT of Bengal Revenue Consultations, the 5th June 1806.

The Secretary reports that the Seal for the use of the Collector of the tax on pilgrims at Juggernauth, has been prepared.

Ordered, That it be forwarded to the Collector.

Board

No. 7.
Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

Board of Revenue to the honourable Sir G. H. Barlow, Baronet, Governor General in Council, Fort William.

Honourable Sir,

AGREEABLY to the orders contained in the 18th para. of Mr. Secretary Dowdeswell's letter of the 15th instant, we have the honour to transmit to you the accompanying statement of the Collections made on account of the tax on pilgrims at Juggernauth, from the 23d January to the end of April 1806.

(No. 36.)

We beg leave to observe, that we have required the Collector of Juggernauth to submit to us a statement of the fixed charges, and an estimate of the whole amount of the computed expenses of the Temple, on the receipt of which, we shall have the honour of addressing you on the subject.

We have the honour to be, &c.

Revenue Board, 30th May 1806.

(Signed) *Thomas Graham*, &c.
Members.

(Copy.)

Statement of COLLECTIONS made on account of the Tax on Pilgrims at Juggernauth, from 23d January to 30th April 1806, inclusive. (No. 37.)

		Sa Rs
1806.	From 23d to 31st January	1,226
	For, February	46,880
	— March	12,980
	— April	11,594
	Sa Rs	72,684

Fort William, Accountant General's Office, 28th May 1806.

E. E.
(Signed) *W. Egerton*,
Accountant Board of Revenue.

EXTRACT of Bengal Revenue Consultations, the 19th June 1806.

Board of Revenue to the honourable Sir G. H. Barlow, Baronet, Governor General in Council, Fort William. (No. 17.)

Honourable Sir,

1. IN continuation of our Address of the 30th ultimo, submitting a statement of the collections made from the pilgrims resorting to Juggernauth, we have the honour to transmit to you the accompanying statement of the expenses incurred in the same period.

2. Considering the small amount of the surplus which remains after discharging the above expenses, it appears to merit consideration, whether the present system for drawing a revenue from the pilgrims, may not be changed for the better, both with reference to the advantage of Government, and also to the convenience and prejudice of the Hindoos.

3. We think that the interference of the public officers, in superintending the general concerns of a Hindoo temple, so far from being calculated to promote economy in the expenses, to increase the reputation and prosperity of the Temple, or to augment the public revenue, is likely to be attended with contrary effects.

4. From the accounts we have received, we apprehend that the receipts from the pilgrims, will scarcely prove sufficient to defray the expenses of the Temple; for we imagine that the period of the heaviest collections has expired; and we know that further expences must be incurred. The Collector has already reported that Rs 19,000 are due on account of fees to the officers of the Temple. Under the above circumstances, therefore, you may probably think it proper to make an alteration in the present system: and we would recommend that the whole of the internal economy and management of the Temple be left entirely to the Hindoo Priesthood; and that the interference of Government be confined to the levy of a duty from the pilgrims, in like manner as is done at Gyah and Allahabad. Should you approve the above proposition, we shall state in detail the rules we would recommend being adopted for the collection of the duties from the pilgrims.

Revenue Board, 17th June 1806.

We have, &c.
(Signed) *T. Graham*, &c.
Members.

No. 7.
Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

To T. Graham, Esq. Acting President, and Members of the Board of Revenue.

Gentlemen,

(No. 18.) In obedience to the orders communicated to me in your Secretary's letter of the 30th ultimo, I have the honour to submit an abstract Account of the charges on account of the tax on pilgrims at Juggernauth, from 23d January to 30th April 1806, inclusive.

Fort William,
Accountant General's Office,
16th June 1806.

I have, &c.
(Signed) *W. Egerton,*
A. R. B.

Abstract ACCOUNT of the Charges on account of the Tax on Pilgrims at Juggernauth, from 23d January to 30th April 1806, inclusive.

Native establishment from December 1805 to February 1806	1,292	2	8
Ruth Expenses	23,611	15	10
Office Furniture	497	—	—
Cutcherry at Ghat Loknath	35	3	6
Extra Omlah	188	12	1
Collector's travelling charges	675	12	—
Sa Re	26,300	14	1

N. B. The following charges are due, but not paid:

Collector's Salary	1,035	11	5
Commission at 1½ per cent.	1,089	—	—
Sa Re	2,124	11	5

Fort William,
Accountant General's Office,
16 June 1806.

E. E.
(Signed) *W. Egerton,*
A. R. B.

(No. 22.) Extract of LETTER to the Board of Revenue, from the Secretary to Government, dated 19th June 1806.

4. The Governor General in Council desires that you will call upon the Collector of the tax on pilgrims at Juggernauth, for a detailed statement of the sums paid or payable on account of the Temple of Juggernauth, made up to the 31st ultimo, and for a full explanation of the grounds on which those expenses have been incurred.

5. In authorizing the Collector to incur the expenses necessary for the support of the Temple, it was of course to be understood that such authority had reference to the expenses incurred for that purpose during the the late Mahratta Government.

6. Although the sanction of the Collector was necessary, under the circumstances of the case, for the disbursement of the amount required for the above-mentioned purpose, it was never intended that he should interfere in the details of the disbursements, nor in the internal economy and administration of the Temple.

7. On a general consideration, however, of the subject, the Governor General in Council desires that you will submit to him the draft of such rules as you would propose to be established for the future management of the Temple, on the principle stated in your letter.

8. You are at the same time desired to consider whether it be necessary to exempt so large a part of the population of the district of Cuttack, from the payment of the tax on pilgrims, as is at present exempted under the provision contained in Section IX, Regulation IV, 1806, which declares that persons residing between Byturnee Nullah and the Ganjam river, shall not be subject to the operation of the tax.

EXTRACT Bengal Revenue Consultations, 9th October 1806.

(No. 25). Board of Revenue to the honourable Sir G. H. Barlow, Bart. Governor General in Council, Fort William.

Honourable Sir,

We have the honour to acknowledge the receipt of your orders of the 19th June last, desiring us to submit a draft of such Rules as we would propose to be established for the future management of the Temple at Juggernauth, on the principle stated in our address of the 17th June last.

2. On the receipt of those orders, we proceeded to draw out the general outline of the plan which appeared to us proper to be adopted for the future management of the Temple; and we forwarded a copy of it to the Collector of Juggernauth, for his opinion, whether any objections existed to the proposed system, or otherwise.

No. 7. Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

3. Enclosed we have the honour to transmit a copy of our resolutions, containing the general outline of the plan suggested by us, together with copies of two letters from the collector on the subject, stating his opinion generally, that he considers the plan practicable and advisable; but at the same time he expresses his doubts whether the priesthood would consent to the arrangement, unless other funds are appropriated for the expenses of the temple than those which we propose to be left for that purpose, viz. the lands at present assigned, and such fees for the officiating priests as were heretofore received by them under the Maharatta government; but on this point we do not ourselves entertain any doubts, as we think the above funds, with the voluntary contributions from the wealthy, will be fully sufficient to defray all the necessary expenses of the temple.

4. You will be pleased to observe, that we propose that the tax to be paid to government by all descriptions of persons, should be fixed at three R^s for each pilgrim, but we beg to add that we are aware of no objection to the collector's proposition of granting certificates to such persons as may be desirous of having them, on their paying the prescribed fee of ten rupees; and the mode in which the collector proposes that the pilgrims should obtain those certificates, appears to us to be judicious, viz. by their purchasing a license, to be distinguished in the manner proposed by him, for ten rupees, instead of the usual license at 3 rupees, on the return of which at the collector's cutcherry they shall be entitled to receive a certificate of their having visited the temple as Laul Jattries. But it is to be entirely optional with every person, of whatever description he may be, either to visit the temple under the common license, or under that which shall entitle him to the above certificate.

5. With respect to the plan as suggested by us, it will at least be attended with this advantage, that Government will know the extent of the expense to which it will be subjected in the collection of the duties from the pilgrims; and we think that all interference on the part of Government, in regard to the internal management of the temple, should as much as possible be avoided.

6. Should you approve the above plan, it appears to us advisable that measures should be immediately taken to carry it into effect. The only alteration that would appear necessary at present, in respect to the rules published in Regulation IV. 1806, will be to rescind section 4, 5 and 6 of that Regulation, and to add a clause specifying that for the present the tax to be levied on account of Government, shall be 3 rupees indiscriminately from all descriptions of people.

7. There is another section in the above Regulation, however, which we think may be hereafter abolished; we allude to section 9, on the subject of the alteration of which you were pleased to require our sentiments, in the 8th paragraph of your orders of the 19th June last; you will be pleased to observe that we referred the question to the collector, who in reply recommends that the inhabitants of the country within thirty miles in every direction, should be still exempted from the tax. But we do not see the necessity of so extensive an exemption. The object of the exemption proposed by the collector is for the purpose of removing all obstacles in the way of the town of Purshotumpore being supplied with the requisite articles of consumption. That object, we think, may be provided for by an exception in favour of the merchants, traders, beoparries, and others resorting to the bazars with articles for sale; but even in respect to those descriptions of persons, we would recommend that the exemption be nothing further than an exemption from the payment of the tax on passing the Ghauts, but that it be not considered as affording the privilege of visiting the interior of the temple; on this question, however, we propose to communicate our sentiments to the collector, for his opinion on the expediency of carrying them into effect, we propose therefore, that for the present, section 9, Regulation IV. 1806, be allowed to stand in force until we are furnished with sufficient information to enable us to alter it without detriment to individuals.

8. You will be pleased to observe, that in the 6th paragraph of our Resolutions of the 5th ultimo, we stated that it appeared to us proper for Government to nominate the assembly of Pundits directed to be appointed under sections 10 and 12, Regulation IV. 1806; but on reconsideration of the matter, we doubt much whether that measure would be advisable, as it appears to us that the hereditary priests of the temple should be left to controul the concerns of the temple, and that they should be continued as nearly as possible on the footing on which they stood under the Maharatta government. At Gyah, from the pilgrims resorting to which place Government derives an annual revenue of about a lac and a half of rupees, no interference whatever is had by the officers of Government with the priests of the temples. Their respective rights of succession to the different duties of the temples are left to be determined by themselves, and we are not aware of any instance of interference on the part of the officers of government, or of any instance of complaint being made on the subject.

9. With reference therefore to the substantial benefits arising to Government from the tax upon pilgrims resorting to Gyah, and on the other hand, to the inconsiderable receipts by Government from the Temple at Juggernauth, since it has been under the British Government, we consider ourselves fully justified in recommending that the rules respecting the concerns of the Juggernauth Temple, should be brought as near as possible to those existing at Gyah.

Revenue Board, I have the honour to be, &c.
12th September 1806. (Signed) *To Graham*, &c. Members.

No. 7. Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

Cons. 5 Aug. 1806.

1. THE Board of Revenue proceeding to take into consideration the present system relative to the collection of a public revenue from pilgrims resorting to Juggernauth, they observe, that in their address to Government of the 17th June last, they expressed their opinion that the system might be changed for the better, both with a reference to the advantage of Government, and also to the convenience and prejudice of the Hindoos. They observed, that the interference of the public officers in superintending the general concerns of a Hindoo temple, so far from being calculated to promote economy in the expenses, to increase the reputation and prosperity of the temple, or to augment the public revenue, appeared to them to be likely to be attended with contrary effects. They therefore stated it as their opinion, that the interference of Government should be confined to the levy of a duty from the pilgrims on account of Government, and that the whole of the internal economy and management of the temple should be left entirely to the Hindoo priesthood.

2. In reply to the above observations, the Governor General in Council was pleased to observe as follows:

"In authorizing the collector to incur the expenses necessary for the support of the "temple, it was of course to be understood that such authority had reference to the "expenses incurred for that purpose during the late Mahratta government.

"Although the sanction of the collector was necessary, under the circumstances of "the case, for the disbursement of the amount required for the above-mentioned purpose, "it was never intended that he should interfere in the details of the disbursements, nor "in the internal economy and administration of the temple.

"On a general consideration however of the subject, the Governor General in Council "desires that you will submit to him the draft of such rules as you would propose to "be established for the future management of the temple, on the principle stated in "your letter."

3. On the subject of the above observations, the Board remark, that the collector appears to interfere in the purchase of food for offerings to the idol, in the purchase of sundry articles for the use of the Ruth, and in various other ways, which the Board are of opinion would be much better and much more economically performed by the priesthood.

4. The Board remark that lands have been assigned for the purpose of defraying the expenses of the temple. The produce from those lands, together with such fees as may be authorized to be levied on account of the temple, with any voluntary contributions which may be offered by the wealthy Hindoos, are the resources which the Board are of opinion should be assigned to the priesthood for defraying the expenses, and for discharging the allowances and salaries of the persons attending to administer the affairs of the temple.

5th. Under the present system, the fees of the officers, with exception to the fees of the Puharrees and Pundahs, are collected by the officers of Government; that interference, the Board are of opinion, proves injurious to the interests of the temple, inasmuch as it is the means of preventing voluntary contributions on the part of the wealthy pilgrims; while the fees are collected by the officers of Government, it is not likely that the pilgrims will give more than the established fee, whereas were the priesthood allowed to collect their fees, the Board are of opinion, that considerably more would be received by them, as voluntary contributions, than under the present system will ever be paid. To fix fees, beyond which the priesthood should not be allowed to make a demand, appears to be in every respect proper; but in all cases of this kind, it is found that the voluntary presents of the pilgrims are the best resources for the temple, and as long as measures are adopted to prevent the priesthood exacting from persons not willing to pay more than the established fees, the Board see no reason why any obstacles should be placed in the way of the wealthy contributing as much as they think proper. The Board remark, that the net amount of the duties levied by Government from the pilgrims resorting to Gyah, amounts annually to about a lack and a half of rupees; at that place the Collector has no further interference with the pilgrims than to levy certain duties from them on the part of Government; in respect to the ceremonies to be performed, or to any donations to the priesthood, the Collector has no concern whatever, and the Board do not understand that any complaints are made by the persons resorting to Gyah for the performance of their religious rites.

6th. The Board see no reason why a similar mode should not be adopted at Juggernauth. It appears to the Board, that it would be proper for Government to nominate the assembly of Pundits directed to be appointed by sections 10 and 12, Regulation IV, 1806, for the general superintendence of the temple and its concerns, but that in no other respect Government or its officers should at all interfere, either in regard to the internal management of the temple, or to the appointment of any of the officers. The assembly of Pundits, with the priesthood at present attached to the temple, should be left to manage all the concerns of the temple in the manner they may think best calculated for promoting the interests of it.

7th. The Board resolve that the above observations be communicated to the Collector of Juggernauth, with directions to report whether any, and if any, what objections occur to him against the intended alteration.

8th. The next points to be considered are, the tax which shall be levied on account of Government, and the fees which the officers of the temple shall be allowed to demand from the pilgrims. In respect to the tax levied on the part of Government, the Board are of opinion,

opinion, that the levy of a different rate of duty from different descriptions of persons, is liable to objections, they should therefore propose, that a duty of three rupees should be levied from each pilgrim indiscriminately; with respect to the fees to be levied by the officers of the temple, the Board will hereafter furnish the Collector with orders on the table of fees transmitted by Mr. Graeme.

9th. The next question to be considered, is the mode of collection; and the Board are of opinion that the following rules will be proper to be adopted for that purpose.

10. That printed passes be prepared and sold by the Collector, and by officers particularly appointed by the Collector for that purpose; and that without such licenses, no pilgrims shall be allowed to pass the Ghauts, to which their entrance is at present confined.

11. That a Darogah, with such establishment as may be considered proper, be appointed on the part of Government, at each of the Ghauts, for the purpose of preventing any persons from passing without the prescribed pass, and for keeping an account of the number of pilgrims who may obtain admittance with passes.

12. That those officers be strictly forbid making any undue exaction from the pilgrims, and that on proof of any such exaction being made by them, they shall be liable to dismissal from office, and to pay a fine not exceeding ten times the amount which may be proved before the Collector (who is ex officio assistant to the Magistrate of Cuttack) to have been exacted by them.

13. The above mode of collection appears to the Board to be simple, and best calculated for preventing any undue exactions on the part of the officers of Government, and also for preventing the pilgrims being admitted without payment of the established fees.

14th. As it will be the duty of the Collector to dispose of as many of the passes as possible, he should fix on the most convenient places that occur to him for the sale of passes, It appears to the Board, that the town of Cuttack would be a proper place for an officer to be fixed for the sale of passes, as all pilgrims from Bengal and the North part of Cuttack would have to pass through that town; and the collections made by such officers, should be monthly paid into the Collector's Treasury at Cuttack. A certain number of passes may also be delivered to officers at other places, and they should be made to account with the Collector of Juggernauth monthly, or at such periods as may be found proper, for the amount of the passes intrusted to them. The adjustment of such accounts will be easily made, as the officers must either produce the passes, or else be accountable for the amount of them. With a view to interest these officers in the disposal of the passes, it appears to the Board, that it would be proper to fix a certain commission upon the amount realized by them, and the Collector will accordingly report his opinion at what rate the commission should be fixed.

15. As under the proposed system, the priesthood at the temple will be greatly interested in having as many pilgrims resort to the place as possible, it is to be supposed that they will exert themselves for the purpose of inducing pilgrims to resort to the temple; the Board are therefore of opinion, that it would be proper for the collector to sell to any of the priesthood, or to any persons who may be desirous of purchasing such quantity of passes as may be required by them, but in such cases the passes should not be delivered to the parties without their paying the price of them.

16. As the printed passes may be easily forged, the Board are of opinion that the collector's signature should be affixed to each pass, as they think the forgery of an English signature would be easy of detection.

17. In addition to the foregoing rules, it appears to the Board that certain rules should be adopted, for the purpose of preventing a pass being used more than once. For that purpose the Darogahs at the Ghauts should be obliged to certify on the back of each pass, the date of the admission of the respective pilgrims, and in the body of the pass it should be expressed, that the pass is not to be enforced beyond fifteen days after the date certified by the Darogah, a period which the Board understand is the longest required for the performance of all ceremonies at the temple; but exclusive of the above rule, it would appear to the Board to be desirable if it can be effected, to cause the passes to be returned to the Collector's office, the collector is accordingly desired to take that question into consideration, and to submit such rules as he may deem advisable both for the purpose of preventing the passes being again used, and for the purpose of the returned passes serving as a check upon the accounts to be kept by the Darogahs; the collector will take into consideration, whether the officiating priests might not be required to take back the passes from the pilgrims on the completion of the ceremonies, and to deliver them to the officer whom the collector may appoint to receive them.

18. According to the proposed system, the expense to be incurred on account of Government, will be, 1st, the Collector's establishment, and 2d, the establishment of the Darogahs at the two Ghauts. What the requisite expense of the above establishments will be, the Board cannot immediately judge, but they desire the Collector will submit to them a statement of the establishments he may recommend being kept up on the above accounts. The Board observe, that from the various increases of the establishments, which the Collector has at different times reported to be necessary, they are at present ignorant what the whole of the establishments entertained by him is, but they particularly observe that the number of Peons entertained for the purpose of preventing the entrance of pilgrims, appears to them to be excessively high, and they expect a particular explanation from the

No. 7. Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

Collector, of the necessity of the number of such officers as he may now recommend to be entertained. The Board understand that for the purpose of preventing persons either clandestinely or forcibly entering at any places besides the established places of admission, there is a strong barrier made by a hedge of prickly bamboos, where access is not prevented by the Nallahs in the vicinity of Juggernauth: a fence of such a kind, with the intermixture of thorns planted at the bottom of the bamboos, with a few Peons placed at different places, the Board think may prove a sufficient barrier for the purpose required, and they therefore desire the Collector's attention to the fence in question, and that he will report whether any extension thereof is requisite, and what expense would be incurred thereby.

19. The above are the principal rules which have suggested themselves to the Board, as being proper to be adopted for deriving a revenue from the pilgrims. The Collector will of course suggest any alteration as may appear to him proper, or any additional rules which may occur to him as necessary for obtaining the objects required; and they desire the Collector's early and particular attention to these orders.

20. In conclusion, the Board desire the Collector will consider whether it will be necessary to exempt so large a part of the population of the district of Cuttack, from the payment of the tax on pilgrims, as is at present exempted under the provision contained in section 9, Regulation IV, 1806, which declares that persons residing between the Bytarnee Nullah and the Ganjam rivers, shall not be subjected to the operation of the tax, and that he will report his opinion upon that point; the Board being at present of opinion that the exemption may be restricted to the inhabitants of the town of Poorishootum.

To the President and Members of the Board of Revenue, Fort William.

Cons. 12th Sept. 1806.

Gentlemen,

1. I HAVE the honour to acquaint you, that I have considered the practicability of carrying into effect the resolutions of the Board, forwarded to me in the 7 first paragraphs of your letter of the 5th instant, and the only observations that occur to me are as follows:

2d. The late Zemindar of the Temple, was the Rajah of Khoorda; and the chief hereditary Sewuk or Priest, is at present a minor, whose representative is Kishenchunder Mahapater, a man of little or no respectability, and who does not appear capable of conducting the affairs of the Temple, if left to himself.

3. The Purchas being liable to dismissal, will not have an interest in the permanent welfare of the temple. It therefore appears proper that their duty should be confined to the superintendence of the ceremonies, and that the allowance to be hereafter fixed for defraying the expenses of the temple, should be totally given over to the hereditary Priests; and that the Purchas should have no further authority on that subject, than to see that the articles are furnished and ceremonies performed according to established usage by the Priesthood.

4 I am however of opinion that the Priesthood should have the power of appealing to the Collector, in every instance where they may consider themselves aggrieved by the Purchas, as it does not appear improbable that the latter may sometimes make an abuse of the great powers with which they will be vested, unless they are made responsible for their actions.

In the mean time, however, the third Purcha demands a balance of last year to a large amount, as mentioned in my Letter of the 29th March, and further, an additional supply for the remaining expenses of this year, without which, he says, he cannot furnish the articles for Bhoy, &c.

6. As the expenses of the temple must continue to be defrayed by Government until the new arrangement takes place, I beg to be furnished with orders regarding the balance, and at the same time take the liberty of calling your attention to paragraph 6 of my letter of the 6th of June 1806, which refers to this demand.

7. I suspect the Priesthood will not willingly agree to continue the ceremonies of Juggernauth in the present style, with the funds proposed to be assigned to them by the 4th paragraph of your letter; but on this subject I have not considered it advisable as yet to consult any person.

8. In reply to the 3d paragraph, I have the honour to acquaint you that the Collector has in no case interfered in the purchase of any articles, except when his assistance was actually applied for by the Purchas; and the assistance of Government will hereafter also be required in most of these instances.

I have, &c.

(Signed) *J. Hunter*, Collector of Tax.

Kutuck, 22d August 1806.

To the President and Members of the Board of Revenue, Fort William.

Gentlemen,

IN answer to the latter part of your Letter of the 5th instant, I have the honour to acquaint you, that the proposed alterations will most probably answer the desired effect.

2. (Para. 8.)—In addition, I take the liberty of proposing, that any pilgrim may have the option of buying a red ticket for ten rupees, as a Lal Jatree; and that all red

tickets shall entitle the holder, when he returns, to receive a stamped Certificate of his having visited Juggernauth as a Lal Jatree. This should be declared to be most positively at the pilgrim's option.

3. (Para. 14.)—The expense of remittance, which would be saved by selling tickets at Kutuk, would be a mere trifle, and I should have difficulty in enquiring into complaints made against the person stationed there, on account of the distance, and pilgrims residing on this side of Kutuck, would not be able to procure tickets; it therefore appears much more advisable that no tickets should be sold at a greater distance than fifteen miles from Poorshoottom, and by so doing, the number of stations will be confined to three. The rate of commission which I propose for officers selling tickets is one per cent.

4. (Para. 17.)—The date of admission being certified on the back of each pass, effectually prevents its being used twice; but it appears that ten days is a very liberal allowance, and that any pilgrim staying more than ten days, can well afford to buy a new ticket. A Lal Jatree's ticket may be in force for twenty days.

5. As some pilgrims stay at Poorooshoottom for four months during the rains, a Lal Jattree's ticket, by the difference of inserting the name, may be made to continue in force during four months at that season.

6. The chief Purcharee may be required to return all tickets to the Collector's office at or before the expiration of their respective terms, under pain of being fined.

7. (Para. 18.)—The establishments required will be, first, the Collector's more immediate Amla; second, the establishment of two Darogahs; third, an increased establishment of Batpeadas, as there is not the smallest vestige or appearance of a Bamboo hedge having ever existed; and, fourth, an establishment of Mohurrurs at the gates of the temple.

8. I shall do myself the honour of reporting the particulars of those establishments, as soon as the Board shall direct the system to be put in execution.

9. (Para. 20.)—As it is necessary that persons in the habit of supplying the town with articles of consumption, should be as little liable as possible to detention or interruption at the Ghauts, it appears that thirty miles in every direction may be fixed as the distance to which the exemption may extend.

10. A Hindoo (not exempted from the tax) who shall demand admission at the gates of the temple, not being possessed of a ticket, may be declared liable to a fixed fine, part of which may be the due of the Mohurrur proving the attempt: this is to act as a further check upon pilgrims attempting to evade the tax.

11. It appears advisable that the present system of bringing all Ghaut tickets to the Sudder Kutcheree, should be continued, with this difference, instead of a new ticket being given in exchange, the original ticket should be again signed by the Collector, after being booked and numbered; and without this second signature, the holder of the ticket should not be permitted to enter the temple.

12. This appears the best check upon the Darogah's accounts, but the Purharees may nevertheless be bound finally to return the ticket.

13. A rule is required, which shall enable the collector to recover the amount of the tax (or fine) from a person who may have attempted to evade it.

I have, &c.

Kutuck, 26th August 1806. (Signed) *J. Hunter*, Collector of Tax.

Ordered, That the Secretary write the following Letter to the Board of Revenue.

To the Board of Revenue.

Gentlemen,

1. I am directed by the honourable the Governor General in Council to acknowledge the receipt of a letter from you, dated the 12th instant, with its enclosures.

2. Previously to making any alteration in the provisions already established for the collection of the tax on pilgrims at Juggernauth, the Governor General in Council deems it to be proper that the information required on all the modifications, and the several points noticed in your letter, should be rendered complete.

3. The plan suggested in the 3d paragraph of your letter, for defraying the expenses of the temple, appears to the Governor General in Council to be very advisable, provided that it can be carried into effect consistently with the attention which the Governor General in Council is desirous of showing to the religious opinions of the Hindoos, in providing for the support of the temple; to enable the Governor General in Council, however, to form a more accurate judgment on this point, you are desired to submit to him a statement of the allowances at present assigned, either in land or money, for the support of the temple, and of the expenses of the institution, on the scale of moderation on which the Governor General in Council concludes it was maintained during the late Mahratta Government.

4. With

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4. With respect to the voluntary contributions proposed to be allowed to the officiating priests, two questions arise, which appear to merit consideration; First, whether those contributions may not gradually degenerate into a source of exaction and oppression on the pilgrims; and secondly, whether they can properly be appropriated to the support of the temple, it being presumable, that any money so given, would rather be applicable to the private use of the individuals to whom it may be paid. These remarks are only stated for your consideration, in submitting your final report on the subject, and are not intended to be construed as a rejection of any part of the plan proposed by you, provided that it shall on further enquiry appear to be consistent with the principle above noticed.

5. The Governor General in Council entirely approves the proposed modifications of the rates of tax, as stated in the 4th paragraph of your letter.

6. The Governor General in Council is not at present aware of any objections to the proposed alteration of the provision contained in section 9 of the Regulation in question, but (as you justly observe) it will be advisable to call upon the Collector for his sentiments previously to the adoption of the rule suggested by you.

7. The Governor General in Council concurs generally in the sentiments expressed by you, respecting the expediency of withdrawing the interference of Government, as far as may be practicable, in the internal administration of the affairs of the temple. On that principle the Governor General in Council is entirely of opinion, that it would be advisable to leave the superintendence of its concerns to the hereditary priests, in case any fixed order of succession is established among them, which shall ensure a due control over the temple, and prevent dissatisfaction among the great body of the people, from neglect or irregularity in the administration of its affairs. In this case, however, it will be necessary to distinguish between the Dewul Puchas, who, the Governor General in Council understands, are only the officiating priests, and the controlling authority of the temple. From such information as has hitherto been obtained on the subject, the Governor General in Council does not conceive that the general superintendence of the affairs could properly be entrusted to the former description of officers. It consequently remains to be ascertained, whether there is any other class of persons, or any particular family, in whom that power could, consistently with the constitution of the temple, be properly vested.

8. The doubts entertained by the Governor General in Council on this point, appear to derive some weight from the remark contained in the second paragraph of the Collector's letter of the 26th ultimo, in which he observes, that the "late Zemindar of the "temple, was the Rajah of Rhoordath, (now a prisoner at Midnapore;) and the chief "hereditary Sewuck, or priest, is at present a minor, &c." You are accordingly desired to direct the Collector to state his sentiments fully and circumstantially on the above points.

9. For the reasons above-stated, the Governor General in Council does not think it advisable to make any immediate alteration in the rules contained in Regulation IV. 1806. On receipt of the necessary explanation on the points above noticed, and of any additional information which you may deem it advisable to require from the Collector, you will of course submit to Government a further report on the subject, accompanied with the draft of a Regulation for altering such parts of the existing Regulation as you may on further consideration be of opinion should be rescinded, and for establishing such new rules as should in your judgment be finally adopted.

I have the honour to be, &c.

Fort William, 9th October 1806. (Signed) *G. Dowdeswell*, Sec^{y} to Government, Rev. Dep^{t}

EXTRACT Bengal Revenue Consultations, 5th March 1807.

(No. 20.)

Board of Revenue to the honourable Sir Geo. Barlow, B^{t} &c. &c. &c.

Honourable Sir,

HAVING communicated to the Collector of Juggernauth, your orders of the 1st May last, on the subject of the petition of Sha Ram Sunker Bhartee, we have the honour to submit to you the enclosed copy of his reply, together with the papers in the native languages transmitted with it, and with translations of them.

Under the circumstances stated by the collector, we apprehend that the dispute between the sect to which the petitioner belongs, and the sect of Byragees, will not be amicably settled; and for the reasons stated in the last paragraph of the collector's letter, we concur in opinion with him, that nothing satisfactory is likely to be obtained from Hindoo arbitrators.

If the papers transmitted with the Collector's letter can be relied upon, it appears that the idol of the Sunasses was not entitled to be placed upon the throne of Sree Juggernauth, but that it ought to be placed for public worship in a large court. If the validity of the Perwanch in question shall be satisfactorily established, it appears to us, that unless the Sunasses can produce documents of equal authority in their favour, their claim to have their idol seated on the throne, is inadmissible; we are of opinion, therefore, that the Collector should be required to call upon the Sunasses to produce any

documents

documents that they may have in support of their claim. The question, however, is one on which we possess so little knowledge that we have thought it proper to submit the collector's letter for your consideration and orders, previously to calling for any further information from him.

No. 7. Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

We have, &c. &c.
(Signed) *R. W. Cox*,
&c. Members.

Revenue Board.
2d January 1807.

To the President and Members of the Board of Revenue.

(No. 21.)

Gentlemen,

I HAVE the honour to acknowledge the receipt of your letter and enclosures of the 26th September, and in reply to acquaint you, that I in consequence proceeded to enquire into the circumstances of the case.

It would appear that the idols, as asserted, did formerly possess a place at the edge (bar) of the throne, and that the Byrages broke and threw them into the sea. That in the year 1201 Higeree Boghojee Bhoonsla issued an order to the priests of the temple to take care of an idol which would be put up by Enkajee Tirmul, also an order to Enkajee Tirmul to replace in its situation an idol which had been displaced by the Byrajees, and on which subject the Sunyasees had preferred a complaint; neither of those orders, of which I have the honour to enclose correct copies (No. 1 and 2), mention the name of the idol, or where its proper situation is, and to the best of my information, the only dispute is on the subject of the situation.

3. An order No. 3 was also issued by the Khonda Rajah (Mokundes) dated 4th Auk, or 1207, Amlee, to the officers of the temple, stating that they had not given information of the Byragees having destroyed Bhyro, and directing them to make a new idol and reinstate it in its place.

4. In the year 1207 Higeree, Boghojee Bhoonsla issued an order No. 4, to Roghonaut Krishen and Luckmun Junardan, also one to Kanoojee Guhwana, saying that Sunker Acharig very improperly wished to put Bhyro upon the throne (Rutn Singhausun), and directing to conform to established usage; he also sent a tesulleenama to the Sunts, Mohunts, and Sadasheo Rajah Ram, in a letter of no date (No. 5,), directs Bhyro not to be placed under the throne, but in the "Berkakulum."

5. There were also two other letters No. 6 and 7, without dates, written by Sadasheo Rajah Ram, directing to conform to established usage.

6. In answer to the orders of Government, requiring the collector to inform you, should the further interference of Government appear to be absolutely necessary for the decision of the dispute in question, I have the honour to state that the parties acknowledge no superiors of their own religion, which forms so strong an obstacle to the amicable decision of the dispute, that I am convinced it will never be settled but by an order of Government; whether that order shall be founded upon personal investigation, or upon any report which might be made by Hindoo arbitrators. This latter measure, however, I can by no means recommend, as I do not believe it would be possible to find arbitrators who are not entirely under the control of either one or other of the parties, or who could dare to give a decision contrary to the wish of their respective Gooroos.

I have, &c.
(Signed) *J. Hunter*,
Collector of Tax.

Juganath,
6th December 1806.

Translation of the Orders issued under the seal of Maha Rajah Rajoojee Bhoonsla Bahadur, to all the Pundits of Pursootum Chatter (Jugernath) on the 19th of Ramzan corresponding with.

Wunkajee Turmul has been directed to display the images as formerly in the temple of Seree Juganath. He will accordingly do so. You will take care of the images.

Translation of a Perwanah to Wunkajee Turmil, under the seal of Mahaiaja Ragoojee Bhoonsla Bahadur, dated 19th Ramzan.

As the Soonasees have complained to me of the images being carried off from Juggurnath by Byrajees, you are directed to replace the images. This Perwanah is consequently written to you, that you may have new images prepared and placed as formerly. To effect this Mahaweejee Nack is dispatched.

A letter from Mahaiajah Mokundes (the Bhoordar Rajah) to the Purchee of Seree Pursootum (Juggernath), and to all persons employed in the temple. The image of Bhyro Acharaj has for a length of time been placed in the same court with that of Seereejod. The Byragees have conspired amongst themselves, and have broken and destroyed the image of Byroo. You have never represented this occurrence to me. You must now prepare the image of Byroo, and place it where it formerly was.
Dated 13th of Mesh.

Perwunnah to Luchmun Junardhun, and Rujunah Kishen Ameen, under the seal of Maha Rajah Rajoojee Bhoonsla Bahadar, dated the 11th of Zakeeda.

A Bhysnoo, on the part of the Sunts and Mohunts, i. e. the Byragees, and their chief residents at Rajconith, having come to me, represented, through Kushnum Raj, that the

No. 7. Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

Sunasees, agreeably to the worship of Shunker Acharaj, wish to place the image Byrow on the chair of Seree Jugernauth, as that is contrary to custom it must never take place, therefore be careful that former usages be adhered to.

From the above cause the Sunts and Mohunts quitted the temple, and refused to eat the hallowed food. This Perwanah is therefore issued to you. As it is not proper to deviate from the established customs, you must take care that the ancient usages are observed, that similar complaints may not again be made to me, and that the Sunts and Mohunts who quitted their habitations, and refused to eat their food, may regain confidence, return to their abodes, live as formerly, and in no way suffer molestation.

A Letter from Sudashoo Rajah Ram to Neelkunt Row, brother of Sidashoo Row; dated 17th of Zeehjee.

The Sunts and Mohunts, residents of Juggernath, have sent a letter to the Maharajah, and one to me, stating that the Sunasees have prepared an image of Byrow, with the intention of placing it under the chair of Seeree Jugernath, and that they had in consequence quitted the temple. The Maharajah has consequently sent orders to Ameens and others, which orders shall be carried into effect. I have also sent letters to the Sunts and Mohunts, and to Mudnajee Nack. They will act accordingly. It is the wish of Government, that in the temple of Jugernath the ancient customs may be for ever retained, and nothing new introduced. Attending to this, perform your functions, and let the Sunts and Mohunts be very careful not to allow the image of Byrow that has lately been prepared, to be placed under the chair. In conjunction with Dirbee Sing, Patjoshee Duwut Kerra, and the Chuteesa Nijogee, i. e. the people employed in the 36 workhouses attached to the temple of Jugernath, place the image in question in a large court; and be careful that the Sunts and Mohunts eat the consecrated food as formerly, and that no complaint be again transmitted to Government on this subject.

A Letter from Sudashoo Raja Ram, in reply to one from the Sunts and Mohunts of the Temple of Jugernath; dated Nagpore, 17th Zihjee.

The Letter you sent was received at a most fortunate period, and I understand its contents. Orders have been issued agreeable to your request, which shall be carried into effect. It is the desire of the Maharajah that the usages which have been long established in the temple of Seeree Jugernath should be upheld. The image of Byrow that has been lately prepared must not be placed under the chair. Let it be placed in a large court. You must accord with this, and not complain again on the subject. May your acceptable prayers enable me shortly to visit you.

A Letter from Sudashoo Raja Ram to Mudnajee Nack; dated 17th Zehijee.

The Sunts and Mohunts residing in Jugernath addressed a letter to the Maharajah, and one to me, representing that the Sunasees had prepared an image of Byrow, with the intention of placing it under the richly-adorned chair of Seeree Jugernath, and that they had therefore quitted the temple. Orders have in consequence been issued by the Maharaja to the Ameen, which will be carried into effect. It is the wish of Government, that the ancient customs shall be preserved. It is required of the Sunasees, and of the Sunts and Mohunts, that they act as formerly, and that none of them shall unjustly interfere in the rites of another sect.

As it is proper that the image of Byrow which has been prepared, should be worshipped, you will require Dirbee Sing, Patjoshee, and Dewul Rum, and the men of the 36 workhouses, which are denominated Chuteesee Nijogee, to place the image in a spacious court, where it will be worshipped. Never deviate from the custom. You must not act until my arrival. After I shall have arrived, I will do what ever shall be necessary.

True Translations. (Signed) *D. Campbell.*
P. & B. Translator.

EXTRACT Bengal Revenue Consultations; March 26th 1807.

(No. 22.) Board of Revenue to the Honourable Sir G. H. Barlow, Bart. &c. &c.

Honourable Sir,

We have the honour to acknowledge the receipt of your orders of the 5th instant, relative to the Temple at Juggernauth.

In reply to the 9th paragraph of your Secretary's letter, we beg to inform you, that lately we called upon the collector of Juggernauth, to submit a complete account of the funds applicable to the support of the temple, including the produce of all land assigned for that purpose, together with as accurate an account as he could furnish of the whole of the expenses required to be disbursed in a year, for the Institution. The enclosed is a copy of the collector's reply, transmitting a duplicate of his report of the 8th November last, the original of which was transmited to you, with our letter of the 2d December last.

3. With the above paper we also beg to submit the collector's letter and its enclosure of the 27th May, referred to in his letter of the 8th November.

4. We beg to add, that we doubt whether any further information is likely to be obtained at present on the subject of the income and requisite expenses of the temple. The resources arising from the produce of the endowments of the temple appear to be capable of much improvement, and it is likely that the expenses will be diminished under the efficient control of the Rajah of Koorda.

We have, &c. &c.

Revenue Board, 17th March 1807.

(Signed) *Tho. Graham,*
R. W. Cox,
C. Buller,

To the President and Members of the Board of Revenue, Fort William.

Gentlemen,

(No. 23.)

I HAVE the honour to acknowledge the receipt of your letter of the 17th instant, and to enclose duplicate of my letter of the 8th November, which I fear must have miscarried from my not having received an answer.

2. As I consider myself virtually forbid, by the extract of a letter from the Governor General in Council, entered on your Resolutions of the 5th August, to enquire into the details of the disbursements of the temple, except in as far as to receive the accounts as furnished by the Purcha, without the power of checking them, I feel myself unable to furnish an account of the whole of the expenses required to be disbursed in a year for the Institution, which can have the smallest claim to accuracy.

I therefore beg the favour of your furnishing me with authority to check those accounts; this power being granted, I shall have little difficulty in complying with your orders, though I fear it will take up some time to prepare the whole accurately.

I have, &c.

Jagannath, 26th Feb. 1807.

(Signed) *J. Hunter,* Collector of Tax.

To the President and Members of the Board of Revenue.

Gentlemen,

I HAVE the honour to acknowledge the receipt of your letter and enclosures bearing date, the 21st ult. and lose no time in replying to the 2nd Para.

In my letter dated the 27th May, I did myself the honour of enclosing a list of all the lands which are brought to the account of Government in the Juma Khurch of the temple, with the amount of their produce for the years 1211 and 1212 Umlee. It would appear either that these lands are managed in a very improper manner, or that their resources are not wholly brought to credit. The circumstance on which I ground the foregoing remark, is, that on the 18th July I concluded a lease, subject to your approbation, for the six principal villages, for three years, at the yearly rent of Sicca Rs. 7,720, which sum exceeded the amount credited by Servagee Pundet, in no less a sum than S. Rs. 3,040. The lease was annulled in consequence of its militating against the intended system, and the lands are managed as before, by Servagee Pundit.

3. Besides those lands, there are many others under charge of the Muthdarees, &c. which do not appear in the accounts of the Temple, though they certainly appear to form part of its revenue. Most of these are contained in Lists 9 and 19, enclosed in Mr. Grame's letter to the Commissioners, dated 10th June, 1805, but in order to ascertain whether there were any others, I addressed a letter (copy of which is enclosed) to the Collector of Cuttak, and suppose he was not of my opinion, as no notice was taken of the communication.

4. The Temple has also many resources in lands (and, I have reason to think,) to an immense amount) in other districts, of these I can obtain no account.

5. Their allowances in money are enumerated in the other enclosures of my letter of the 27th May, under the denomination of Khunjas and sums received on sundry accounts. The latter, I have reason to believe, would be much more productive if honestly brought to account, or properly superintended.

6. Besides the above, I have paid in cash nearly S. Rs. 35,000, as was done in each former year since the capture of the province.

7. The acting chief Hereditary Priest strongly accuses the Purcha of embezzling great part of these resources, but his accusations have not been enquired into, it being the wish of Government not to interfere in the details of the disbursements.

8. The expenses of the Temple are at present under no control. The Purcha is fully aware that he is not considered amenable for mismanagement or extravagance; and except for the purpose of being retained in his situation, has no object in doing his duty with attention to the interests either of Government or of the Temple. The accounts which he now produces of the expenditure of the year 1210, make the disbursements amount to Khs. 196,052 13 13; or about Rs. 50,000, a few additional expenses have since been authorized by the Commissioners, and the sum of Khs. 20,000, or about Rs. 5000, has been added

both

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both to the Dr. and Cr. side of the Jumma Kurch, under the head of Mohim Bag, making the expenditure which ought to be allowed, amount in the whole to less than 60,000 Rs. and as the receipts allowed by Servajee Pundit amounted in 1212 to about 31,000 Rs. and he has received in cash about 34,000 Rs. from my treasury, it would appear that the present demand of money for the current expenses of the temple ought not to be complied with.

I shall shortly do myself the honour of reporting upon the other Paras. of your letter.

I have, &c. &c.

(Signed) *J. Hunter*,
Collector of Tax.

Jagannath,
18th Nov. 1806.

No. 24. Extract of LETTER to the Board of Revenue from the Secretary to Government; dated 26th March 1807.

Para. 7. The report furnished by the collector of Juggernauth respecting the funds applicable to the support of the temple, appears to Government to be very imperfect and unsatisfactory.

8. The Governor General in Council desires that you will instruct the collector to take the necessary measures for ascertaining the extent and situation of the lands, the revenue of which is applicable to the support of the temple, and for causing a proper Mofussil settlement to be made of the lands by the officers intrusted with the charge of them, under his immediate control and direction; reporting to you the result for the information of Government. The collector should at the same time be particularly careful to cause it to be made generally known, that the whole of the net produce of the lands in question will be exclusively applied to the support of that institution.

9. On consideration of the amount of the revenue which may be expected to be derived from the abovementioned lands, and of the other resources noticed in the collector's letter, Government will be enabled to judge whether it be necessary to assign any further funds for the support of the temple of Juggernauth, or otherwise. In the mean time you will direct the collector not to advance any further sums on that account, without the special sanction of Government.

EXTRACT Bengal Revenue Consultations, 4th June 1807.

(No 25.) Board of Revenue, to the honourable Sir G. H. Barlow, Bart. Governor General in Council; Fort William.

Honourable Sir,

1. We have the honour to transmit to you the enclosed copy of a letter from the collector of Juggernauth, with a copy of the petition which accompanied it from the second Purcha of the temple, and also an abstract Jumma Kurch account from 1208 to 1212.

2. The second Purcha states the difficulty of proceeding with the affairs and ceremonies of the temple from want of cash to enable the priests to defray the expenses required; and he urges the necessity of adjusting the accounts of the past years, and of making further advances on account of the current year.

3. On consideration of the accounts submitted by the collector, the principal object that presents itself is the very great increase in the expense of the temple in the last years. The funds of the temple would also appear to have gradually increased, but in a very small degree when compared with the increase of expense. On referring to the payments made by Government in 1213, it will be found that the actual payments, together with the amount of the balance claimed, are nearly double the amount of the payments and the balance of 1208. It would appear from the collector's report, that the excess of expense is alleged by the third Purcha to have been sanctioned by the late Commissioners for the affairs of Cuttack, but it would appear that no proof has been adduced of any sanction of that kind having been given. We would propose therefore, that the collector be instructed to call upon the 3d Purcha to explain the excess in the expense of the temple, and to produce the authorities under which he may consider the excess of expense to have been sanctioned. With respect to the funds of the temple, the resources of the land assigned for the expenses have not yet been ascertained by the collector. The present report, therefore, both in respect to the funds of the temple, and the expenses actually required to be disbursed on account of it, is very incomplete; still, however, there appears, from the circumstances reported by the collector, and by 2d Purcha, to be an absolute necessity for an advance being made by Government, to enable the priests to conduct the affairs and ceremonies of the temple. In what mode the collector has obtained the accounts of the expenses incurred under the late Mahratta Government, he has not explained; but as it would appear that he considers the accounts to be authentic, as far as they apply to the advances made by the late Government, it occurs to us that if you should be pleased to sanction any payments being immediately made on the part of Government, they should be regulated according to the standard of the advances made in 1209.

4. On a general consideration of the reports we have received from the collector, we doubt much whether any accurate information is likely to be obtained, either of the actual expenses requisite to be incurred for the ceremonies and duties of the temple, or of the funds at present belonging to it. The resources of the endowments in land may certainly be

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be ascertained in a much more satisfactory manner than they are at present, but in respect to the article of income arising from fees and presents, we conceive that any accurate information of that is scarcely to be expected, and we doubt also whether the funds arising from the sale of Mahapershaud can be justly ascertained.

5. From the accounts submitted, there would appear to be a necessity of some advances being made by Government in addition to the funds belonging to the temple. Instead of allowing a fixed sum hereafter on that account, it occurs to us that it would be an eligible mode to allow a certain per-centage upon the collections made by the Government from the pilgrims. By that mode the improvement of the funds applicable to the expenses of the temple will in a great measure go hand in hand with the improvement of the resources of Government, and both the proprietor or superintendant of the temple, and the priests, will find a manifest interest in encouraging the resort of pilgrims for the purpose of increasing the income of the temple.

6. On a reference to the accounts in our Accountant's office it appears, that from April 1806 to May 1807, the gross collections made on the part of Government from the pilgrims amounted to 1,18,253. The total charges incurred by Government in that period is stated at 42,666, leaving a net revenue of 75,587. Of this however, some balance may probably be claimed by the Purchas, as due to them on account of the expenses of the temple. The collector's accounts, you will observe, are only made up to the end of 1212, we are therefore uninformed of the amount which may be claimed by the Punchas on account of the period above mentioned, in addition to the amount actually paid to them. Of the charges above specified it appears that 20,168 are on account of the salary of the collector and of his aumlah, and a further sum of Rupees 1,200 was expended in the building of a cutchery for the collector. Deducting those sums from the gross collection, the balance would be 96,885. Supposing therefore, that for the expenses of the temple 20 per cent. had been allowed upon the receipts, after deducting the whole of the expense of collection, including the Collector's salary and commission, there would have been nearly 20,000 Rupees, which would have been appropriable on that account.

7. Although that amount is not as much as was advanced by Government in 1212, yet under all circumstances, we are of opinion, that if 20 per cent. be allowed upon the collections, after deducting the expense of collection, the expenses of the temple will be amply provided for. In the first place we conceive that the endowments of the temple may be considerably raised; and we have no doubt that under the management of the Rajah of Khoorda the expenses will be much reduced, and we should trust also that the revenues arising from the tax upon the pilgrims will hereafter be increased.

Revenue Board, 26th May 1807.

We have the honour to be, with respect, &c.
(Signed) *T. Graham*, &c. Members.

(Copies.)

To the President and Members of the Board of Revenue, Fort William.

(No. 26.) Cons. 26th May 1807.

Gentlemen,

1. I HAVE the honour to enclose copy and translation of a Petition presented by the 2nd (at present chief) Purcha of the temple, and to acquaint you, that in consequence of the 3rd Purcha's refusing, in his capacity of Purcha, of sathaus hazaree (i. e. purveyor, tahseeldar and cash-keeper of the temple) to continue his duty unless supplied with money, and also in consequence of the other facts mentioned in the Petition, I beg to suggest that the Purcha's proposals seem highly proper and necessary.

2. However, instead of paying money to the Purchas, I think it more advisable immediately to invest the Khoorda Rajah with his authority, advancing to him whatever money may be absolutely required for the ensuing festivals.

3. The 3rd Purcha has already begun to be very remiss in his duty; and if I should call upon him, (under Section 20, Regulation 4 of 1806,) to assign a reason why he should not be punished, he will immediately answer, that he has not the means of paying for the current expenses.

4. This can only be remedied by passing his accounts, which being done, a permanent allowance can easily be assigned for the temple, and I see no probability of otherwise effecting this desirable object.

5. I have already examined the accounts of the temple from the year 1208 till 1212, and have the honour to enclose an abstract thereof, which will show very clearly in what manner they have been conducted.

6. I have also inserted such remarks as occurred to me.

7. There does not exist in my mind the smallest doubt that the 3rd Purcha will discontinue his duty, but until the arrangements are completed I do not think it is advisable that the Khoorda Rajah should be invested with the control, unless it becomes necessary by the Purcha's refusal.

8. I trust no inconvenience or delay will occur from the Rajah's pretending to decline accepting the proprietary right of the temple, which he may possibly do with a view of procuring greater funds to be assigned for its support than are necessary.

No. 7. Proceedings of the Bengal Government respecting the temple of Jaggernaut.

9. In the mean time I have deputed an Aumeen to examine and report upon the lands as directed by your letter of the 31st March; and will do myself the honour of reporting the result as soon as may be practicable. I beg to be informed whether I shall cause the settlement to be concluded, or only prepared for your approbation; and also whether the charitable allowances at present paid from the produce of those lands, and charged in the Moofussil accounts are to be resumed and assigned over to the use of the temple, or not, as they do not appear to be charities paid on account of the temple.

10. I am induced, by paragraph 9 of the honourable the Governor General in Council's letter, enclosed in yours of the 31st March, to beg your particular attention to the remarks on the enclosed accounts, as the report on the lands is required for the purpose of enabling Government to ascertain whether any additional funds will be required for the temple, or otherwise.

11. When the value of the lands may have been ascertained I shall have the honour of forwarding what may appear to be a *just* estimate of the amount of each article of Juma and Khurch.

12. I have at present chosen the year 1209 as the criterion to judge by, because the accounts of 1210 were not examined by the former Government.

13. In conclusion, I have the honour to acquaint you that a person wishes to present a petition, saying that he is willing to pay every expense of the temple, and to conduct every necessary ceremony, without requiring any allowance from Government, except the amount of Saers abolished by the Magistrate; and he offers to give security to the amount of one year's Juma.

I have, &c.

(Signed) *J. Hunter*,
Collector of the Tax.

Juggernauth, 6th May, 1807.

Translation of a PETITION presented by Jagernauth Raj Gooroo, (at present Chief) Purcha of the Temple.

THE question respecting the order of the honourable the Governor General, that no money is to be paid on account of the temple without special orders, and the refusal of the Purcha of 27 Huzaree to carry on the Bhog, &c. and also your order to the Purchas of the temple to make such arrangement, that there may occur no neglect in furnishing the Bhog of Sree Juoo, has been received, Sir. The preparation of Bhog, &c. for Sree Juoo is provided for by the collections from the several Khunjas, and the assistance received in cash from Government. The Purcha of 27 Huzaree has collected and expended the amount of the Khunjas, and you are acquainted with the assistance which we have received from Government. In this state it is excessively difficult to carry on the Bhog, &c. of Sree Juoo, I therefore write the particulars under different heads.

1st. As the Purcha of 27th Huzaree has collected and expended the whole of the Khunjas, and there are several months of the year 1214 remaining, for which he refuses to continue the expenses, and he also claims a balance from Government, besides these Khunjas whether the demand be just or no, from this it would not appear that he will willingly give any money for the remaining expenses of the year 1214.

2. This money which he has received from the Khunjas and from Government from 1211 to 1214, is the property of Government; it is necessary that you should examine these accounts, because he says whatever extra expenses have been incurred since 1210 have been admitted by the Commissioners, but he does not produce any Sunud to prove this, I therefore suspect they have not been admitted. If he would produce any Sunud of that nature, signed by the Commissioners, I should know whether it were the case or not; and after examining the accounts you will be able to settle whether a balance is due from or to Government, and pass the accounts accordingly.

3. In the event of the accounts not being audited, and no money being given for the expenses of the temple, the Purcha of 27 Huzaree will claim his balance, and complain respecting the difficulty of furnishing Bhog.

4. Whatever the 27th Huzaree Purcha has collected in 1214 from the Khunjas is, according to his assertion, expended, and the remaining four months are entirely Jatras, viz. Chundun Jatra, Snan Jatra, and Ruth Jatra. In these three Jatras money is absolutely required for the expense of the Bhog, &c. of Sree Juoo, whether it be received from Government, or from the 27th Huzaree Purcha.

5. In the mean time the following seems to be the best mode of conducting the affairs of the temple; the accounts ought to be examined, and the balance either received or paid by Government, and when this is done, a new arrangement can be made for the future; and also a new Purcha of 27 Huzaree ought to be appointed, who shall not at the same time be a Dewul Purcha, and who shall be under the orders of the Dewul Purchas; but for the service of Sree Juoo it is necessary that some money should be given at present by Government in charge of the Dewul Purchas; and if money is not given, there will

the the utmost difficulty in carrying on the affairs of the temple, as I have above explained.

(Signed) *Jaganath Raj Gooroo,*
2d Purcha.

Dated 3d May 1807.
A true translation. (Signed) *J. Hunter,*
Collector of Tax.

Revenue Board. True copies. *R. Thackeray.*
Secretary.

No. 7.
Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

Petition of Soobajee Tordet to the honourable Sir George Hilaro Barlow, Bart. K. B. Governor General in Council, &c. &c. &c. (No. 27.)

The humble Petition of Soobajee Tordet of Zillah Collock, in province of Subah Orixa

Most humbly sheweth,

That your petitioner, in utmost submission, begs leave to represent the hard case in which he is involved, as follows; your petitioner, soon after the honourable Companies entered into possession of the territory of Subah Orixa aforesaid, in year 1211 of B. S. the Commissioners, Colonel Herwest and John Melveel Esq. were pleased to appoint your petitioner Dawrogah or Superintendant of the Shrine of duty Juggernauthjee, with the management of collection of Mehal of 27,000 Rupees, teratery belonging and depended thereto, for providing the expenses of holy devotion and, &c. of the said shrine. *Sic orig*

That your petitioner being indulged with a Sunnud of such appointment, directing him to perform the religious service, as has been all along established, he took upon him the management to discharge the function of his duties with fidelity and care, without any salary, and has delivered his accounts of the collection and disbursements from year 1212 to 1213 of B. S. in which a balance due in his favour of Sicca Rupees 14,646. 13. 17, which sum he was obliged to borrow of individuals, being the collection and receipts insufficient to be applicable of established charges incurred; your petitioner since being much pressed by his creditors, frequently applied to the collector for the payment thereof, which was of no effect. But the gentleman only advancing what at present requisite inefficient of expense, and nothing to on account of the said sum of 14,646. 13. 17, which your petitioner was obliged to borrow, as before stated, and he being much press by his creditors, came up to lay his grievance before his Excellency in Council. *Sic orig.* *Sic orig.*

Your petitioner therefore most humbly craves his Excellency will be so gracious as to take it into his Excellency serious consideration, to order to the Board of Revenue to afford redress, as to order to the gentleman collector to pay the balance, enable your petitioner to discharge his creditors, who are very sharp, treat your petitioner very ill, not only speaking insulting languages; also threaten to prosecute.

And your petitioner as in duty bound shall ever pray, &c.

EXTRACT, Bengal Revenue Consultations, 2d July 1807.

Board of Revenue to the honourable Sir G. H. Barlow, Bart. Governor General in Council, Fort William. (12.)

Honourable Sir,

We have the honour to submit to you the accompanying extract from our proceedings, relative to the taxes directed to be levied from pilgrims at Juggurnaut, under Section 4, Regulation 4 of 1806, which Section we beg to recommend may be suspended during the festival of the Rutjatra, and that until further orders the collector be directed only to collect the tax of 2 Rupees, as specified in Section 5 of the same Regulation, from Lall Jatries, as well as from all other pilgrims.

We have, &c.

Revenue Board, 30th June 1807. (Signed) *T. Graham,* &c. Members.

Extract from the Proceedings of the Board of Revenue.

The acting President delivers in the following Minute. (13.)

Acting President,

Having understood from many respectable Hindoos, who have recently visited the temple of Jaggernaut, that serious inconveniences have been experienced by the pilgrims resorting thither for the purpose of devotion, who are liable to the payment of the established taxes, under Regulation IV, 1806, owing to the scrutiny which takes place in order to ascertain whether they do not belong to those classes of pilgrims, denominated in the 4th section of the aforesaid Regulation, Laal Jauttreys, declared liable to a tax of ten and six Rupees respectively: That the delay alone arising from such enquiry (for all liable to the tax are equally subjected to this previous examination) is most distressing to them, as it obliges them to remain for many days in exposed situations, endangering their health, and wasting in substance the very scanty means they had provided for the accomplishment of their devotions:

No. 7. Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

devotions; that many in consequence have been compelled to return without attaining the end of their long and painful journey; and that many who had actually commenced their pilgrimage, on being informed of the process previous to admission, had retraced their steps to their own homes.

On the above consideration, and as the approaching festival of the Rutjattrah will naturally draw thither a great concourse of people, and as the continuation of the necessary enquiry at the present rainy season would tend greatly to increase the distress above noticed, I beg leave to propose, that we recommend to Government that the taxes directed to be levied by Section 4, Regulation IV, 1806, be suspended during the aforesaid festival, and until further orders; and that only the tax of 2 Rupees, prescribed by section 5, of the same Regulation, be levied from Laal Jautreys and all other pilgrims indiscriminately henceforward, and until further orders.

If the Board agree in the foregoing proposition and recommendation, no time should be lost in submitting it to the consideration of the Governor General in Council, as the festival will commence nine days hence.

30th June 1807. (Signed) *T. Graham.*

Mr. Buller,

As I do not myself possess sufficient information respecting the inconveniences stated in the acting President's Minute, and as there is not sufficient time for making a reference to the collector of Juggernauth, I think, that instead of recommending that the rule proposed by the acting President to be positively adopted, it would be better to recommend that authority be granted for the adoption of it, provided the collector on the spot should think it immediately necessary. In case he should have reason to suppose that the complaints which have been made at the Presidency are without foundation, or are greatly exaggerated; I think that no alteration in the present rules should be made, unless after further enquiry it should be proved to be proper and necessary.

Resolved, that the following letter be written to Government in conformity with the opinion of the acting President.

Revenue Board,

(A true Copy) (Signed) *R. Thackeray,* Secretary.

(No. 14) Ordered, that the Secretary write the following letter to the Board of Revenue.

To the Board of Revenue,

Gentlemen,

1. I AM directed by the honourable the Governor General in Council to acknowledge the receipt of a letter from you, dated the 30th ultimo, with its enclosures.

2. The Governor General in Council being impressed with a strong sense of the expediency of granting every reasonable relief and indulgence to the persons who may resort on pilgrimage to Juggernauth, I am directed to acquaint you, that the Governor General in Council has been pleased to invest the collector of Cuttack with the power of reducing the tax payable by Loll Jattries, under Section 4, Regulation 4, 1806, whenever such reduction may appear to be expedient, in consideration of the circumstances of the individuals by whom the tax is payable, and likewise with the power of remitting altogether the tax established by section 5 of that regulation, whenever he may deem such exemption requisite on account of the actual poverty of the parties.

3. The foregoing rule is only to be considered to be in force until a new regulation shall have been passed for the collection of the tax on pilgrims at Juggernauth.

4. You are desired to forward the present orders of Government to the collector of Cuttack, immediately on the receipt of them; you will at the same time acquaint the collector, that the Governor General in Council desires that he will reside on the spot during the ensuing festival at Juggernauth, for the purpose of expediting his decision upon claims which may be made to him for remission of the tax.

I am, &c.

Fort William, 2d July, 1807. (Signed) *G. Dowdeswell,* Secretary to Government, Revenue Department.

(No. 29.) EXTRACT Bengal Revenue Consultations, 29th January 1808.

Board of Revenue, to the Right Honourable Lord Minto, Governor-General in Council, Fort William.

My Lord,

Para. 1. WE have the honour to transmit to your Lordship in Council the enclosed copy of a letter from the collector of Cuttack, containing the accounts of the receipts and disbursements of the Temple at Juggernauth for the last six years.

2. The

2. The accounts of the receipts and disbursements of the tax on pilgrims has not yet been furnished; but the collector states his intention of immediately submitting them.

3. In respect to the lands assigned for the support of the temple, we are sorry to observe, that the collector has not yet been able to obtain any satisfactory accounts of their resources. He has however deputed an Ameen to make the necessary enquiries on that point, and we propose to enjoin his particular attention to effect that object with as little delay as possible.

4. From the present accounts, your Lordship will observe, that the average expenses of the temple during the last six years are stated to have amounted to Rupees 65,995. The average receipts, including the amount paid by Government, is Rupees 60,220, so that it would appear that there is a balance of about 34,648 still due to the officers of the temple, but of the expenses said to have been incurred in 1211, 12, 13 and 14, the collector proposes that several items, amounting in the aggregate to Rupees 44,162, be not allowed, we doubt, however, whether under the orders passed by the Commissioners on the accounts of 1211, it would be proper to make the deduction proposed by the collector. The collector conceives that from the terms made use of in the third paragraph of the Commissioners orders, it was not intended to absolutely pass the accounts of 1211, but that the adjustment of those accounts was to be left to the collector of Juggernauth. When we observe, however, that in the first paragraph of those orders the accounts are stated to be transmitted to the collector as "passed", and that in the next paragraph he is directed, in positive terms, to discharge the balances, which appear from those accounts to be due to the officers of the temple, we cannot conceive that the term, settling the accounts, made use of in the third paragraph, can be construed in the mode supposed by the collector. It appears to have no other meaning than that the collector was to settle the business by paying the balance due. Were it not for those orders of the Commissioners we certainly should not see any reason for passing the excessive charges incurred in 1211, and in the subsequent years; but it appears to us that the charges of 1211 were passed. The officers of the temple might with reason suppose that they were authorized to continue the same charges, unless positively prohibited doing so. In our opinions, therefore, the accounts must be passed without any deductions, and the balance due upon them paid to the officers of the temple.

5. With respect to the future, we concur in opinion with the collector, that the excess in the charges should not be hereafter allowed. The aggregate amount proposed by the collector to be allowed is Rupees 56,342. 9. 8.; that amount is more than appears to have been expended in 1209 and 1210, but less than the average expenditure of the six years, even after deducting the charges deemed by the collector inadmissible.

6. As it appears to us to be desirable, that so long as the temple shall be managed in the mode in which it is at present, the expenses should be limited within a certain sum; and as we have no reason to doubt the propriety of the sums proposed by the collector to be fixed on the above account; we are of opinion, that his instructions to the officers of the temple, not to exceed the sum fixed by him, should be confirmed.

7. Exclusive of the several articles of expense for which the above sum is intended to provide, the collector states that 484 guz of woollen cloth is necessary, and he recommends that article be supplied from the Company's warehouse.

8. With reference to the 17th paragraph of the collector's letter we beg to observe, that his recommendation of bringing the Khusigas, or fixed assignments upon the general settlement of the district, and of Government's paying the amount from the public treasury, appears to us to be advisable, and should your Lordship in Council concur in that opinion, we propose to instruct the collector to include the amount in the ensuing settlement of the district.

We have the honour to be, with respect,
My Lord,
Your most obedient servants,

(Signed) *Tho Graham,*
C. Buller.

Revenue Board,
29th December 1807.

(Copy.)

To Sir G. H. Barlow, Bart. and K. B. President and Members of the Board of Revenue, Fort William. (No. 30.)

Gentlemen,

Para. 1. I have the honour to forward my report on the account of the Temple of Juggernauth.

2. Appendix No. 1. is a detailed account of the expense charged for the provision of articles required for all the Bhoges during the year.

3. This account comprises the expense incurred for Bhoges during the last six years, in exhibits the quantities proposed to be allowed, and the charge which by estimate would appear to be requisite.

4. Appendix No. 2, exhibits a detailed account of miscellaneous expenses incurred during the same period. The charges incurred in this account since 1211 Umlee, and not previously, were so inserted, it is said, by order of the late Commissioners, they were in the former Government accounted for separately, as follows:

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Proceedings of the Bengal Government respecting the Temple of Juggernauth

5. Those marked A. were paid from the collections made at the Autarrah Nullah from the pilgrims, and the Darogah accounted for them to the Soubah.

6. Those marked B. were paid directly by the Soubah himself, and no account was kept of them.

7. That marked C. was paid by assignment on certain villages, but the villages in 1209 and 1210 not being under the charge of the Sautaishazaree Purcha, the amount on these years was not brought to account in 1211; the late Commissioners are said to have directed its insertion.

8. That marked D. was paid by assignment on the same villages as the preceding, but the amount received from the source in 1209 and 1210 falling short, the surplus expenditure only appears. In 1211, the Commissioners are said to have ordered the whole expenditure to be inserted, the consequence of which order is, that since 1211 the whole of the expense actually incurred under these two heads is shown, and the Jumma of the assigned villages will be brought to credit with the other endowments of the temple.

9. The charge marked E. the Dospullah Rajah is by the terms of his engagement bound to defray, and as it has always been inserted on both sides of the account it is so still continued; the next, however, marked E. E. should be charged on the Rajah; for although bound to provide the wood for the Ruth at Juggernauth, he left it at Cuttack, the consequence was, this charge was necessarily incurred by the Purcha.

10. The Charge under the head of Mohun Bhoge, marked F. is for a particular Bhoge, established by the mother of Ruggooza Bhoosala. To furnish the means of defraying this expense Ruggooza granted the Pergunnah of Maddaur to Joyeram Doss Mohun, and this being Amrut Munnohee land, not connected with the accounts of the temple, but granted for the maintenance of a private Bhoge, it appears to us by its insertion to confuse rather than simplify these accounts.

11. The Charge Suddabut Juggernauth Bullub, marked G. was a sum granted to Goormook Doss, Adhikarree of the Mutt Juggernauth Bullub, for the purpose of distributing chatty to the pilgrims in attendance at the Autarrah Nullah Ghaut. The village of Boodpoor was originally assigned to him for this purpose, but resumed by the Soobah, and the amount paid in cash from the treasury of Government. This is not an expense to be charged to the temple; it is a charitable grant of Government for the relief of the distresses of the indigent and starving pilgrims who are not allowed to pass the Ghaut. It stands on the account as an expense incurred by Government, not necessary to the temple; but far from lessening, I should be inclined to recommend it were increased and made effectual.

12. The charge for building the Ruth, marked H. was never in the accounts of the Sataishazaree Purcha till the late Commissioners are said to have directed it to be inserted in the accounts of the temple; the management was left to the Ruth Purcha, and he accounted to the Soubah, but of these accounts there are no traces.

13. On the account, Appendix, Nos. 3, 4 and 5, I beg to refer to my remarks on No. 1101, which contain all the observations that appear to me to be necessary.

14. Appendix No 6, is an account of expense material to the support of the temple, but not included in the Sataishazaree account; the amount is paid to Government by assignment, as detailed Appendix No. 8.

15. The account, Appendix No. 7, is an account of the receipts of the temple for the last six years. I took much pains to ascertain the real value of the fourteen entire villages subject to assessment, but the season of the year preventing any measures on which a confident report could be made, I was obliged to rest satisfied with the general information, that the value was double what had appeared in the accounts; of this I have little doubt, having procured a statement derived from the accounts of six villages, but which did not carry sufficient authority to found a report to Government. Finding the accounts of the remaining villages were not to be procured, I determined to postpone my final report on the real revenues of the temple till I could ascertain them by an actual measurement; an Aumeen is accordingly on deputation to effect this object.

16. The fixed quit-rent of the entire villages, and portions of villages denominated Punkee, is a Pergunnah fixed rate on each batta (of 20 Begahs, Bengal measurement); by neglect and mismanagement this source of revenue to the temple has been reduced far below what on actual measurement it would be found ought to be paid. The ascertainment of the value of these lands is intrusted to the Aumeen.

17. Of the Khunjas, or fixed assignments, several have been brought on the Jumma of the district, a measure which I would recommend to be adopted with all, and the amount may be paid from the treasury of Government; this mode would certainly be more advantageous than allowing the servants of the temple to collect from the Landholders of the district, who in fact receive a deduction in their revenue on this account.

18. The whole of the collections under the head of Sayer have been resumed, with the exception of the collection on the six Bhoges, this is a tax paid on the sale of Mahpershad within the temple; but the head being "Town Duties, and Collections on the six Bhoges," the amount will be much diminished, for the town duties are abolished.

19. I would merely state the account under the head of Miscellaneous Receipts, as it was given to me by the Dewul Kurn, because the whole is levied within the temple. Two heads only appeared to me to be subject to my examination, the sale of holy food marked A. and the Dhujja and Pindika marked B.; I therefore, with the consent of the Purchas, deputed an Auneen to oversee and state the amount of the produce from the sale of holy food, the quantity and value of cloth presented for the purpose of being displayed on the wheel at the top of the temple, on which Government receives from the person presenting, its full value, as a fee, under the head of Dhujja, exclusive of which the presenter has also to pay the fee of the Purchas, and others, for their ministry during the ceremony.

No. 7. Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

20. Another Auneen was deputed to ascertain the quantity of voluntary presents made at the throne of Juggernauth, in cash, bullion and jewels, the whole of which, under the title of Pinduka, should be brought to the credit of Government, but the result of these measures has not given me any information of value.

21. The account, Appendix No. 8, exhibits the assignments for defraying the charges detailed in Appendix No. 9, with the exception of two articles (both which are of the nature of Sayer, and must be eventually abolished). The Commissioners resumed the whole and threw them into the Khyrath Gundee account of the district, the expence will therefore be paid by Government from that department in future.

22. Appendix Nos. 9 and 10 are general abstracts of the receipts and expenditure during the six years, and the expenditure proposed to be allowed hereafter.

23. Appendix Nos. 11 and 12 are deductions from the general account, which I am of opinion Government is entitled to make; both accounts were drawn on the grounds I shall detail in the next paragraph, the information of the Dewul Purcha himself, and of Kithencund Mahapater, the head Shewuck of the temple.

24. The plea set up to justify the extraordinary increase in the expenses from 1211 to 1214, above all previous usage, is, that the accounts of 1211 having passed the Commissioners, the charges have their sanction, but no written authority of any kind was in the possession of any person belonging to the temple, nor known by them to exist. To be certain on the point of doubt whether the Commissioners had issued any orders on this subject, I carefully examined the Records in my possession, and can find only one letter, of which No. 13 is a copy, Nos. 14 and 15, copy of the enclosure, and its translation.

25. In the first paragraph of the Commissioner's letter to the collector the Jumma Kurch account is said to be "as passed the Commissioners," and the collector in the 2d paragraph is directed to discharge to Sewajee Ungaties, Dewul Purcha of the temple, the account of the balance appearing by that statement to be due at the end of the past Umlee (1,211 Umlee), but in the 3d paragraph the collector is directed to inform Sewajee Ungaties, that he (the collector) is authorized by the Board to settle the accounts of the last year (1211 Umlee) with him, Sewajee Ungaties.

26. From this it would seem the Commissioners themselves did not consider the accounts to have been adjusted; they even in the latter end of the 3d paragraph call on the collector to pay every requisite degree of attention to economy in the disbursement of the public moneys; this never could have occurred had the Commissioners apprehended they had fixed the establishments and the expenses of the temple.

27. With a persuasion that the amount of these two last accounts, Nos. 11 and 12, ought to be carried to the account of Government, I have drawn a general account current for each year, Appendix No. 16; and if the Governor General should be pleased to give up the demand which appears on the balance, for I believe it to be irrecoverable, it will still serve to show that the claim of Sewajee Ungaties to Sa. Rs. 14,446 13 17, which was sent to me for report, is void of any just foundation.

28. One charge I have not stated, it is that for woollen cloths, they were formerly supplied by the Soobahs, and since by the Commissioners and collector, the officers of the temple declaring themselves incapable of procuring them. The quantity required is 484 guz, of which one piece must be of superfine cloth. The colours are of no consequence, but there should be variety; they can be best supplied from the Company's warehouses, and the charge is therefore omitted.

29. The general result of my enquiries is therefore, that the average expenses of the temple for the last six years have been two Lacks sixty-three thousand nine hundred and eighty-one Khawoons, five Pun and seventeen Gundahs, or Sa. Rs. sixty-five thousand nine hundred and ninety-five, five Annas, nine Gundas, and one Cowry. Sicca Rupees, 65,995 5 9 1.

30. The receipts of every kind, exclusive of cash advanced by Government, have been on the same average per annum, one Lack, twenty-three thousand five hundred and thirty-nine Khawoons, two Puns and twelve Gundahs, or Sicca Rupees thirty thousand eight hundred and eighty-four, twelve Annas and thirteen Gundas. Sicca Rupees, 30,884 12 13.

31. The cash advanced by Government on the same average has been per annum one Lack seventeen thousand three hundred and forty-two Khawoons thirteen Puns and thirteen Gundahs, or Sa. Rs. twenty-nine thousand three hundred and thirty-five, eleven Annas, thirteen Gundas and one Cowry. Sicca Rupees, 29,335 11 13 1.

32. The amount I propose to allow, including the amount disbursements by Tehsildars and others, is two Lacks twenty-five thousand three hundred and sixty-nine Khawoons, eleven

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eleven Puns and twelve Gundahs, or Sa. Rs. fifty-six thousand three hundred and forty-two, nine Annas and eight Gundahs*. On the measurement of the villages being completed, and the Jumma ascertained, I shall lose no time in laying before the Board the actual revenue of the temple. But the accounts I have hitherto seen are so erroneous and deficient that I find nothing to form a satisfactory report upon but an actual measurement, which could not be well commenced before Cuttack.

33. Exclusive of these expenses is one for the repairs of the temple itself, which was formerly defrayed by an Abwaub, denominated Kurrembura. It appears not to be fixed in its amount, nor can I learn what the gross amount of the collection was; but in future, such repairs as are necessary must be made at the expense of Government, as the Abwaub is consolidated as the land revenue.

*Sicca Rupees, 56,342 9 8.

34. I have delayed the dispatch of this account in hopes to procure a thorough knowledge of the value of the endowments of the temple, but as I find that no accounts can be produced which can be taken as an authentic statement of the real assets of the land, and as the expenditure has commenced for the current year, I have preferred delaying the report no longer, that the Board may decide whether the arrangement of the expenses I propose to make shall be confirmed, because on quitting Juggernauth, I gave a copy of the allowances I deemed sufficient to the Purchas, with directions not to exceed the amount on any account.

35. I shall submit the accounts of the tax, with a separate address, immediately.

I have, &c.

Zillah Cuttack, 19th December 1807.

(Signed) *Geo. Webb*, Collector.

Revenue Board, (A true Copy.)

(Signed) *R. Thackery*, Secretary.

EXTRACT Bengal Revenue Consultations, 8th April 1808.

(No. 17.) Board of Revenue, to the Right honourable Lord Minto, Governor General in Council; Fort William.

My Lord,

1. WE have the honour to transmit to your Lordship in Council the enclosed copy of a letter from the collector of Cuttack, containing the accounts of the receipts and disbursements of the tax on pilgrims from 1st January 1806 to the end of April 1807.

2. The Collector's letter also contains his sentiments on the rules proposed to be adopted for regulating the tax in future, and for prescribing the number of days during which the different classes of pilgrims shall be allowed access to the temple. The collector also proposes certain rules for the collection of the tax, and for the purpose of facilitating access to the temple by the pilgrims.

3. In respect to the rules proposed for regulating the tax, the principal alteration proposed is the dividing the pilgrims from whom the tax is to be levied, into three classes instead of two, as at present prescribed by Regulation 4, 1806. The first class is to be liable to the payment of the same tax as is prescribed by Section 4, Regulation 4, 1806. The second class to pay one half of the tax leviable on the first class, and the third class to pay at the rate of 2 Rupees, as prescribed by Section fifth of the Regulation above quoted.

4. The collector at the same time recommends that it be left to the option of the pilgrims, of whatever description they may be, to visit the temple under whichever class they think proper. The mode in which the collector proposes to prevent loss to Government from the above option being given to the people desirous of worshipping at the temple, is to allow access to the pilgrims of the first class many days more than are proposed to be allowed to the second class, and so on to the second, with reference to the third class.

5. Under the circumstances stated by the collector, and on a comparison of the number of Laul Jatrier, from whom the collections were made from January 1806 to May 1807, with the number of the pilgrims subjected to the lower tax in the same period, we are inclined to consider the collector's recommendation as highly judicious; and we also conceive that the rules proposed for the collection of the tax, and for facilitating access to the town, are proper.

6. The principal rule for facilitating access to the town is to allow the pilgrims to take out printed licenses at different places within the Company's provinces, which would prevent their being detained at the Ghaut. Should your Lordship in Council approve this suggestion, we shall require the collector to submit to us a form for the licenses for each class; and we would propose at first to forward them to the collectors of Benares, Behar, Moorshedabad and Dacca. A depot for these licenses will also be required at Calcutta, and we conceive that our Secretary's Office will be the fittest place for the Depot, the licenses either to be signed by the Secretary or Sub-Secretary. Should it hereafter appear advisable to furnish any other collectors with authority to grant the licenses on the receipt of the prescribed tax, of course no objection, we conceive, can exist to that measure.

7. On

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7. On the subject of the accounts transmitted by the Collector, we beg to observe, that we are not aware of any objection to them. We however regret to observe that the collections for the first four months of 1807, are considerably less than the amount collected in the same perid of time in 1806; the cause of this deficiency is not explained by the Collector.

8. We beg to inform your Lordship in Council that we have not yet received the necessary report, regarding the value of the lands assigned as an endowment to the Temple; but as it appears to us to be highly desirable that the affairs of the Temple, should be entrusted as soon as possible to the Rajah of Khoordah, we beg to submit to your Lordship in Council whether the proposed arrangement may not be carried into effect at present.

9. From the report which we had the honour to submit to your Lordship in Council on the 29th December last, relative to the receipts and disbursements of the Temple, it will be seen that the of the whole expense, which the Collector deemed necessary for the Temple, was 56,342 sicca rupees. The average receipts on accounts of the Temple for six years, was 30,884 sicca rupees, leaving a deficiency of 25,458 rupees to be paid by Government. Instead of paying a fixed sum under the new system, we formerly stated it as our opinion that it would be more advisable to allow, in addition to the endowments of the Temple, a certain per-centage upon the collections, on account of the tax, in order that the income of the Temple, and the revenues of Government, might rise or fall together.

10. In respect to the receipts on account of the tax for 1807, if 20 per cent. were allowed on the gross collections, the income of the Temple, assuming the endowments at 30,884, would be only 1,960 less than the amount paid by the Collector for the future expenditure on account of the Temple. From the reports received from the Collector, particularly from the letter which we had the honour to submit on the 29th December last, there appears every reason to suppose that the resources of the land assigned as an endowment to the Temple, are considerably more than the amount brought to account; we therefore conceive that if 20 per cent. upon the net receipts by Government were annually allowed, it would abundantly suffice for the expenses of the Temple under the management of the Rajah of Khoordah.

11. With respect to the proposed removal of the Collector's cutcherry, it appears to us, under the circumstances stated by the Collector, to be absolutely necessary. We therefore propose to call upon him for a report upon the expense that may be deemed necessary for the above purpose. We at the same time, however, propose to call upon the Collector of Juggernauth to explain the circumstances under which he considered himself authorized to build the Bungalow allowed for his cutcherry, at such a distance from the town.

We have the honour to be, &c.

Revenue Board, 18th March 1808. (Signed) *R. W. Cox*, *C. Buller*.

To H. T. Colebrooke, Esq. President, and Members of the Board of Revenue.

(No. 18.)

Gentlemen,

1. I HAVE now the honour to forward an abstract account of the number and description of pilgrims resorting to the Temple of Juggernauth, (Appendixes Nos. 1 and 2.) also general treasury accounts of the receipts and disbursements of the Treasury, under charge of the Collector of tax, from December 1805 to April 1806, and from May 1806 to April 1807, inclusive.

2. The total amount of tax levied from January 1st, 1806, to April 30th, 1807, inclusive, being a period of sixteen months, is tax levied Sa. Rs. - - 1,90,211 6 — Appendix No. 3. & 4.

Total receipts, accounts, fines, &c. - - - - - - - -	15,397 9		
Total receipt - - -		2,05,608	15 0
Total paid expenses of the Temple - - - - - - - -	36,378 7 6		
Paid charges collection - - - - - - - - - -	20,309 0 5		
Paid contingent charges - - - - - - - - - -	12,279 9 2		
By remittances to Collector of Cuttack - - - - -	1,22,000 0 0		
		1,90,967	1 1
Leaving a balance in the hands of the Collector, of Sa. Rs. - - - -		14,641	13 11

3. The total amount receipts here specified, does not tally with the total amount receipts of Appendix, No. 2. The difference is 37 6 Sa. Rs. received from persons of low cast inserted in the Treasury, but not in No. 2.

4. I now proceed to submit my opinion on the subject of alterations to be made in the tax, and mode of collection.

5. At present two classes only pay the tax, under section 4 and 5 of Regulation IV. 1806. I propose to add a third class, and to modify the rules for all the classes as follows:

The first class, commonly called Laal Jantreys, to pay on passing the Autarrah Nullah, coming from the North 10 rupees; on passing Loaknauth, coming from the South, 6 rupees; as at present to be allowed free access to the

I have not thought it advisable to raise the rate of tax on the Laal Jattrey, because this being the highest rate ever paid in the Mahratta Government, should it be raised, it might excite unfavourable sentiments in the

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Temple for sixteen days, and to be permitted to enter the Temple at all times when the gates are open, whether attended by a Pundah or not.

minds of Hindoos, respecting the intentions of Government; but granting as I suppose, so great an extension of indulgence to the highest class, will tend to impel every man who can find ten rupees, to pass the Ghauts as a Laul Jattrey, and thus render the tax in a high degree productive. It is necessary to explain the intention of allowing the attendance of the Pundah to be at the election of the pilgrims. The attendance of the Pundah is necessary to guide the pilgrim through the ceremonies; but at present, if the pilgrim is obliged from any cause to leave the Temple before his ceremonies are performed, he cannot return again without his Pundah; but, by the indulgence I propose, if caprice or necessity should induce him to leave the Temple at any time, or any number of times during the day, he can return without difficulty.

The second class, or that which I propose to introduce, to pay a tax of 5 rupees coming from the North and passing the Autarrah Nullah, and 3 rupees coming from the South and passing Lacknauth Ghaut, to be allowed access to the Temple for one week only, and to be attended on all occasions on going into the Temple by Pundahs.

This intermediate class is necessary, and will be productive. I have not given a more extended time to this class, because I am of opinion that the facilities afforded to the highest, should be beyond comparison greater than to the lower classes.

The third class, known at present by the name of Bhurrungs, to pay 2 rupees as at present on passing either of the Ghauts, to be allowed access to the Temple during four days, and to be attended on all occasions by the Pundah.

This class is at present allowed five days, but I am advised that the time I have proposed is sufficient.

The fourth class, commonly called Rungals, being pilgrims in an actual state of poverty, to be admitted without payment, to be under charge of the Pundahs, and to have access to the Temple one day.

A rule for this class is absolutely necessary; the pass into the Temple I propose to grant on application.

To the fifth class, consisting at present of Byraggees, Sonassees, and people carrying the water of the Ganges to the Temple at Juggernauth, or to any other Hindoo temple, I have to add, 1st, Dundees; 2d, Burrumcharries; 3d, Mohunts; 4th, Gossaes; 5th, Khomartees; 6th, Nagtees.

All these people have free access to the Temple.

Sixth class, persons whose residence is between the Byturnee Nullah and the Ganjum river, or Bhaseebooleah Nullah.

The Board in their letter to the Governor General, of date 12th September 1806, observe that there exists no necessity for exempting the inhabitants of so large a tract of land as thirty miles round the Temple, from the payment of the tax, because the Collector proposes it solely for the purpose of removing all obstacles in the way of the supplies of the town. The true reason for the present exemption is, that it is declared in the Shelokes, or (as I understand) Sacred Records of the Hindoos, that the tract of land between the Byturnee Nullah and Reysheccoolia Nullah, is the Holy Land of Juggernauth; this being the origin of the exemption, and being supported by immemorial usage, I beg to recommend that it be not altered.

6. To relieve the officers at Ghaut from the difficulties which arise during the principal Jattras, from the immense number of people wishing to pass, and to give facility to the people themselves in obtaining access to the Temple; I have to propose,

1st. That any person be permitted to take out the rowannah of any class at his own election, and the second section of the 5th Regulation of 1806 be rescinded.

I am led to this by a conviction that in the instance of this tax all penalty for attempts at deception is ineffectual, and that the facilities afforded the higher class in performing their devotions, can alone make the tax productive.

2. That

I propose

2d. That a printed rowannah, certifying the payment of the tax, and filled in with the tax, the date when paid, the place where, and the name of the person paying, signed and attested with the official seal and signature of any collector of revenue in the Company's provinces, shall pass the person named into the town of Pooree, and entitle him, on producing it to the Collector of tax, to receive in return a pass under his official seal and signature, into the Temple for the time allotted to the class respectively.

I propose by this measure to furnish any person who wishes to take out a rowannah, with the opportunity of paying the tax near the place of his residence, to stop the examinations of persons, and the consequent delay at the two Ghauts, as the mere production of his rowannah passes the holder into the town to the Collector's cutcherry, without further questions. If any objection be made from the possibility of the loss or destruction of the rowannah on the road, its strength will be removed by the opportunity the pilgrim will always have to purchase a fresh rowannah at the Ghauts.

On this no observation appears to be necessary.

3d. The pass granted by the Collector of tax for the admission of the pilgrims into the Temple, to specify the date on which it is granted, the time it is to be in force, the name of the person taking it out, and the name of the Punda under whose guidance the pilgrim performs his devotions.

4th. The Mohurir at the Temple-gate will notice the date on which the pass is first presented, and mark on the back of it the date on which it expires; it must be the duty of the Pundahs to return all these passes to the office of Collector of tax, receiving in return from him a khelass-chitty, or release.

The object of the Pundah returning the pass for a khelass-chitty, is to secure the expulsion from the town of those whose time is expired.

5th. In the event of neglect on the part of the Pundahs to return the pass into the Temple, and take out the khelass-chitty, some moderate fine (such as the Board may deem sufficient) to be imposed.

This may be necessary, but I scarcely think it essential.

7. Some rule respecting the attendants of natives of rank and substance has been anxiously solicited by the natives themselves; but I think if this mode of conducting the collections is adopted no difficulty can occur: The native of rank might insert in his rowannah any reasonable number of followers, I would propose a number not exceeding forty, these might pass free in the town until his departure, and if desirous of going into the Temple, take out a pass, paying the rate of the class they choose to go in. If any inhabitants of the Company's provinces are desirous to reside in the town of Pooree, I submit to the consideration of the Board whether any license should be granted, and if so, what fee should be paid on taking out that license from the Collector of tax.

8. Though apparently not a subject to introduce into a proposed plan of collection of tax, I cannot but urgently recommend as indispensably necessary, that the cutcherry of the Collector of tax be removed immediately from the chuckertur, where it now is (a distance from the town of 2 miles, I believe over a heavy sea sand) into the town, and as near as possible to the gate of the Temple; there is nothing of which the natives have more frequently complained, than the distance of the cutcherry and the inconvenience they sustain in passing to it.

9. I have taken great pains to procure information respecting the objects of complaint among the natives resorting to the Temple, and all with whom I have conversed, appear to think the plan I now offer will remove every cause of dissatisfaction that at present exists. It appears to me, the establishment when the plan has taken place, may be much reduced, but I am not prepared at present to say in what particular instances.

I have, &c.

Zillah Cuttack, 7th March 1808. (Signed) *Geo. Webb*, Collector.

Revenue Board, (A true Copy.) (Signed) *D. Campbell*, Acting Secretary.

Ordered, that the Secretary write the following letter to the Board of Revenue, and to the Secretary to the Government at Fort St. George.

To the Board of Revenue:

Gentlemen,

(No. 19.)

Para. 1 I am directed by the Right honourable the Governor General in Council to acknowledge the receipt of a letter from you, dated the 18th ultimo, enclosing the accounts of the receipts and disbursements on account of the tax on pilgrims at Juggernauth, from the 1st January 1806, to the 30th April 1807.

2. The

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2. The Governor General in Council is not aware of any objection to those accounts.

3. On consideration of the rules proposed to be established for the future collection of the tax on pilgrims, the Governor General in Council approves the division of the pilgrims into three classes, exclusive of exempted persons, the rates of tax, and the periods of time during which the individuals appertaining to each class, should be allowed to perform their devotions at the Temple. Under this arrangement, his Lordship in Council is of opinion that it should be left optional with the pilgrims to enrol themselves in which ever class they may judge proper, and to take out their licenses accordingly.

4. The Governor General in Council entirely approves the suggestion of the Collector of Cuttack, for authorizing certain officers in different parts of the Company's provinces to issue licenses on receipt of the tax at the prescribed rates to the pilgrims, to be exchanged on their arrival at Juggernauth for a pass, without further cost to the parties. His Lordship in Council is also of opinion, that your Secretary, the Secretary to the Board of Commissioners in the ceded and conquered provinces, and the Collectors of Benares, Behar, Moorshedabad and Dacca, may in the first instance be commissioned to perform this duty. It occurs, however, to his Lordship in Council, that it may be advisable that certain officers under the government of Fort St. George, should in like manner be authorized to issue licenses to pilgrims on receipt of the tax, at the reduced rates, payable by persons coming from the southward. The necessary reference on the subject will accordingly be made to the Governor General in Council at that presidency.

5. The Governor General in Council desires that you will call upon the Collector of Cuttack for forms of licenses, applicable to the different classes of pilgrims who are in future to be held subject to the payment of the tax, in order that a sufficient number of them may be printed without loss of time.

6. No objections occur to the exemptions recommended to be allowed by the Collector.

7. The Governor General in Council approves your proposition, for granting a percentage on the net receipts arising from the tax on pilgrims, in aid of the other endowments of the Temple; and he is not aware of any objection to fixing the rate at 20 per cent. His Lordship in Council is however of opinion, that an option should be reserved to Government of augmenting or reducing the rate, as from time to time may appear advisable.

8. Adverting to the observations contained in the 7th paragraph of the late Collector's letter, the Governor General in Council is of opinion, that persons establishing themselves within what is denominated the Holy Land of the Temple, should pay in the first instance as pilgrims, but that they should afterwards be exempted from the payment of the tax in common with other persons residing within those limits.

9. You are accordingly desired to prepare the draft of a Regulation, for amending the rules established for the collection of the tax on pilgrims, under Regulation IV. 1806, on the principles above stated.

10. The Governor General in Council likewise desires that you will take the same opportunity of inserting the necessary provisions for the superintendence of the Temple, and the conduct of its interior economy, on the principle stated in the 2d, 3d, and 4th paragraphs of my letter to you of the 5th March 1807, in amendment of the rules contained in section 11 to 18, Regulation IV. 1806.

11. It appearing to Government to be advisable that the Collector of Cuttack should be vested with a general control over the Temple, and of the collection of the tax on pilgrims, on the footing on which those duties have latterly been performed by Mr. Webb, the Governor General in Council desires that you will insert the necessary provision for that purpose in the draft of the Regulation above required.

12. On the grounds stated in the accompanying extracts of letters from and to the acting magistrate of Cuttack, it also is desirable that a clause should be inserted in the proposed Regulation, exempting the Collector of the tax, in his capacity of assistant to the magistrate, from the restrictions contained in sections 20 and 21, Regulation IX. 1807.

13. As it is possible that Mr. Webb may have delivered over charge of the office of Collector of Cuttack to his successor, previously to the receipt of these orders, the Governor General in Council desires that you will acquaint Mr. Webb, that he is personally desired to afford his assistance in completing the arrangements above noticed, it appearing to Government that he has furnished much useful and valuable information on the subject.

14. The Governor General in Council entirely approves Mr. Webb's suggestion for removing the cutcherry of the Collector of the tax to the vicinity of the gates of the Temple. You are desired to issue the necessary orders accordingly.

15. The original statements which accompanied your letter are herewith returned.

I have, &c.
(Signed) *G. Dowdeswell*,
Secretary to Gov^t Rev^e Dept^t.

Council Chamber,
8th April 1808.

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EXTRACT Bengal Revenue Consultations, the 7th October 1808.

Commissioner in Cuttack to the Right honble. Lord Minto, Governor General in Council, Fort William.

My Lord,

Par 1. I HAVE the honour to transmit to your Lordship in Council, the enclosed letter from the Collector of Cuttack, containing a draft of the rules proposed to be adopted for the collection of the tax upon pilgrims resorting to Juggernauth.

(No. 17.)

2. On maturely considering the question, and on making further enquiries from persons in Calcutta who have visited the Temple, there has appeared to me considerable difficulty in the way of the proposed plan.

3. The difficulties which have occurred to me, I have stated to the Collector, and I beg to refer your Lordship in Council to the enclosed copy of my letter to him on the subject.

4. As considerable delay must, I imagine, occur before any well-digested plan for the collection of the tax can be submitted to your Lordship in Council, I would beg to suggest, that a regulation be immediately enacted for vesting the superintendence of the Temple of Juggernauth, in the Rajah of Khoordah. I have accordingly the honour to submit a draft of the proposed regulation.

5. The necessity of the early publication of a rule to the proposed effect will appear obvious, when it is considered that the assembly of Pundits directed to be appointed by Section 11, Regulation IV, 1806, has never yet been appointed.

I have the honour to be, &c.

Cuttack, 28th Sept. 1808.

(Signed) *C. Buller*, Commissioner.

(No. 18.)

IT being deemed necessary to alter the rules at present in force for the superintendence and management of the affairs of the Temple, the Governor General in Council has been pleased to rescind Sections 11, 12, 13, 14, 15, 16, 17, 18 and 19, Regulation IV, 1806, and substitute the following rules in lieu of them:

The superintendence of the Temple of Juggernauth and its interior economy, the conduct and management of its affairs, and the entire control over the priests, officers and servants, attached to the idol and to the temple, are hereby vested in the Rajah of Khoordah, who on all occasions shall be guided by the recorded rules and institutions of the Temple, or by long and established usage.

The Rajah of Khoordah and his heirs should hold the situation vested in them by the above Section, so long as they shall continue to conduct themselves with integrity, diligence, and propriety, but nothing contained in this regulation shall be construed to preclude the Governor General in Council from removing the incumbent from that situation, on proof of misconduct in such person made to the satisfaction of Government.

To enable the superintendent of the internal economy of the Temple to perform the duty of his station with greater effect, he is hereby authorized to punish persons subject to his control, for any instance of neglect or misconduct, by imposing small fines upon them, not exceeding one month's salary or income, or by removing the offender from his office, if the offence shall appear to merit that punishment.

(Signed) *C. Buller*, Commissioner.

Extract LETTER from the Secretary to Government to the Commissioner of Cuttack, dated 7th October 1808.

(No. 20.)

Par. 3. 28th ultimo. The Governor General in Council does not think that it would be advisable to pass any regulation respecting the Temple of Juggernauth, until you shall have had opportunities of making full enquiries yourself on the subject upon the spot. With regard also to the Rajah of Koordah, it appears to Government essential, that the settlement of his estate should be finally concluded previously to his being formally invested with the superintendence of the Temple.

EXTRACT Bengal Revenue Consultations, the 11th February 1809.

(No. 22.)

Extract Letter from C. Buller, Esq. Commissioner of Cuttack, dated 2d February 1809.

Having found it impracticable during the period of the present heavy kists to make any progress in the formation of the permanent settlement of this district, I proceeded on the 26th ultimo to Juggernauth, for the purpose of obtaining the information necessary to enable me to report to your Lordship in Council, the rules which might appear to me advisable to be adopted for the collection of the tax for facilitating the access of pilgrims to the Temple.

On that subject I hope to submit a report without much delay.

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Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

(No. 32.)

EXTRACT Bengal Revenue Consultations, 17th March 1809.

Commissioner at Cuttack to the Right honourable Lord Minto, Governor General in Council, &c. &c. &c. Fort William.

My Lord,

In my letter of the 2nd instant I informed your Lordship in Council, that I had proceeded to Juggernauth for the purpose of completing the enquiry necessary to enable me to report upon the rules which should appear advisable to be adopted for the collection of the tax, and for facilitating the access of pilgrims to the Temple.

2. From the information I have obtained, I am of opinion that the plan proposed by Mr. Webb, with a slight modification, can be carried into effect, and that the adoption of it will afford considerable convenience to the Hindoos.

3. The principal alteration which I think necessary to be made, is in respect to the period of time allowed to the different classes of pilgrims, for remaining in the town for the performance of their religious ceremonies in the Temple.

4. The periods fixed by Mr. Webb are abundantly sufficient at the time of the Dowl Jattrah, and at any other time of the year, excepting when the Ruth Juttiah occurs. A little before the Ruth Jattrah, the Ashnaun Jattrah takes place, and it is desirable that a Laul Jattrie coming to the Temple at that period, should have sufficient time allowed for the purpose of performing his religious ceremonies at both of those Jattrahs. It is also desirable that the pilgrims of the other classes should have a further period allowed to them during the time of the Ruth Jattrah.

5. Thirty days is an ample period for a Laul Jattrie at the time of the Ruth Jattrah. But as I am not aware of any particular reasons for limiting Laul Jattrie to a shorter period at any other time of the year, it will be proper I think to allow 30 days to pilgrims of that class at all times.

6. With respect to the pilgrims of the 2d and 3d class, I conceive it to be necessary to make a difference between the period allowed at the time of the Ruth Jattrah, and that to be allowed at any other time; for if the second class were to be allowed to worship at all times of the year, for a term of ten days, almost all the pilgrims of the higher class would be content with that number of days at the Dole Jattrah, or at any other Jattrah excepting the Ruth Jattrah. A similar reason also applies to the different number of days proposed to be allowed to the Bhurrungs at the Ruth Jattrah and at other Jattrahs.

7. With respect to the difficulties which occurred to me before I left Calcutta, and which I had the honour to report to your Lordship in Council on the 28th September, I conceive that they can be easily got over.

8. I am informed that the pilgrims of the higher class will seldom wish to stay in the town after the time proposed to be allowed for the performance of their religious ceremonies. However, as they can readily be prevented from entering the temple after the expiration of the prescribed time, it is a matter of little importance whether they leave the town or not; I therefore deem it only necessary to prescribe a rule, that a Laul Jattrie who may wish to stay in the town after the expiration of the limited time, must make a written application to the collector of the tax, for leave to remain with a certain number of attendants. When such an application may be made, the Collector, I think, should comply with it, unless there should be any particular cause for removing the person from the town. In that case the circumstance might be reported to the Board of Revenue, who should be competent to direct the expulsion of the person if they think it necessary. Your Lordship will observe that I have provided for a Laul Jattries performing his religious ceremonies for an unlimited period; he pays an additional tax of ten rupees. But my principal reason for inserting the clause respecting the additional payment, was on account of the necessity which appears to me for Laul Jattries being generally attended by a Pushurree or Punda, for unless the great body of the higher as well as the lower classes are attended by a Punda or Pushurree, who is to be responsible for the delivery of the pass after the expiration of the prescribed period, I apprehend that the passes will not be returned at the proper time, and that great confusion will in consequence occur in the collector's accounts.

9. The access to the Temple after the people have passed the Ghaut can generally be easily prevented. But I have doubts whether it can be at all times, when there is a very great concourse of persons pressing to enter the gates as soon as they are opened. To allow therefore 20 attendants to accompany a Laul Jattrie without the payment of a tax appears to be objectionable; if the exemption of the attendants on entering the Ghauts be allowed, in order to be of any service to the master, their names must be entered in the certificate purchased by him, or else they would be detained at the Ghaut, till the collector of the tax could determine upon the propriety of their being admitted or not. It appears to me therefore, that it would be objectionable to allow of this discretionary power at the several offices where certificates may be sold. There does not besides appear to be any particular reason for the exemption of the attendants, because in almost all cases the attendants will be desirous of worshipping at the Temple, either as Nem Lauls or as Bhurrungs. They should therefore, in my opinion, pay the tax at the time their master does, and their names should be included in the

the same certificate, in order that they may be admitted at the same time with their master, and also allowed to stay as long as he does in the town.

10. The tax proposed by Mr. Webb to be received from the 4th class of pilgrims, who are not allowed to enter the Temple, I conceive to be considerably too high. Very few of the people coming under that class would have the means of paying so high a sum as 20 rupees, and as I do not find that any considerable concourse of that class of people would be objected to by the Hindoos, provided they are not admitted within the Temple, I would propose that the tax be fixed at 2 rupees.

11. In regard to the persons residing within the limits of the Bysternu Nullah, and the Ganjam river, I do not find it to have been understood that a temporary residence within those limits entitles the person to exemption from the tax; the exemption is allowed to the natives of the country, or to such persons as may have resided with their families for a length of time. Instead therefore of declaring that persons residing within the Holy Land shall be exempted, I would propose that it be altered "for all persons born within "the limits, or who may have resided with their families there, for a period of ten "years."

12. As it happens that in some cases, persons of little property are anxious in their old age to take up their residence in the town, for the purpose of ending their days in it, I think the Collector of the tax, on his being convinced of any one's intentions to remain for life, and of his inability to pay a further tax, should be authorized to admit of such persons remaining in the town and visiting the Temple. The Collector must of course be cautious in exercising this authority, as otherwise it might be abused by applications from persons who had no intention of residing permanently at the place. From what I can learn it would seem that there would be more than twenty or thirty persons in a year who would really intend taking up their residence for life, and they would in all cases be persons of advanced age, or if younger, of very infirm constitution.

13. I would propose also to allow a discretion to the Collector to grant an extension of time, to such persons as may have really been prevented by sickness from performing their religious ceremonies within the prescribed time. Some discretion of this kind appears to me to be essentially necessary, as when a person has come from a distant country it would be cruel to expel him from the town on the expiration of the limited period, when sickness has prevented his performing the worship, for which he has undertaken so long a journey.

14. Having received information from the officers employed in the collection of the tax, that fraud had been frequently committed by persons professing themselves to be carriers of the water of the Ganges, I called upon the head Purshaiee, and upon the officer who was employed under the Marhatta Government at the Atturah Nullah Ghaut, to state whether the carriers of water of the Ganges were exempted from the payment of any tax under the Marhatta Government, and they have both stated to me in writing that none were exempted, excepting such as had obtained an order to that effect from the Government, or such as were admitted under the pleas of poverty. As the present regulation however exempts persons of this description from the payment, I propose to continue the exemption; but in order to prevent frauds, I propose that the carriers of the water should be first obliged to go to Lohenauth to pour the water over the idol at that place. This I conceive will effectually guard against frauds, as no Hindoo would pour water over the idol which is not actually the water of the Ganges; and as the distance is not so much as a quarter of a mile from the Temple, there will be no great hardship in the measure.

15. Another source of fraud I am informed arises from the exemption of persons pretending to go to the place for the purpose of trade, or for any other purpose, except that of pilgrimage. It has been reported to me, that it is no uncommon case for pilgrims who could pay as Laul Jattries, to come to the place with a rupee's worth of pepper, or of some other articles, and to obtain admittance through the Ghauts, under the plea of their having come to sell their goods. With respect to persons coming as traders, I have great doubts from what I have been able to learn, whether there is a single person in the course of the year who really does come to the place for the sole purpose of trade. The articles required for the consumption of the town, are in almost all cases brought by the people in the neighbourhood, who, on account of their being natives of the Holy Land, are allowed to visit the place without the payment of the tax. If the exemption therefore had merely reference to traders, I should propose to abolish it altogether; but as a great number of wealthy Hindoos in different parts of the country have houses and establishments kept up in the town, it may frequently occur that they will send people on business, and that those people may not be inclined to pay a tax for worshipping in the Temple. Such persons therefore ought to be exempted. With a view however to guard against fraud, I have proposed, that no people but such as have paid the tax, or who are exempted either as Kungauts, or on account of their residence, or religious cast, should be allowed to enter the Ghauts for 12 days from the commencement of the Ruth Jattrah. At that time the idol is carried in procession through the town, and the Hindoos have then the opportunity of performing their religious ceremonies without entering into the Temple. If traders therefore, and persons coming on business, are prohibited at that time from entering the Ghauts without paying the prescribed tax, the frauds will in a great measure be put a stop to, as at all other times of the year the Hindoos cannot perform their religious ceremonies without entering into the Temple. The collector however ought, in all cases of this kind,

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to be cautious before he admits a person through the Ghauts without payment of the tax.

16. I have prepared in the form of a regulation, a draft of the rules which appear to me advisable to be adopted, and I have accordingly the honour to submit a draft of them for your lordship's consideration.

17. Even in the event of your lordship's approving generally the rules proposed to be adopted, some delay must still occur in the publication of a new regulation. I therefore beg to suggest, that proclamations be immediately issued at Calcutta, Benares, Patna, Moorshedabad, and other principal places, notifying that with a view to prevent any hindrance or molestation to persons who may wish to resort as pilgrims to the Temple, certificates will be sold at the office of the Secretary to the Board of Revenue, and at the office of the collector of Cuttack, which shall ensure to the purchasers of them an immediate entrance through the Ghauts. It will be advisable also to notice, that under the rules proposed to be adopted, no person who may have obtained a certificate, whether as a Laul Jattrie or otherwise, will be subjected to any personal examination either at the Ghauts or afterwards; and it should be further noticed, that the Governor General in Council has issued particular instructions to prevent any molestation or hindrance to the pilgrims, and to provide for the facility of their access to the Temple, with a view to the performance of their religious ceremonies, with ease and convenience to themselves.

18. It appears to me that a proclamation to the above effects at some of the principal towns would be advisable, even if the new regulation could be immediately published, as I should think it the most likely measure of any to give publicity to the new plan; and from every information I have received, as well as from the undoubted fact of the late diminution of pilgrims, I conceive it to be necessary to make it generally public, and that too as early as possible, that measures have been adopted for removing the inconvenience and difficulty hitherto experienced by the pilgrims.

19. The publication I apprehend, if immediately made, would not have any important effect with respect to the increased number of pilgrims at the time of the Dole Jattrah, which will occur in March next; but I conceive that it will be successfully felt on the occasion of the next Ruth Jattrah, which will take place in July; and being extremely desirous that I should be able to judge of the result of the proposed arrangement while I am on the spot, and to ascertain what may be deficient or objectionable in it, I am anxious that the publication should be made with as little delay as possible.

20. Of the complaints and dissatisfaction to which the present system has given rise, I have not thought it necessary to enter into any detail, as I conceive that your Lordship in Council is fully aware of them, and of the necessity of an alteration of it. But if the proposed plan should be considered as at all too complicated, or if it should give rise to objection, on account of the limited period of time allowed to the different pilgrims, I know of no other alternative than to at once reduce the tax to two rupees, or at least to permit every description of persons to worship either as a Laul Jattrie or Bhurung, as they may think proper, and to allow an unlimited time to all classes of pilgrims to perform their religious ceremonies. From the information I have been enabled to obtain, I have every hope that the proposed plan will not be found in practice to be objectionable; and if that be the case, there can be no doubt of its yielding a larger revenue to Government than if the alternative above suggested were adopted: but in respect to the alternative, I must beg to observe, that however extraordinary it may appear on the first view of it, I should conceive that even under a system of that kind, a revenue would be obtained for Government nearly equal to any amount which has been received in any year since the collection of the tax on the part of the British Government. As long as the pilgrims are subjected to detention, either at the Ghaut, or before they can enter the Temple, the number of pilgrims will be but few; and under the existing system, I am not aware of any possible means of preventing detention with respect to the Bhurmungs; as the reduction therefore of the tax would reduce the necessity of examination and consequently the detention of the pilgrims, the additional number would in that case amply compensate for the loss of the higher tax upon the Laul Jattries. But as from all accounts I have received, the proposed limitation of time to the different classes of pilgrims will not be objected to, I conceive that the plan proposed should be adopted.

21. Your Lordship in Council will observe, that in the draft of the proposed regulations, I have provided for vesting the Rajah of Khoordah with the superintendence of the ceremony and internal affairs of the Temple, but not with an uncontrolled power over all the officers of the Temple. The three Purchas I think ought to be appointed by Government, and not removed without that sanction; they, however, must be under the orders of the Rajah, and must carry his directions into execution as long as they shall not be inconsistent with the established usages, or with the rules recorded in the Madrah Pangee, which record is kept in the Temple, and to which the Collector can always have access when necessary. Owing to the want of an efficient control, I have every reason to believe that the internal affairs of the Temple have not been properly conducted of late. The Rajah attributes the improprieties to the conduct of the head Purchas, who he says refuses to obey his orders; the head Purcha attributes them to the Rajah's orders having been inconsistent with the recorded rules and established customs of the institution. There are besides complaints made, that both parties have refused permission to opulent Hindoos to make valuable presents to the idol, unless a previous Nuzzuranna were paid, in one instance to the Rajah, and in the other to the Purcha for the permission. If the Rajah

therefore

therefore have the uncontrolled power of appointing and dismissing the Purchas, he would have the means of continuing abuses of the above nature. The knowledge that the Purchas are officers of Government, and that they cannot be dismissed without the authority of the Governor General in Council, would operate as a check against any violent abuse of the power vested in the Rajah. At the same time, however, the Purcha must be under the Rajah, and bound to obey his orders generally. In case of any grossly improper orders, the Purchas should then be bound to report them to the Collector for the final decision of the Governor General in Council; I do not by any means propose that the Collector should interfere on every occasion of trifling complaints brought forward by the Purchas, but merely on occasions of importance, which may give rise to dissatisfaction among the Hindoos generally. I conceive that the mere circumstance of the Purchas being appointed by Government, will be of itself sufficient to prevent the occurrence of any gross improprieties, and that the proposed rule will not be attended with the consequence of Government being called to decide upon questions referable to the mode in which a Hindoo religious institution is to be performed The Purchas I find were always appointed by the Marhatta Government, and not by the Rajah The third Purcha should continue to do so, and I propose that it should be his duty to give an account to the Collector of all presents made to the idol.

22. Section 2, Regulation IV. 1806, provides, that the collection of the tax shall be entrusted to an officer being a covenanted servant of the Company, and in the accompanying draft I have inserted the same clause; but as it occurs to me that an alteration of that rule may be attended with beneficial consequences to the Hindoos as well as to Government, I think it proper to submit my sentiments on that question for the consideration of your Lordship in Council.

23. If the plan which I have the honour to submit be approved of, I imagine that very little money will be collected at Ghauts. The principal duty of the Collector will be, to be in continued attendance at his cutcherry, from sun-rise to sun-set, particularly at the time of the Dole and Ruth Jattiahs, with a view to expedite the admittance of the pilgrims into the Temple. It must also be a principal duty with him to superintend the conduct of the Ghaut Darogahs. His further duty will be to keep the accounts of the number of pilgrims, and the amount paid by them at the different places at which certificates may be sold. An office therefore, which imposes the necessity of a continued attendance for the whole day at one particular place, will, in my opinion, be better performed by a man advanced in age, than by the very young men in the Company's service, who would generally be appointed to the office. It is besides desirable that the officer should himself live at the cutcherry or close to it, and as it is necessary for a new cutcherry to be built in the vicinity of the Ghauts, it may be constructed on rather a larger scale than the former one, with a view to provide accommodation for the Collector. The expense, I imagine, would not be very great.

24. I beg to observe further, that I conceive the adoption of the arrangements would enable me to propose a considerable reduction in the establishment of the office.

25. The above was written before I had an opportunity of consulting with Mr. Webb on the proposed rules. But I have since had the satisfaction of ascertaining that that gentleman concurs generally with me, in the propriety of the alterations I have proposed from his plan.

26. On the subject of the suggestion which I have ventured to make respecting the officer to be appointed at Juggernauth, Mr. Webb has informed me, that he is not aware of the least necessity for an officer in the Civil Service being continued, for the purpose of officiating as assistant to the Magistrate, as he conceives that the Darogah under the Magistrate of Cuttack is fully competent to the preservation of the peace of the town.

27. Mr. Webb has further stated to me his opinion, that it would be advisable to establish the rules prescribed in sections 22 and 23, Regulation IV. 1806, which I have inserted in the present draft, as he considers that the officers of the Temple are from their habits of life, totally unfit either for the office of Darogah of the Police, or for the office of Commissioner for the trial of civil suits, to a limited amount.

I have the honour, &c.
(Signed) *C. Butler*,
Commissioner.

Cuttack, 17th Feb. 1809.

Ordered, That the Secretary write the following Letters to the Commissioner at Cuttack, and to the Translator of the Regulations.

To the Commissioner in Cuttack,

(No. 33.)

Sir,

1. I am directed by the Right honourable the Governor General in Council to acknowledge the receipt of a letter from you, dated the 17th ultimo, with its enclosures.

2. The Governor General in Council approves generally the provisions of the Regulation submitted by you, for the better superintendence of the Temple of Juggernauth, and of the collection of the tax from pilgrims. The Regulation will accordingly be shortly printed and published, with such modifications of particular parts of it, as may be suggested by some further enquiries, which his Lordship in Council proposes to make on the subject.

No. 7. Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

3. In the mean time, the forms contained in section 18 of your draft of the Regulation, will be ordered to be translated into the Persian language, and printed. Those certificates will be transmitted, as soon as circumstances may admit, to the Board of Revenue, to the Collector of Cuttack, and through the Government of Fort St. George, to the Collector of Ganjam.

4. Agreeably to the suggestion contained in the 18th paragraph of your letter, a proclamation will be prepared and transmitted for publication to the Board of Revenue and Board of Commissioners, notifying that with a view to prevent hindrance or molestation to any persons who may wish to resort as pilgrims to the Temple of Juggernauth, certificates will be granted, on payment of the established tax, at the offices of the Secretary to the Board of Revenue, and of the Collector of Cuttack, which will ensure to the persons receiving them, an immediate entrance through the Ghauts. That under the rules proposed to be established, no person who may have obtained a certificate, whether as a Laul Juttrie, or otherwise, will be subject to any personal examination, either at the Ghauts or afterwards, and that the Governor General in Council has issued particular instructions to prevent any molestation or hindrance to the pilgrims, and to provide for the facility of their access to the Temple, for the performance of their religious ceremonies, with ease and convenience to themselves.

5. Adverting to the observations contained in the 10th paragraph of your letter, the Governor General in Council directs me to acquaint you, that he is not aware that any material difficulty is likely to arise from the different rates of tax specified in the proposed Regulation, and that it is his intention that they should be established accordingly.

6. The Governor General in Council is not at present aware of any objection to the rules proposed to be established for the guidance of the Rajah of Khoodah, and other officers of the Temple; but those provisions will shortly be more particularly considered.

7. On the grounds stated in the 23d, 26th, and 27th paragraphs of your letter, it is the intention of the Governor General in Council, that the existing rules which require that the Collector of the tax should be a covenanted servant, that he should be *ex officio* assistant to the Magistrate of Cuttack, and that the Dewaul Purchas should be Darogahs of Police and Commissioners for the trial of civil suits, should be rescinded.

I have, &c.

Fort William, 17th March, 1809.

(Signed) *G. Dowdeswell.*
Secretary to Government, Rev^{e} Dep^{t}.

EXTRACT Bengal Revenue Consultations, the 5th May 1809.

(No. 37.) Commissioner at Cuttack to the Right honourable Lord Minto, Governor General in Council, &c. &c. &c.

My Lord,

As your Lordship in Council has been pleased to approve of my recommendation respecting the alteration of the existing rule, which requires that the Collector of tax at Juggernauth should be a covenanted servant, it occurs to me that it would be desirable that the officer who is to be hereafter appointed to the station, should be directed to proceed to the place without delay, in order that he may acquire some knowledge of his duty before he takes charge of it.

If his appointment were to take place just about the time of the Ruth Juttrah, which will occur in the middle of July next, he would in all probability feel himself considerably embarrassed, if before he had not had any opportunity of ascertaining the duty to be performed by him; I would therefore beg to recommend, that the officer be at present appointed assistant to the Collector, with a salary of about one or two hundred rupees per mensem, until the present Collector shall be removed.

Should your Lordship in Council be pleased to approve the above suggestion, I take the liberty of recommending that Mr. Busby, who is at present employed as superintendent of the bundsen beerdwan, and who I am confident is in every respect well qualified to discharge the duties of the office, may be appointed to the station, and that he be directed to repair to Cuttack without loss of time.

I have, &c.

Cuttack, the 29th April 1809.

(Signed) *C. Buller,*
Commissioner.

No. 7.
Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

Ordered, That the Secretary write the following letter to the Commissioner at Cuttack.

To the Commissioner in Cuttack.

Sir,

Para. 1. I AM directed by the Right honourable the Governor General in Council to acknowledge the receipt of the following letters from you, with their enclosures:

1. dated 13th ultimo.
2. D° - - 24th D°.
1. D° - - 29th D°.

(No 38.)

2. (13th ultimo.) The lands to which your letter now particularly alludes, appear to be of two descriptions:

1. "Those upon which Kalarries are worked."—2. "Those from which fuel is pro-"duced for the use of the manufacture."

3. On consideration of all the circumstances of the case, the Governor General in Council is of opinion, that the lands of the former description should be separated from the other parts of the estates in which they may be at present included, and attached exclusively to the salt department.

4. With respect however to the other description of lands, viz. those from which fuel is produced, the Governor General in Council is of opinion, that those lands cannot, consistently with any of the principles established for the conclusion of the permanent settlement, be separated from the other lands composing the estates of the zemindars; nor can the proprietors, consistently with justice or sound policy, be restrained from the cultivation of them. It consequently follows, that the lands in question must remain, as at present, attached to the estates of the different proprietors; and that the salt agent must make the best arrangement from time to time, which circumstances will permit, for the purchase of the fuel required for the manufacture.

5. You are accordingly desired to proceed in the formation of the settlement of the Mohauls, to which these remarks refer, on the principles above stated. The orders now passed by Government on the subject will be communicated to the Board of Trade, for the information and guidance of the salt agent.

6. (24th ultimo.) The Governor General in Council approves and authorizes the kistbundee proposed by you to be established for the payment of the revenue of the Mohauls, assessed with a jumma exceeding 50 rupees. You will of course furnish a further report respecting the adjustment of the kistbundy of estates bearing a jumma exceeding that sum.

7. (29th ultimo.) The foujee account of the pergunnah of Puttaspore, &c. for the month of Phagon last, appears to Government satisfactory.

8. (29th ultimo.) You are authorized to nominate Mr. Busby to officiate as assistant to the Collector of the tax on pilgrims, and to direct the Collector of Cuttack to pay to Mr. Busby a salary of 200 rupees per month, until a final arrangement shall have been made for the discharge of that duty.

I have, &c.

Fort William,
the 5th May 1809.

(Signed) *G. Dowdeswell*,
Secretary to Government, Rev^e. Dep^t.

Ordered, That an extract from the proceedings, containing a copy of the letter from the Commissioner at Cuttack, respecting Kalarry lands in that district, and of the above orders to the Commissioner (paragraphs 2 to 5) be sent to the Board of Trade through the public department, for the purpose of being communicated to the salt agent at Cuttack.

EXTRACT Bengal Revenue Consultations, 4th August 1809.

Commissioner in Cuttack to the Right honourable Lord Minto, Governor General in Council, &c. &c. &c. Fort William.

(No. 23.

My Lord,

HAVING desired the assistant to the Collector of tax at Juggernauth to revise the establishment of the Collector's office, and to report the reductions which could be made without injury to the public service, I have the honour to transmit to you the enclosed copy of his report upon the subject.

The proposed reduction, according to the statement marked No. 2, is 401 rupees per mensem; but under the circumstances stated in the last paragraph of Mr. Busby's letter, and considering the increase of duty which the English writer will have to perform, in consequence of the numerous accounts to be kept with the different offices at which licenses may be sold, I beg to recommend that the salary of the writer be increased from 70 to 100 rupees per mensem.

Considering

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Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

Considering the nature of the duty, and the allowances generally made to the head writers, I do not conceive that the proposed salary is too high; but should your Lordship in Council judge otherwise, I would nevertheless, in consideration of the very favourable accounts I have received of the present writer's exertions, recommend that so long as he may hold the office, he may be permitted to draw a salary of 100 rupees per mensem. Should your Lordship in Council be pleased to approve the above proposition, the reduction in the establishment will amount to 374 rupees per mensem. The establishment still proposed to be kept up, appears to me to be necessary, and not capable of a further reduction; indeed, at the period of the principal Jatrahs, it will be necessary to allow a temporary addition to it.

I take this opportunity of addressing your Lordship in Council respecting the salary to be allowed under the new system to the Collector of tax. The duty of that officer, when properly performed, is certainly very laborious, and not of a very pleasant nature. It requires for some months in the year, continued attendance at the cutcherry from 7 or 8 o'clock in the morning to sun-set; besides which, occasional visits to the Ghauts, when they are crowded by many thousands of pilgrims, are necessary: this duty I am happy to inform your Lordship in Council has been satisfactorily performed by Mr. Busby during the present Jatrah, and the result of his attention, particularly in the control of the officers employed under him, has been that although it is notorious at this place that the number of pilgrims in the current year is considerably less than the number which arrived at the time of the last Ruth Jatrah, the collections during this Jatrah amount to three times as much as the collections during the last Jatrah. The native officers have so many opportunities of defrauding the Government, that nothing but the most vigilant personal attention on the part of the Collector can prevent great losses. Under the above circumstances, I would recommend that the salary of the Collector be continued at 500 rupees per mensem; but that instead of being allowed 2 per cent. upon the gross collections, he be allowed 2 per cent. on the net collections after the payment of the expenses of the Temple, and the expense of collection.

I have, &c.

Juggernauth, 22d July 1809. (Signed) *C. Buller*, Collector.

(No. 24.)

To Charles Buller, esq. Commissioner in Cuttack.

Sir,

AGREEABLE to your verbal directions, relating to the expenses of the office of the Collector of tax, I have made a minute and deliberate inquiry, and have the pleasure to inform you the result is, that it will admit of a considerable reduction, and that the business of the office can be conducted as will appear, the difference by the enclosed lists Nos. 1 and 2, which number of Amlas in No. 2 I conceive fully adequate to the service. I beg leave to submit the same for your inspection: if finally approved of by the honourable the Governor General in Council, there will be an annual saving to Government the sum of sicca rupees, four thousand eight hundred and twelve. (Sa. Rs. 4,812.)

I also beg leave to observe, that from the zeal and attention shown on every occasion by Mr. Samuel Charles, English writer on the establishment, in the duties of the office, and the multiplicity of business that passes through his hands, also the great assistance I have received from him; I take the liberty of recommending him to your notice, in order that a small increase of thirty rupees may be added to his salary, humbly conceiving he justly merits it, particularly as the business of the office will for the future be increased to the new Regulation.

I have, &c.

Juggernauth, 18th July 1809. (Signed) *Samuel Busby*, Acting Collector of Tax.

No. 7.
Proceedings of the Bengal Government respecting the Temple of Juggernaut.
(No. 25.)

LIST of Officers that are employed at the Office of the Collector of Tax on Pilgrims at Juggernauth.

Description of Officers.	Salaries.				Total number of each subordinate Establishment.				
Sudder Cutcherry.	S.Rs.	A.	G.	C.	S.Rs.	A.	G.	C.
English Writer	70	—	—	—					
Peshkar	50	—	—	—					
Moonshee	30	—	—	—					
Serishtadar	30	—	—	—					
6 Mohururs, at 20 Rs. each	120	—	—	—					
Treasurer	50	—	—	—					
A Mohurur for D°	15	—	—	—					
Jumadar	10	—	—	—					
10 Chuprasees, at 4 Rs. each	40	—	—	—					
Dufturee	8	—	—	—					
Sweeper	3	—	—	—					
					426	—	—	—	
Ghat Athara Nala.									
Darogha	100	—	—	—					
Peshkar	25	—	—	—					
3 Mohururs, at 20 Rs. each	60	—	—	—					
2 D° at 15 Rs. each	30	—	—	—					
Poldar	6	—	—	—					
A Mohurur for D°	12	—	—	—					
Dufturbund	3	—	—	—					
18 Batpeadas, at 3 Rs. each	54	—	—	—					
					290	—	—	—	
Ghat Loknath.									
Darogha	80	—	—	—					
Peshkar	25	—	—	—					
2 Mohururs, at 20 Rs. each	40	—	—	—					
Potdar	6	—	—	—					
A Mohurur for Ditto	12	—	—	—					
Dufterbund	3	—	—	—					
10 Batpeadas, at 3 Rs. each	30	—	—	—					
					176	—	—	—	
Pagoda.									
A Mohurur at Singh Dura	20	—	—	—					
An Assistant D° D°	15	—	—	—					
A Mohurur at Ootur Duar	15	—	—	—					
26 Chuprasees, at 4 Rs. each	64	—	—	—					
					114	—	—	—	
Total Sa. Rs.					1,026	—	—	—	

Errors Excepted.

Juggernauth,
18 July 1809.

(Signed) *Sam' Busby,*
Acting Collector of Tax.

A true Copy.

(Signed) *Geo. Warde,*
Assistant.

No. 7.
Proceedings of the Bengal Government respecting the Temple of Jaggernaut.

(No. 25.)

LIST of Officers that are actually requisite for the Office of the Collector of Tax on Pilgrims at Juggernauth.

Description of Officers.	Salaries. S^{t} R^{s}.	A^{s}.	G.	C.	Total Amount of each subordinate Establishment. S^{t} R^{s}.	A^{s}.	G.	C.
Suder Cutcherry:								
English Writer	70	—	—	—				
Serishtadar	30	—	—	—				
1 Head Mohurur	20	—	—	—				
2 Inferior D^{o} at 15 Rupees each	30	—	—	—				
2 D^{o} D^{o} at 12 Rupees each	24	—	—	—				
Treasurer	30	—	—	—				
A Mohurur for Ditto	10	—	—	—				
Dufturee	8	—	—	—				
Dufterbund	3	—	—	—				
Jumadar	8	—	—	—				
6 Chuprassees, at 4 Rupees each	24	—	—	—				
Sweeper	3	—	—	—				
					260	—	—	—
Ghat Athara Nala:								
Darogha	40	—	—	—				
Peshkar	20	—	—	—				
1 Head Mohurur	15	—	—	—				
2 Inferior D^{o} at 12 Rupees each	24	—	—	—				
Potdar	5	—	—	—				
Dufterbund	3	—	—	—				
1 Head Balpeada	4	—	—	—				
17 Inferior D^{o} at 3 Rupees each	51	—	—	—				
Sweeper	3	—	—	—				
					165	—	—	—
Ghat Loknath:								
Darogha	30	—	—	—				
1 Head Mohurur	15	—	—	—				
2 Inferior D^{o} at 12 Rupees each	24	—	—	—				
Potdar	5	—	—	—				
Dufturbund	3	—	—	—				
1 Head Batpeada	4	—	—	—				
9 Inferior D^{o} at 3 Rupees each	27	—	—	—				
Sweeper	3	—	—	—				
					111	—	—	—
Pagoda:								
1 Head Mohurur, at Singh Duar	15	—	—	—				
1 Inferior D^{o} at Duckhin Duar	10	—	—	—				
1 D^{o} D^{o} at Ootur D^{o}	10	—	—	—				
1 Jumadar	6	—	—	—				
12 Chuprassees for the three gates at the Temple, at 4 Rupees each	48	—	—	—				
					89	—	—	—
Total				S^{t} R^{s}	625	—	—	—

Errors Excepted.

Juggernauth,
18th July 1809.

(Signed) *Sam. Busby,*
Acting Collector of Tax.

(A true Copy.)

(Signed) *Geo. Warde,*
Assistant.

No. 7.
Proceedings of the Bengal Government respecting the Temple of Jaggernaut
(No. 27.)

Ordered, That the Secretary write the following Letter to the Commissioner in Cuttack.

To the Commissioner in Cuttack.

Sir,

I AM directed by the Right honourable the Governor General in Council, to acknowledge the receipt of two letters from you, dated the 15th and 22d ultimo, with their respective enclosures.

2. The considerations which led the Governor General in Council to consider the claim of the Ranee of Mohurbunge, to compensation on account of the loss of the duties formerly received by her from pilgrims, to be well founded, would also induce his Lordship in Council to admit the claim of the Rajah of Neelguny to compensation, on the same account; previously, however, to passing any final orders on the subject, the Governor General in Council desires that you will ascertain and report whether the circumstance was adverted to in adjusting the tribute payable by the Rajah, as it occurs to Government that compensation may have been already granted by fixing the tribute at a lower sum, in consequence of the deprivation of the duties in question, than what would have been otherwise demandable from the Rajah.

3. The allowances proposed by you to be granted to the officers entrusted with the charge of collecting the duties at Juggernauth on the part of the collector of Cuttack, appearing to Government very high, his Lordship in Council has been pleased to fix those allowances at rupees 300 per month, and a commission of 2 per cent on the net collections.

4. The Governor General in Council approves the revised establishment of subordinate officers recommended by you, including the addition of 30 rupees per month proposed to be granted to the head writer.

5. The Governor General in Council has observed with satisfaction the increase of revenue stated to have been obtained at the present Jatrah.

I have, &c.

Fort William,
4th August 1809.

(Signed) *G. Dowdeswell*,
Sec^{y} to Government, Rev. Dep^{t}.

A. D. 1809. REGULATION IV.

A REGULATION for rescinding Regulations IV and V, 1806; and for substituting rules in lieu of those enacted in the said regulations for levying Duties from the pilgrims resorting to Juggernauth, and for the superintendence and management of the affairs of the Temple.—Passed by the Governor General in Council, on the 28th April 1809; corresponding with the 17th Bysaak 1216 Bengal era; the 28th Bysaak 1216 Fussily, the 18th Bysaak 1216 Willaity; the 13th Bysaak 1866 Sumbut; and the 12th Rubbee-ul-Awul 1224 Higeree.

Preamble.

WHEREAS it has appeared that the rules at present in force for levying duties from the pilgrims resorting to Juggernauth, and for the superintendence and management of the affairs of the Temple, have been in some respects attended with difficulty and inconvenience, the Governor General in Council, with a view to afford every facility to the different classes of Hindoos, in the performance of their religious ceremonies, and with a view to the better management of the internal affairs of the Temple, has been pleased to rescind Regulations IV and V, of 1806, and to substitute the following rules in lieu of them. And whereas under the existing rules, respecting persons exempted from the payment of the tax, frauds have been committed by persons professing themselves to be carriers of the water of the Ganges, and by persons resorting to Juggernauth under the pretext of purposes other than that of pilgrimage, the Governor General in Council has been pleased to make further provision for the prevention of such frauds in future. The following rules therefore are enacted, and they are to have effect from the date of the promulgation of this Regulation.

The superintendence of the Temple, the conduct of its affairs, and the control over the several persons attached to it, vested in the rajah of Khoordah.

II. *First.* The superintendence of the Temple of Juggernauth, and its interior economy, the conduct and management of its affairs, and the control over the priests, officers, and servants attached to the Temple, are hereby vested in the rajah of Khoordah, who on all occasions shall be guided by the recorded rules and institutions of the Temple, or by ancient and established usage.

The rajah and his successors to continue in charge so long as they shall continue to act with propriety.

Second. The rajah of Khoordah and his successors shall hold the charge vested in them by the above clause, so long as they shall continue to conduct themselves with integrity, diligence and propriety; but nothing contained in this regulation shall be construed to preclude the Governor General in Council from removing the present rajah, or any of his successors, from the superintendence of the Temple, on proof of misconduct in such person, made to the satisfaction of Government.

The superintendent empowered to punish persons subject to his control, and to what extent.

Third. To enable the superintendent of the Temple to perform the duty of his station with efficiency he is hereby authorized to punish persons subject to his control, for any instance of neglect or misconduct, by imposing small fines upon them, not exceeding one month's salary, or income, or by removing the offender (if not one of the three head purchas) from his office, if the offence shall appear to merit that punishment. The amount of any fines imposed under this clause, are to be carried to the account of Government by the suttaishuzzairy purcha.

III *First.*

The three dewul purchas to be appointed by the collector subject to the confirmation of government, but to act under the orders of the superintendent.

III. *First.* The three dewul purchas are to be appointed by the collector of Cuttack, subject to the confirmation of Government, and they are not to be removed from their offices, without the sanction of the Governor General in Council. These officers however are to execute the functions of their offices under the directions of the rajah, and they are required to obey his orders punctually.

How they are to act in the event of any orders of the superintendent being inconsistent with the rules and usages of the temple.

Second. In the event however of any orders being issued by the rajah, inconsistent with the recorded rules and institutions of the Temple, or with its ancient and established usages, it shall be the duty of the purchas to represent the circumstances of the case to the Collector of the tax, for the final orders of the Governor General in Council, if it should appear on enquiry that the interposition of Government is necessary for the restoration of good order, and the prevention of disputes and irregularities.

The third dewul purcha to act as suttaishuzzary purcha, and to give an account to the collector of all offerings and presents.

IV. The third dewul purcha shall execute the duty of sattaishuzzarry purcha, and it shall also be his duty to give an account to the collector of the tax, of all offerings and presents made to the idol.

A tax to be levied as heretofore on the pilgrims, the collection of which to be vested in a collector, under the authority of the collector of Cuttack, and the general superintendence of the Board of Revenue.

V. A tax shall be levied on the part of Government (as was heretofore done under the late Marhatta Government, and as has also been done under the British Government since the conquest of the province of Cuttack) on pilgrims resorting to the Temple of Juggernauth. The collection of the tax shall be entrusted to an officer with the official designation of the collector of the tax on pilgrims. But that officer is to be subject to the authority of the collector of Cuttack. The general superintendence of the collections, and the controul of the officers employed in the performance of that duty, shall be vested in the Board of Revenue at Fort William.

The avenues for the admission of pilgrims confined to two.

VI. The avenues for the admission of pilgrims shall be confined to two, viz. Ghaut Atturrah Nullah on the north, and Ghaut Lokenauth on the south-west of the town of Juggernauth Poory.

Classes of pilgrims liable to the tax.

VII. *First.* The pilgrims liable to the tax shall be divided into four classes, as follows:

First class, or Laul Jatries;
Second class, or Nimm Lauls;
Third class, or Bhurrungs;
Fourth class, or Punj Tirthees, comprehending the following descriptions of persons of low cast, who are not permitted to enter the temple:—

1. Lolee or kusbee,
2. Cullal or soonree,
3. Machoowa,
4. Numosooder or chandal,
5. Ghooskee,
6. Gazur,
7. Baugdee,
8. Joogee, or noorbauf,
9. Kahar bawry and doolia,
10. Ranjbunsee,
11. Peerally,
12. Chamar,
13. Dhome,
14. Pauh,
15. Teor,
16. Bhoonmalee,
17. Haddee.

Rates of tax payable by the different classes.

Second. The following are the rates of tax payable by the different classes:—

Pilgrims of the first class coming from the north and passing the Autarrah Nullah ghaut, to pay a tax of ten rupees; and coming from the south and passing Lokenauth ghaut, six rupees.

Pilgrims of the second class, coming from the north and passing the Autarrah Nullah ghaut, to pay five rupees; and coming from the south and passing Lokenauth ghaut, three rupees.

Pilgrims of the third class, whether coming from the north or south, and passing either of the ghauts, to pay two rupees.

Pilgrims of the fourth class passing either of the ghauts, to pay two rupees.

Rules as to the time a pilgrim of the first class is to be allowed access to the temple, and how that period may be extended.

Third. A pilgrim of the first class is to be allowed free access to the temple during thirty days, and he is to be attended by a purharee or punda, at all times he may enter the temple. But if he should wish to be exempted from the attendance of those officers, by the payment of a further sum of ten rupees to the collector, and by the surrender of his pass, he shall be entitled to a purwannah authorizing him to visit the temple, at all times when the gates are open, whether attended by a purharee or punda, or otherwise; and he shall further be allowed to perform his religious ceremonies for an unlimited time, so long as he may wish to remain in the town.

Rules as to the time a pilgrim of the second class is to have admission.

Fourth. A pilgrim of the second class who may visit the temple at the time of the Ruth Jattrah, shall be allowed access to the temple during ten days. But if he should visit the temple at the time of the Dole Jattrah, or at any other period of the year, excepting at the time of the Ruth Jattrah, he is to be allowed access to the temple for a period of seven days only, and he must be at all times attended by a punda or purharee, when visiting the temple.

Rules as to the third class.

Fifth. A pilgrim of the third class shall be allowed access to the temple at the time of the Ruth Jattrah, during five days; but at any other time he will only be allowed to visit the temple during four days, and he must be attended by a punda or purharee on all occasions.

Sixth,

Sixth. A pilgrim of the fourth class shall be allowed to perform the customary ceremonies without the temple during sixteen days, attended by the haut pecada of the collector of tax at Juggernauth. Rules as to the fourth class.

Seventh. It shall be optional to all descriptions of persons entitled to visit the interior of the temple, to enrol themselves under which ever class they may prefer, on payment of the prescribed rate of tax. All persons allowed the option of enrolling themselves in the class they prefer.

VIII. *First.* With a view to facilitate access to the temple, and to remove all difficulties from the way of the pilgrims passing the ghauts, printed certificates shall be prepared, which shall be procurable on the payment of the fixed tax, at the offices of the secretary to the Board of Commissioners and the Secretary to the Board of Revenue, the collectors of Cuttack, and Ganjam, and at the two ghauts. Printed certificates to be prepared, and where to be procured.

Second. The following are the forms of the certificates to be granted to the different pilgrims:

FORM No. 1.

"A. B. inhabitant of in the district of , having this day paid into this office, the sum of sicca rupees , is entitled to pass through the ghaut, without further interruption, as a laul jattree, or pilgrim of the first class, to the cutcherry of the collector of tax at Juggernauth. On producing this certificate to the said collector, he is further entitled to receive a pass, and to have access to the temple during thirty days." Form No. 1.

Names or designation of Attendants.	Amount of Tax paid by them respectively.	Period for which they are to visit the Temple.

FORM No. 2.

"A. B. inhabitant of in the district of having this day paid into this office the sum of sicca rupees is entitled to pass through the ghaut, without further interruption, as a nimm laul, or pilgrim of the second class, to the cutcherry of the collector of tax at Juggernauth.——On producing this certificate to the said collector, he is further entitled to receive a pass, and to have access to the temple during ten days, at the time of the Ruth Jattrah, or during seven days at any other period." Form No. 2.

FORM No. 3.

"A. B. inhabitant of in the district of having this day paid into this office, the sum of sicca rupees two, is entitled to pass through the ghaut, without further interruption, as a bhurrung, or pilgrim of the third class, to the cutcherry of the collector of tax at Juggernauth.——On producing this certificate to the said collector, he is further entitled to receive a pass, and to have access to the Temple during five days, at the time of the Ruth Jattrah, or during four days at any other time." Form No. 3.

FORM No. 4.

"A. B. inhabitant of in the district of having this day paid into this office, the sum of sicca rupees two, is entitled to pass through the ghaut, without further interruption, as a punj tirthee, or pilgrim of the fourth class, to the cutcherry of the collector of tax at Juggernauth.——On producing this certificate to the said collector, he is further entitled to receive a pass, and to perform the customary ceremonies without the gates of the Temple during sixteen days." Form No. 4.

Third. In case a pilgrim of the first class may be desirous of visiting the Temple with his family and attendants, such family and attendants not exceeding twenty persons, will be admitted to remain in the town so long as their master does, provided they shall in the first instance pay the prescribed tax, either as bhurrungs or nimlolls, but they will not be allowed to enter into the Temple for a longer period of time, than they may be respectively entitled to, in consideration of the tax paid by them: in cases therefore where a pilgrim may be desirous of having his attendants and family allowed to remain with him, as long as he remains himself, the tax for such persons, either as bhurrungs or nimlolls, must be paid at the time he takes out his own certificate, and the officer furnishing the certificate is to state the names, or designation of the family and attendants; the tax paid on account of each of them; and the number of days during which they will respectively be allowed to perform their religious ceremonies; and such persons shall be allowed to remain in the town as long as their master does. Rules as to the families or attendants of pilgrims.

Fourth. The certificates shall be dated and attested with the official seal and signature of the officer granting them, who shall also fill up the blank spaces with the name of the Certificates how to be attested and filled up.

pilgrims (or if female, her designation) the place of his (or her habitation, the rate of the tax, and in the instance of pilgrims of the two first classes, the name of the ghaut through which they will pass.

Pilgrims to be allowed to pass the ghauts without interruption, on producing their certificates.

IX. On the production of a printed certificate, signed and sealed in the manner prescribed, the pilgrim is to be allowed to pass the ghauts, and no interruption is on any account to be given to him by the darogah, or officer stationed at the ghauts.

Darogahs impeding such pilgrims, liable to be fined and dismissed.

X. *First.* If it shall be established that any pilgrim holding a certificate regularly signed and sealed by an officer entitled to grant such certificate, shall be impeded from entering the ghauts, or unnecessarily delayed at them, the darogah at the ghaut shall be liable to be fined in a sum not exceeding his salary for three months, and also to be dismissed from his office.

Darogahs how to be punished for slight offences.

Second. In cases of slight offences, the collector of Juggernauth is empowered to levy a fine from the darogah, not exceeding his salary for one month, but if the collector should deem the offence deserving of a greater punishment, he is to report the circumstances to the Board of Revenue, who if they think proper, are competent to impose a fine, not exceeding three months salary, and also to order the darogah to be removed from his office.

The collector of Juggernaught to superintend the conduct of the darogahs.

Third. It is to be the particular duty of the collector of Juggernauth to superintend the conduct of the darogahs at the ghauts, and to take special care that the pilgrims are not impeded, delayed, or molested in any manner.

Licenses to be granted by the collector on the receipt of the certificates of the pilgrims.

XI. *First.* On the pilgrims having passed the ghauts, those of the first, second, and third classes, are to apply to the collector of Juggernauth for a license of access to the temple, and it shall be the duty of the collector, on the receipt of the certificate from the pilgrims, to grant to them a license according to the following forms:—

Form for the 1st, 2d, and 3d classes.

"A. B. inhabitant of , in the district of , is entitled to perform the customary ceremonies under charge of , during days, that is to say, from the of the month of , until the day of the month of , and for that period you will afford to the holder hereof free access to the Temple of Juggernauth. ——At the expiration of the period granted, you will return this license into the office of the collector of tax."

Form for the 4th class.

A license of the form following will be granted by the collector of tax, on the receipt of a certificate from a pilgrim of the fourth class, addressed to his nazir.

FORM OF LICENSE.

"A. B. inhabitant of , in the district of , is entitled to perform the customary ceremonies without the temple gates, under charge of , baut, pceada, during days, that is to say, from the of the month of , to the day of the month of .——At the expiration of which period, this license shall be returned into the office of the collector of tax."

How the blank spaces are to be filled up.

Second. The blank spaces of the licenses of access, to be filled up with the name of the pilgrim, the place of habitation, the name of the punda or purharree in the first license, or of the baut pceada in the second, and the dates of the commencement, and expiration of the period granted.

Rules in cases of sickness of pilgrims during the time allowed in the certificates.

XII. As in case of sickness a pilgrim may be prevented from performing his religious ceremonies during the number of days allowed to him, it might operate as a hardship if such person were compelled to quit the town immediately after the expiration of the prescribed time. The collector of the tax therefore shall in such cases be competent to extend the period, for such further time as may be deemed reasonable by him. The collector however is of course to observe due caution in the exercise of this authority.

Rules for preventing delay in issuing the licenses to pilgrims surrendering their certificates

XIII. As it is an important consideration to the pilgrims to visit the Temple as soon soon after they shall have passed the ghauts as possible, the collector of Juggernauth shall be particularly careful to grant the licenses without delay. He is therefore required to have a sufficient number of blank licenses prepared, in order that no time may be lost in passing the pilgrims into the Temple. It is further provided that the collector shall not require the attendance at his cutcherry, of any person desiring to change his certificate for a license, particularly in the instance of females. The production and surrender of the certificate or certificates at the collector's cutcherry, by any one person of the family, or by any other person who may be employed to take out the necessary licenses, shall be sufficient to authorize the collector to grant the necessary licenses in the names, or designation, of the persons specified in the certificates.

Register of licenses to be kept, and rules as to the return of such licenses by the pundas, &c.

XIV. The collector of tax at Juggernauth shall keep a register of all licenses granted by him, insert the dates of, and the periods for which they may be in force, which will enable him to ascertain at all times whether any punda or purharree shall have neglected to return the license into the office as required. It shall be the duty of every punda or purharree, to return the licenses of the pilgrims under his charge, on the expiration of the period for which they have been granted, in default whereof, the punda or purharree shall be subject to such fine as, on consideration of the circumstances of the case, the collector of the tax may deem necessary; the amount of the fine shall in no case exceed the amount of tax paid by the first class of pilgrims.

Rules as to the return of licenses of the 4th class by the baut pceada.

XV. The baut pceadas shall return the licenses of the fourth class or punji tirthees, on the date of their expiration, in default whereof the collector of the tax shall dismiss

the

the offender from his office, or impose a moderate fine in no case exceeding the amount of one month's salary.

XVI. *First.* When any pilgrim (not being a Laul Jattrie) shall retain his license of access beyond the period of its expiration, and shall continue to reside in the town, the collector of the tax may cause the removal of the pilgrim in the following manner.

Pilgrims may be removed when the license of access shall be retained beyond the prescribed period.

Second. On application from the collector of the tax, it shall be the duty of the police darogah to apprehend and expel from the town, such persons as shall be pointed out to him by the collector of the tax, or the officers acting under his direction. The darogah shall report to the magistrate the manner in which he may have complied with the application of the Collector in his monthly reports.

Mode of proceeding in such cases.

XVII. When any pilgrim of the first class, (who shall not have obtained a Perwannah authorizing him to perform his religious ceremonies for an unlimited time) shall be desirous of remaining in the town, beyond the fixed period, he shall make application to the Collector for permission to remain with his attendants, and the Collector shall comply with the application, provided that no circumstances should render a compliance with it objectionable: if any such circumstance should occur to the Collector, he is to make an immediate report of the case to the Board of Revenue, who, if they see reason, shall be competent to order the expulsion of the pilgrim from the town. But it is further declared, that such pilgrim shall not be authorized to enter the temple during the further period which may be allowed to him.

Collector may in certain cases comply with applications of pilgrims for permission to remain in the town.

XVIII. *First.* In conformity to long and established usage, the following descriptions of persons shall be considered to be exempt from the payment of the tax on pilgrims at Juggernauth, viz. byraghies, sonassees, dundies, burmacharies, mohunts, gosains, khomartees and nagas, persons born within the byturnee nullah, and the Ganjam river, or who may have resided with their families, for a period of ten years, within the above limits; persons employed in carrying the water of the Ganges to Juggernauth, and actually pouring the water over the idol at Lokenauth; and persons resorting to the town of Juggernauth Pooree for trade, or any other purpose excepting on pilgrimage.

Description of Persons exempt from payment of the tax on pilgrims.

Second. A person professing himself to be a carrier of the water of the Ganges, is to be allowed to pass the Attarrah Nulla ghaut; but he is to be placed under the charge of a punda or purharree, who is to attend him to Lokenauth, and to see him pour the water over the idol there, before he will be admitted to perform his religious ceremonies within the Temple. In the event of his not performing that ceremony, he is either to be expelled from the town, or to be subject to the payment of the tax.

Rule as to persons professing to be carriers of the Ganges water.

XIX. With respect to persons resorting to Juggernauth, for the purpose of trade, or any other purpose but that of pilgrimage, they are to be admitted to pass the ghauts without the payment of the tax, at all times of the year, excepting for twelve days from the commencement of the Ruth Jattrah. During that time no person, excepting such as may be exempted, as kungalls, or carriers of the water of the Ganges, or on account of their residence, or religious cast, shall be admitted within the ghauts without the payment of the tax.

Persons resorting to Juggernauth for trade, &c admissible without the payment of tax, except at a certain period.

XX. A person intending bona fide to take up his residence within the town for the remaining period of his life, shall also be exempted from the payment of the tax, provided the collector shall be satisfied that he has not the means of paying any tax.

Persons taking up their fixed residence in the town exempted from payment of the tax.

XXI. *First.* All persons, including native, civil and military, officers and sepoys, not coming within the description of persons exempt by the foregoing rule, are hereby declared subject to the payment of the tax, in common with all other Hindoos.

All other persons to pay the tax

Second. In the event of the march of troops on service through the town of Juggernauth Pooree, their passage must necessarily be facilitated, but no detachment or body of troops shall be permitted to halt within the town of Juggernauth Pooree. The commanding officer shall be required to furnish the collector of the tax, with a list containing the names of those native officers or sepoys, who may be desirous of visiting the Temple. The collector shall issue the necessary instructions for the admission of all such native officers and sepoys, into the town, for the purpose of making the requisite application for licenses of access, which shall be granted under the foregoing rules, by the collector, on the receipt of the prescribed tax.

Rules as to troops marching through the town.

XXII. Pilgrims in an actual state of poverty, or kungalls, on declaring under such form or ceremony as shall be prescribed by the native officers entrusted with the management of the Temple, that they are not possessed of two rupees, and are unable to contribute the prescribed tax, shall be entitled to licenses of access to the Temple under the charge of a punda or purharree, during three days. On the following day, the punda or purharree shall return the licenses to the office of the collector of the tax, in the manner and under the penalty for default prescribed by Section XIV.

Rules as to pilgrims in a state of poverty, or kungals.

XXIII. The collector of the tax on pilgrims at Juggernauth, is required at all times, to give every attention to the religious opinions of the Hindoos, and to the particular institutions of the Temple of Juggernauth, which may be consistent with the general regulations and with the maintenance of peace and good order at the Temple and its vicinity; and he shall on no account suffer his peons or ministerial officers to enter the precincts of the Temple.

Collector to pay attention to the religious opinions of the Hindoos.

A. D. 1810. REGULATION XI.

A REGULATION for amending a part of Regulation IV. 1809, respecting the Temple of Juggernauth.—Passed by the honourable the Vice President in Council, on the 27th April 1810; corresponding with the 16th Bysaak 1217 Bengal era; the 8th Bysaak 1217 Fussily; the 17th Bysaak 1217 Willaity; the 9th Bysaak 1867 Sumbut; and the 22d Rubeeul-Awul 1225 Higeree.

Preamble.

WHEREAS it has been deemed expedient to exempt from the operation of Section XXI. Regulation IV. 1809, all such native military officers and sepoys as may be actually on duty within the Attarah Nullah, or may be marching on service through the town of Juggernauth-pooree: And whereas great inconvenience and injury to the tax have been experienced from the exemption allowed to persons residing within the Byturnee Nullah and Ganjam river: And whereas it has been ascertained that the residents within the above limits were not exempted under the Mahrattah government, from the payment of the tax: And whereas it has appeared expedient to revise the list of persons of low casts detailed in Section VII. Regulation IV. 1809, to be disqualified from entering the temple; the Vice President in Council has been pleased to enact the following rules, which are to have effect from the period of the promulgation of this regulation.

Native military officers and sepoys in certain cases exempted from paying the tax, and under what restrictions.

II. All native military officers and sepoys who may be actually on duty within the limits of the Attarah Nullah, and of Lokenauth Ghaut, or attached to corps or detachments marching on service through the town, are hereby exempted from the payment of the tax; but in order to their gaining admittance into the Temple, it is necessary that they should produce to the Collector of Tax, an authority, or pass from the commanding officer at the station, or from his adjutant, notifying that they have obtained leave to enter the town for the purpose of performing their religious ceremonies. On the production of such authority or pass, the Collector of the Tax shall give immediate orders for their admittance into the Temple.

The servants of European officers on duty at Juggernauth also exempted.

III. The servants of European officers on duty at Juggernauth, actually residing with their masters within the Attarah Nullah, shall also be exempted from the payment of any tax.

Section XVIII, Regulation IV. 1809, as to the exemption of persons residing within certain limits from paying the tax modified.

IV. *First.* The exemption allowed by Section XVIII. Regulation IV. 1809, in favour of persons born or residing for ten years within the Byturnee Nullah and the Ganjam river, having at particular periods been found detrimental to the public revenue, and it having been ascertained that under the Mahrattah government, such persons were not allowed to enter the town without the payment of a tax; the following modified rules respecting the exemption of the above persons are enacted.

Exemptions of certain persons from paying the tax, restricted at particular times.

Second. During the Ruth and Dole Jattrahs, the exemption in favour of the persons described in the preceding clause, is restricted to the residents, or persons born within ten coss of the town of Juggernauth-pooree, or from Peeply to the north, and from Manickpatam to the south.

Exemption continued at all other times.

Third. At all other times of the year, the exemption hitherto allowed in favour of the residents as far as the Byturnee Nullah or the Ganjam river, is continued.

Rates of tax to be paid by such persons at the restricted periods.

Fourth. During the Ruth and Dole Jattrahs, the persons living between Peeply and the Byturnee Nullah to the north, and between Manickpatam and the Ganjam river to the south, are to be subjected to the payment of the following rates of tax on their entering the Ghauts at either of those festivals:

Laul Jattries - - - - - -	1 Rupee,
Nim Lauls - - - - - -	8 Annas,
Bhurrungs - - - - - -	4 Annas.

Such Laul Jauttries to be entitled to the same privileges as others paying the full tax

Fifth. A Laul Jattray of the above description is to be allowed the same privileges as a Laul Jattry coming from any other part of the country, who shall have paid ten rupees.

Such Nimlauls or Bhurrungs allowed the same privileges as others of similar descriptions.

Sixth. In like manner the Nim Lauls and Bhurrungs, are to be allowed the same privileges as persons of the same description who shall have paid a tax of five rupees, or of two rupees.

Such persons may enrol themselves in what class they prefer, if duly qualified.

Seventh. It shall be optional to the residents within the limits above mentioned, to enrol themselves under which ever class of pilgrims they may prefer, on payment of the prescribed rate of tax, provided they be qualified to enter the interior of the temple.

List of Punjtirthies revised and substituted for that in section VII, Regulation IV, 1809.

V. *First.* The following revised list of persons coming within the fourth class of pilgrims denominated Punjtirthies, is substituted in lieu of the list detailed in Section VII. Regulation IV. 1809.

Second. Fourth class, or Punjtirthies, comprehending the following descriptions of persons of low cast, who are not permitted to enter the Temple:

1. Lolee or Kusbee,	7. Baugdee,	12. Dhome,
2. Cullal or Soonree,	8. Joogee or Noorbauf,	13. Paun.
3. Machooah,	9. Kahurbawry and Doolia,	14. Teor.
4. Numosooder or Chandal,	10. Rajbunsee,	15. Bhoolnmalee.
5. Ghoskee,	11. Chamaur,	16. Haddee.
6. Guzur,		

—No 8.—

Copy of LETTER from the Right Honourable *Robert Dundas*, President of the Board of Commissioners for Affairs of *India*, to the Chairman and Deputy Chairman of the East India Company, dated the 10th of August 1808, transmitting a Draft of a Dispatch in reply to the Secret Letter from *Bengal*, dated the 2d of November 1807, on the subject of the Proceedings of the MISSIONARIES in *Bengal*.

(Secret.)

Downing-street, 10th August 1808.

Gentlemen,

THE Court of Directors having been required, on the 19th ult. to prepare a Reply to a Letter from the Governor General in Council, dated the 2d November 1807, addressed to the Secret Committee, I trust that you will not deem me unnecessarily intrusive in again calling your attention to that subject. I am fully aware, that both before and since the prorogation of Parliament your time has been completely occupied, and that I am in some degree chargeable also with delays which have unavoidably occurred in forwarding various matters under our consideration; but being strongly impressed with the necessity of conveying to the Supreme Government an early and explicit declaration of your sentiments on their proceedings, with reference both to discussions which have recently taken place in this country, and to the peculiar circumstances of the transaction which they have reported, I take the liberty of submitting to your consideration the Draft * of a Dispatch, which I should have no hesitation in proposing to the Commissioners of the India Board, to sanction in the usual form.

* Para. 1. to 10. in Draft N° 167. see page 3 to 15, Paper N° 9.

It cannot be expected that on a subject so interesting to the feelings of every man unconnected even with India or with its concerns, the members of the Court of Directors should be wholly exempt from strong prepossessions, or be able to divest themselves entirely of all preconceived opinions. I should hope, however, that on perusing dispassionately the accompanying Draft, it will not be found to contain any thing repugnant either to the principles of our religion, or to our duty as faithful guardians of the public welfare in India; but at the same time that it will convey to the Supreme Government a distinct exposition of the sentiments entertained by the authorities in this country on the whole matter of the Dispatch which has been brought under the consideration of the Court.

Concurring entirely in the propriety of the mode which the Bengal Government have adopted, of transmitting their letter of the 2d November, by addressing it to the Secret Committee, I would suggest to you the expediency of adding a paragraph to the proposed Draft, directing that the communication from the Court, in reply to that letter, should also be kept in the secret department.

I have the honour to be, Gentlemen,

Your most obedient and humble servant,

The Chairman & Deputy Chairman. (Signed) *Robt Dundas.*

— No. 9. —

Copy of a LETTER from *George Holford*, Esq. Secretary to the Board of Commissioners for Affairs of *India*, to the Secretary to the Court of Directors of the East India Company, dated the 26th of August 1808; returning Draft, No. 167, on the subject of the Proceedings in *Bengal*, respecting the MISSIONARIES, with the Draft of an additional Paragraph; together with the said Draft, No. 167.

Sir, Whitehall, 26th August 1808.

I AM directed by the Board of Commissioners for the Affairs of India, to return Draft No. 167, on the subject of the proceedings in Bengal, relative to the Missionaries, as stated in the Secret Letter from the Governor General in Council of 2d November 1807.

In consequence of the recent arrival of the letter of the 7th December 1807, on the same subject, the Board have added a paragraph, acknowledging the receipt of that letter, and containing such observations, upon the matter contained in it, as the occasion appears to require.

I have the honour to be, Sir,
Your most obedient humble servant,
(Signed) *George Holford.*

William Ramsay, Esq.
&c. &c. &c.

No. 167.

(Secret Department.)

Draft Paragraphs proposed by the Court of Directors to be sent to their Presidency at Fort William, in Bengal.

Par. 1 to 10 is the Draft of the Dispatch alluded to in Mr. Dundas's Letter to Chairman and Deputy Chairman, dated the 10th of August 1808.

1. WE have received by the General Stuart, your letter of the 2d November last, addressed to the Secret Committee, on the subject of certain publications which had issued from the missionary press at Serampore, and detailing the proceedings which you had thought it advisable to adopt with regard to them.

2. Whatever is connected with an attempt to introduce Christianity among the natives of British India, cannot but be felt as a subject of the greatest importance and of the greatest delicacy; and we lament that circumstances should have occurred, in any part of our territories, to call for the interference of our Governments in matters of that description.

We are anxious that it should be distinctly understood, that we are very far from being averse to the introduction of Christianity into India, or indifferent to the benefits which would result from the general diffusion of its doctrines; but we have a fixed and settled opinion, that nothing could be more unwise and impolitic, nothing even more likely to frustrate the hopes and endeavours of those who aim at the very object, the introduction of Christianity among the native inhabitants, than any imprudent or injudicious attempt to introduce it by means which should irritate and alarm their religious prejudices. That the publication which first excited your attention, as well as the paper which you transmitted to us, marked C. (entitled the "Rise of Wisdom,") is calculated to produce those effects, we conceive can admit of no doubt, and we entirely approve of your endeavours to interrupt the circulation of them. Indeed, the Missionaries themselves seem to regret and condemn their publication. Perhaps some doubt might be fairly entertained, whether a considerable part of the paper marked B. was of a nature to have excited similar feelings, if the other publications did not prepare the mind to receive, with some jealousy, any works which issued from the same press. In suggesting the possibility of this doubt, we by no means intend to convey any disapprobation of that prudent precaution which led you to prevent the further publication of this last, together with those which appear to us to be more unquestionably exceptionable. It is a matter of great difficulty to draw the line which should at once describe and characterise the publications which might be permitted to be considered as inoffensive, and at the same time distinguish them from those which a proper precaution would suppress; and at this distance from the scene of Government, we can only state to you those general principles which we are desirous should direct your conduct upon this point. For this purpose we would refer you to a passage in our Political Letter to Fort St. George of the 29th May 1807, in which we briefly intimated, in the following terms, our sentiments of what the character and conduct of Christian Missionaries in India, and the carriage of the Company's Government towards them, ought to be: "When we afforded our countenance and sanction to the Missionaries who have from

"time

" time to time proceeded to India for the purpose of propagating the Christian Religion, " it was far from being in our contemplation to add the influence of our authority to any " attempts they might make; for, on the contrary, we were perfectly aware that the " progress of real conversion would be gradual and slow; arising more from a conviction of " the purity of the principles of our religion itself, and from the pious example of its " teachers, than from any undue influence, or from the exertions of authority, which are " never to be resorted to in such cases." In the same spirit, we would still wish to affirm as a principle, the desirableness of imparting the knowledge of Christianity to the natives of British India; but we must also contend, that the means to be used for that end shall be only such as shall be free from any political danger or alarm.

3. With these two positions, which appear to us to be fundamental on the subject in question, the 39th paragraph of your dispatch, now before us, in substance corresponds; for you there, after acknowledging " your entire conviction of the correctness of the statement " which the Memorial of the Missionaries contains, relative to the motives and objects of " their zeal for the propagation of the sacred doctrines of Christianity," observe, " Our " duty, as guardians of the public welfare, and even a consentaneous solicitude for the " diffusion of the blessings of Christianity, merely require us to restrain the efforts of that " commendable zeal within those limits, the transgression of which would, in our decided " judgment, expose to hazard the public safety and tranquillity, without promoting its " intended object." Agreeing then, with you, in general views on this question, and impressed with the necessity of leaving the application of these principles to the discretion of the Government upon the spot, we feel that we have but little further to suggest to you upon that part of the subject.

4. We observe, with great satisfaction, the temperate and respectful conduct of the Society of Missionaries in the discussions which took place on the subject of the publications to which your attention was directed, and of the measures which you felt yourselves called upon to adopt; and we entirely approve of the permission which you granted to them, of continuing their press at Serampore. Their residence at that place would probably be attended with little additional inconvenience to your Government; and we conclude, moreover, that the British authority has long ago been established at the different Danish settlements in India. We are well aware, that the progress of the Missionaries, both Catholic and Protestant, for a long period of years, has not been attended with injurious consequences; their numbers have not been sufficient to excite alarm, and their general conduct has been prudent and conciliating; and we have no reason to suppose, that the mere circulation, in a peaceable and unobtrusive manner, of translations of the Scriptures, is likely to be attended with consequences dangerous to the public safety.

5. The paramount power which we now possess in India, undoubtedly demands from us additional caution upon this subject; it imposes upon us the necessity, as well as strengthens our obligation, to protect the native inhabitants in the free and undisturbed profession of their religious opinions, and to take care that they are neither harassed nor irritated by any premature or over zealous attempts to convert them to Christianity.

6. In conveying to you our approbation of the control which you had determined to exercise, with regard to such publications as might issue from the press of the Missionaries, we trust that it will be found not only salutary to the interests of Government, but even satisfactory to the considerate part of the Missionaries themselves. They must be aware, that it is quite consistent with doing all justice to the excellency of the motives on which they act, to apprehend that their zeal may sometimes require a check, and that it may be useful and necessary to introduce the control or superintendence of Government, whose responsibility for the public tranquillity will force it to direct its views to those political considerations which the zeal of the Missionaries might overlook.

7. If indeed you had foreseen that the Missionaries would have shewn that entire and ready submissiveness to Government which their conduct has manifested, we think you would have doubted of the expediency of holding, under the circumstances you have described, a public proceeding upon their transactions; and we would only suggest, that if on any future occasion any fresh precautionary measures should become indispensable, and the interference of Government be again required, it would be desirable, in the first instance at least, to see whether a private communication from the Governor General might not effect all that is desired, without bringing into view the instrumentality of Government. Its authority cannot be seen actively to control any of their proceedings, without exposing it to the inference of specially sanctioning and countenancing such publications and such conduct as it does not prevent, and thereby making the Government, in some degree, a party to the acts of the Missionaries, and making the Missionaries appear in the character of the agents of Government.

8. In adverting to your prohibition of the public preaching in Calcutta to the Hindoos and Mahomedans, at the time when we approve of this measure of precaution, we do not understand you to object to the Missionaries decently performing at their usual places of residence, the duties of their religion in chapels or rooms, at which admittance may be given to their converts or to other Christians. We presume, that the number of chaplains which we have appropriated for the performance of religious duties at Calcutta, is sufficient for all the British or other inhabitants of that place who comprehend the English language;

but

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but we do not collect it to have been your intention to preclude other Christians there from hearing divine service performed in a language which they understand.

9 Having thus explained to you, as briefly as possible, the principles on which we wish you to act with regard to the Missionaries, it remains for us only to advert to your suggestion, that we should "discourage any accession to the number of Missionaries actually "employed under the protection of the British Government in India, in the work of con-"version." You are, of course, aware, that many of the meritorious individuals who have devoted themselves to those labours were not British subjects, or living under our authority, and that none of the Missionaries have proceeded to Bengal with our licence.

10. Entertaining the sentiments which we have expressed in the preceding parts of this dispatch, we are very far from disapproving of your having refrained from resorting to the authority vested in you by law, and enforcing its provisions in all their strictness against the Missionaries; and we rely on your discretion, that you will abstain from all unnecessary or ostentatious interference with their proceedings. On the other hand, it will be your bounden duty vigilantly to guard the public tranquillity from interruption, and to impress upon the minds of all the inhabitants of India, that the British faith, on which they rely for the free exercise of their religion, will be inviolably maintained.

Par. 11 was inserted by the Court of Directors.

11. Although the subject treated on in your letter to the Secret Committee, dated the 2d November 1807, does not fall strictly within the description of those to which you have informed us, in your political letter of the 16th February 1807, you should thenceforward confine your correspondence with the Secret Committee, we nevertheless think it of a nature sufficiently important to justify a departure from the general rule, and therefore approve of your having transmitted that dispatch to the Secret Committee; and we direct that this letter, now written in reply to it, be also kept in the secret department.

East India House, 16th August 1808.

(Signed) *W. Ramsay*, Sec^y.

(Countersigned) *R. Hudson.*

Par. 12 to 14 were inserted by the Board of Commissioners.

12. Since the preceding paragraphs were written, your letter of the 7th December 1807 to the Secret Committee has been received, with copies of the letter and memorial addressed to the Governor General by the Rev. Dr. Claudius Buchanan.

13. We desire to express our entire satisfaction at the explanation which you have thought it necessary to give of your proceedings; and as most of the observations, which would naturally have occurred to us on the perusal of those documents, have already been stated in this letter, we deem it unnecessary to enlarge further on the subject.

14 With every disposition to make due allowance in favour of ardent zeal in the cause of religion, it would have been impossible for us to avoid noticing the improper style of Dr Buchanan's address to the Supreme Authority in India, if his subsequent departure from thence had not, in some degree, relieved us from that necessity. We shall content ourselves at present with remarking, that Dr. Buchanan, as well as all other ecclesiastics, who promulgate the doctrines of Christianity in India, and who bestow such just and merited encomiums on the conduct of the Missionary Schwartz, would do well to adopt it as the model of their own, and would always recollect, that discretion and moderation, in their language and actions, are most consistent with the mild spirit of our religion, and are indispensably requisite for those who are employed in prosecuting the laborious work of conversion.

Whitehall, 26th August 1808.

Approved, after a small alteration in paragraph 11, and the addition of paragraphs 12, 13, 14, by Order of the Board of Commissioners for the Affairs of India.

(Signed) *George Holford.*

—No. 10.—

Copy of the LETTER, dated the 19th of July 1804, from the Governor General in Council of *Bengal*, to the Government of *Fort St. George*, relative to the Interior Government of the Country, and the Provision of Goods for the Company's Investment.

EXTRACT BENGAL JUDICIAL CONSULTATIONS;

19th July 1804.

(Civil.)

To the Right Honourable Lord William Cavendish Bentinck, Governor in Council (No. 83.)

My Lord, Fort St George.

The Governor General in Council, has taken into consideration the letters from the Secretary to the Right Honourable the Governor in Council in the Judicial Department, dated the 2d April, the 14th May, and 11th June 1803, transmitting the printed Copies of the Regulations passed by the Governor in Council during the year 1802, and printed Copies of the 1st, 2d, 3d, 4th, 5th, 6th, and 7th Regulations passed by your Lordship in Council in the year 1803. The Governor General in Council has also received the letter from your Lordship in Council, dated the 25th of April 1804, relative to the administration of the affairs in the province of Malabar, and to certain questions connected with Judicial Establishments under your Lordship's government.

2. From a reference to the proceedings of the Governor in Council of Fort St. George, the Governor General in Council observes, that the Government of Fort St. George deemed itself to be restricted by the orders conveyed in the 235th and subsequent paragraphs of the letter from the Governor General in Council, dated the 31st of December 1799, from extending the new form of internal government, which the Governor in Council was directed by the instructions contained in that letter to establish at Fort St. George, to those districts in which a permanent settlement of the Land Revenue had not been formed. His Excellency in Council further concludes, from the first and second Regulations passed by the Governor in Council in the year 1803, that in all those districts, the Board of Revenue and the Collectors are continued in the exercise of the internal administration of the country, under the general and undefined powers heretofore vested in them, to the exclusion of the authority of the provincial Courts of Appeal and Court of Circuit, and of the Sudder Adawlut and Fouzdarry Adawlut, established by the Governor in Council of Fort St. George in the year 1802, and confirmed by the Governor General in Council.

3. The Governor General in Council is satisfied, that no circumstances at present exist which require that the system of internal administration, formerly prevailing throughout the British territories under the Government of Fort St. George, should be maintained in any part of the territories now subject to the authority of your Lordship in Council. On the contrary, his Excellency in Council is persuaded, that the most serious evils are to be apprehended from the partial continuance of that system, both with respect to the revenues of the country, its tranquillity, and the stability of the British power.

4. The considerations which dictated the above-mentioned orders of the Governor General in Council, were connected with the peculiar circumstances which existed at that period of time at Fort St. George, and with a variety of causes which have long since ceased to operate within the territories subject to your Lordship in Council.

5. The code of laws, comprizing the new form of internal government which the Governor in Council was directed to establish in the British possessions in the Peninsula of India, by the instructions of the Governor General in Council, dated the 31st of December 1799, has been completed, with respect to all its most essential branches; that form of government has been extended to the greater proportion of the territories which were subject to the authority of the Governor in Council of Fort St. George, previously to the fall of Tippoo Sultaun. The principal officers under your Lordship's government must now be well informed respecting the principles of the new constitution, and the most opulent and intelligent of your native subjects have either experienced its beneficial effects, or must be satisfied of the great advantages which they will derive from its operation.

6. Under this change of circumstances, the necessity which may exist for postponing the conclusion of a permanent settlement of the Land Revenue in the territories which have become subject to your Lordship's government, subsequently to the fall of Seringapatam, (whether that necessity may arise from want of information respecting the resources of the country or other causes) appears to the Governor General in Council to afford no justifiable

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motive for deferring the introduction of the new form of government into all those territories, on the contrary, all the considerations which are stated to render it expedient to postpone the conclusion of a permanent settlement of the Land Revenue in the territories in question (particularly the disturbed state of certain parts of those territories) constitute, in the opinion of his Excellency in Council, additional reasons for extending to them the new system of government with the least practicable delay.

7. The conclusion of a permanent settlement of the Land Revenue does not necessarily form a fundamental principle of the new constitution, neither is the accomplishment of that measure one of the primary objects expected to be obtained by the operation of that constitution. The fundamental principles of that form of government, consists in a certain distribution of the Legislature, the executive and the judicial authorities of the State; and the principal objects of that distribution are,

First, The establishment of an impartial administration of justice, according to the existing laws, whatever may be the degree of perfection which those laws may have attained.

Secondly, The gradual improvement of the laws.

8. It is consequently evident, that the facility and expediency of establishing the new form of government in the territories in question, depend not in any respect on the nature of the system for the assessment and collection of the Land Revenue, which, from local convenience, or from other accidental circumstances, may have prevailed within those territories; that form of government is no otherwise connected with the settlement of the Land Revenues than as it is calculated, by means of its institutions for the impartial administration of justice, to preserve to the Government and to the proprietors and cultivators of the lands, the rights which they respectively derive under the laws and usages relating to the plan of settlement actually in force, together with all other rights and every subsisting engagement, however unconnected with the Land Revenue. It follows, that the rights of the State and of its subjects, as connected with the Land Revenue in the newly acquired territories, instead of being injured by the introduction of the new constitution, will derive additional security from the adoption of that arrangement.

9. The grounds of these observations will appear from a reference to the original rights of Government, with regard to the assessment and collection of the Land Revenue.

10. According to the ancient usages of India, the Government is entitled to a certain share of the produce of the Lands. That share varies in its proportion, and may be levied in money or kind, according to local custom; and the Government is entitled to realize its share of the produce, through the agency of its officers, from the immediate cultivator of the soil, or to farm it for a sum of money annually, or for a term of years, or in perpetuity, to the zemindar or other description of landholders, or (where there are no landholders, or where landholders in actual possession will not agree to pay to the Government the sum which it may deem adequate to the value of its share of the produce) to any person whatever.

11. The new code of laws reserves to the executive authority of the State a discretionary power of pursuing either of those plans of adjusting and collecting the Land Revenue, until it shall have completed the arrangements necessary for enabling it to fix the amount of that revenue in perpetuity, on terms which it may deem advantageous to the public interests, The courts of judicature are not empowered to question the policy of the plan which may be adopted by the Government, nor to interfere in any stage of its execution. The powers of those courts extend no further than to maintain all parties in the possession of their rights under the existing plan of settlement, whether those rights be derived from specific engagements or local usage.

12. It may be stated, that, by the introduction of the new form of government into the territories in question, the duties of the collectors will be limited to the assessment and collection of the revenues; that their official acts will be subject to the cognizance of the courts of judicature; and that their powers, when subject to the control of those courts, will be inadequate to the ascertainment of the just dues of Government, and to their punctual collection.

13. The many instances both of permanent and temporary settlements of extensive districts made by the collectors of the revenue in Bengal, subsequently to the establishment of the present form of internal government, and the punctuality with which the revenue of those districts has been realized, afford the most satisfactory proof that such apprehensions are without foundation.

14. The same usages which regulate the dues of Government from the lands, also vest in it adequate powers for levying those dues. Those powers extend to the sale of the crops or property, and even to the attachment of the persons of defaulters of every description, by the most summary process. The new constitution leaves to the collectors of the revenue, in cases in which a permanent settlement has not been concluded, the full exercise of those powers to the extent requisite for realizing the public demands. The collectors therefore will possess the means of realizing the public dues, as the collection of them can be ensured by the legitimate exercise of regular power, after the just demands of Government shall have been satisfied or secured, but not otherwise. Individuals who may conceive that they have been compelled to pay a sum exceeding the amount due from them, will possess the privilege, under the new constitution, of suing the Government or the collector in the courts of judicature for the recovery of the excess. The grant of this privilege to individuals will

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not enable them to withhold the dues of the State, but will merely protect them against unjust claims of the Government, or extortion on the part of its officers. It would be an unnecessary occupation of the time of your Lordship in Council, to enter into a course of argument for the purpose of demonstrating, that the interests of the Government, as relating to the public revenue, and the obligations of the State towards its subjects, equally require, that the executive authority and all its officers should be responsible to the laws for the due exercise of the extensive powers necessary for realizing the public revenue.

15. It is therefore evident, that every system of assessing and levying the public dues from the lands in the territories in which a permanent settlement has not been concluded, however temporary or fluctuating, may be pursued with greater advantage to the interests of the public, and with less detriment to those of individuals, under the new form of government, than under the ancient system of administration which prevails in those territories.

16. The preceding observations contain the grounds of the opinion of the Governor General in Council; "that neither the rights of the State, with regard to the Land Revenue, "nor the means of enforcing those rights, will be affected by the introduction of the new "form of government throughout the territories subject to the immediate authority of "your Lordship in Council, in which a permanent settlement of the Land Revenue has not "been concluded."

17. But your Lordship's wisdom, and the experience of a long course of years in the northern sircars, and in other parts of the Honourable Company's territories, will have satisfied your Lordship in Council, that an improved revenue, cheerfully paid and realized without the application of military force, is not to be expected from a system of administration which affords to the people no encouragement to augment their means of contribution, and which relies for success on the extent of the means entrusted to the officers of Government for levying the largest revenue which can be obtained by the direct exercise of power.

18. An augmented Land Revenue, realized through the agency of the civil officers, without the aid of military coercion, will never be attained in our recently acquired possessions, otherwise than by the faithful discharge of the primary obligations of the State towards its subjects inhabiting those possessions. The most solemn and sacred obligations of the Government towards its subjects, demand that just laws should be enacted and established for the general protection of the persons, rights, and property of individuals, and that judicial establishments should be provided, adequate to secure the prompt and impartial administration of the established laws. The new form of internal government provides for those salutary objects; experience of the happy effects of this system in other parts of our Empire in India warrants a reliance that its introduction into the possessions in question will promote the extension of agriculture and commerce, the increase of private wealth, and permanent establishment of private security and public tranquillity. According to the degree in which those salutary consequences may be produced, the sources from which the public revenue is derived will be augmented, and the means of obtaining a just proportion of the wealth of the country for the use of the State will be facilitated and improved.

19. The early establishment of a system of government founded on this solid and durable basis, is more particularly requisite in those parts of the territories subject to your Lordship's government, in which the greatest degree of resistance to the authority of the State has been experienced. Instead of delaying the institution of courts of judicature, instead of suspending the authority of those already constituted, instead of confounding all the powers of Government in the person of a collector of revenue, the judicial authority should be strengthened by equitable regulations, justice and mercy should temper the severity of power, and the control of fixed law should manifest the certainty of protection to the lives and properties of our obedient subjects: while regular authority, sustained by sufficient force, should display an equal certainty of punishment to lawless violence and rebellious resistance. Were it possible for the collectors of the revenue to appropriate a sufficient portion of their time to the administration of justice, and to the maintenance of the peace of the country, the nature of their duties, as officers of revenue, disqualifies them for the discharge of judicial functions. The people cannot repose a firm confidence in the protection of the laws, while the administration of the laws shall be entrusted to the collectors of the revenue; because the conduct of those officers, and of the numerous native agents and servants acting under their authority, necessarily forms a principal object of legal control.

20. The administration of justice, and the maintenance of the peace of the country, should therefore be rendered exclusively the duty of the judges and magistrates of the regular zillah courts. If the authority of the laws cannot be enforced by the ordinary means prescribed for giving effect to the process of the courts, it will be the duty of the judges and magistrates to require the aid of a military force; not to countenance oppression, but to enforce the process of the law. The judges and magistrates will be required to transmit to your Lordship in Council immediate intelligence of the circumstances which may have required military aid. The operations of the military force should be restricted to the service which occasioned its employment; and after having accomplished that service, the troops should be remanded to their established station.

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21. The magistrates should be instructed to avoid applications for military aid, excepting in cases of indispensible necessity. The employment of troops should not be considered to be among the ordinary means of enforcing obedience to the laws. The operations of a military force must generally be attended with circumstances calculated to excite alarm and disaffection in the minds of the people, and to destroy the public confidence in the justice and protection of the Civil Government.

22. Whenever it may be necessary to station troops in particular districts, beyond the established military posts, the officers appointed to command those detachments should be subjected to the orders of the magistrate. The military officers should also be prohibited from holding any intercourse with the landholders, farmers, or cultivators of land, not necessarily resulting from the execution of their military instructions; from making loans of money to the natives; from employing the troops for any purposes excepting those prescribed by the magistrate; and from exercising any interference or authority whatever in the internal government of the country. As far as may be practicable, it must be observed as a general rule, to retain the troops within the limits of the principal cantonments or stations, with orders to support the authority of the civil power to which the administration of the government of the country must be exclusively entrusted.

23. The military power of the State, thus directed, may be exercised with the greatest degree of vigour, for the maintenance of the authority of the laws, without hazard, by an undue application of military force, of extending and perpetuating the disorders which it was intended to remedy.

24. These principles are entirely unconnected with the political importance of the military powers, with reference to our foreign relations, to our alliances and dependencies. We must rely on the superiority of our arms for the defence of our possessions in India against foreign enemies, but we cannot depend exclusively upon the same means for the maintenance of internal tranquillity, or for the cultivation and improvement of those sources of public wealth, which are to be found in the prosperity and happiness of a contented people. A frequent necessity for the employment of military force in the internal administration of the country, is a sufficient evidence of a defective system of government. If our government be not constituted on principles which must interest our subjects in the continuance of their obedience to our authority, it cannot be secured otherwise than by the constant employment of a military force. Whenever the public service may require a different application of that force, either in peace or war, whenever the terror of the sword may be suspended, disaffection will break forth in the heart of the country, our resources will be impaired or destroyed, and the foundations of our power will be endangered; because that power has been erected on the precarious principles of terror and force, without any support of regular justice, established order, or constituted law. Independently of these evils, resulting from a system of government maintained and conducted by military force, the expense of such a plan must continually increase with its inefficacy, while the combined operations of its violence and insufficiency must gradually affect the sources of public wealth and public security.

25. In the territories subject to your Lordship's government, to which the new constitution has not been extended, the system of administration is similar in its general principles (however ameliorated in the execution by the characters of individual public officers) to that which prevailed under the Native Governments. Under the most favourable exertions of individual talents and integrity, such a system of government must produce public and private oppression and abuse. It provides no restraint upon the exercise of power sufficient to ensure the uniform, impartial, and general operation of the laws, and to inspire the people with a sense of confidence and security in the ordinary conduct of private rights. Exempt from those salutary restraints, the public officers may pursue a course of evil administration in many of the subordinate departments of the State, without the knowledge of the Government; and the Government may continue ignorant of the abuse of its name and power, until private distress and personal suffering shall compel the people to combine against the authority, whose name and power have been perverted to the purposes of vexation and oppression. In this condition, open resistance affords to the people the sole mode of appeal to the justice of the Government. To that dreadful appeal, the most peaceable, industrious, and dutiful people must resort, wherever the laws shall afford no regular organ to convey the complaints of the subject to the ear of the sovereign. Under such circumstances, it is to be apprehended that the resistance produced by the oppressions of the State or of its officers, may be ascribed to the disaffection in the people; and the Government may be reduced to the necessity of vindicating its authority at the expense of its character for justice. If popular insurrection be suppressed without an actual contest between the Government and its subjects, the causes which produced disorder will remain unknown and unremoved. While the same system of government shall exist, the same causes will continue to operate, and to perpetuate hostility and distrust between the Government and its subjects. The habit, which prevailed among the natives of India, of resisting the authority of their own Government, may be ascribed to similar defects in the internal policy of the Native States. To the neglect of a timely correction of those defects, may be attributed, in a considerable degree, the opposition which the British Government has occasionally experienced from its subjects, in different parts of India. When laws shall have been enacted for defining and protecting private rights, when judicial establishments shall have been instituted for the prompt and impartial administration of those laws, we may confidently

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rely on the obedience of our native subjects. The great mass of the people in India entertains no attachment to any system of political principles, or to any form of government. The natives of these regions are solicitous only for toleration of their religious doctrines, rites and prejudices, and of their ancient customs and manners, and for security in their domestic concerns. No common interest exists to unite any considerable number of our subjects in any attempt to subvert our Government for purposes of political revolution; for any change of the form of government for transfers of wealth or power, or for the attainment of those objects of freedom or privilege, which have raised popular commotion in other parts of the globe. In India each individual will remain unassociated in any league of faction or rebellion, and content with his own security, while our Government shall protect him in the tranquil enjoyment of the few contracted and simple objects of personal comfort which constitute the main sources of his happiness.

26. The British Government in India (in common with every other Government) must, however, expect occasionally to experience disaffection, originating in the ambition of individuals, or in other causes altogether unconnected with the principles on which the government may be conducted, or with the general disposition of the great mass of the people. These cases will form rare exceptions to the general rule, and the employment of military force in such special instances for the maintenance of the authority of the Government, will neither injure the general prosperity of the country, nor affect the character of our justice or clemency, nor the stability of our power. Partial injuries may result to the people, and to the country, from internal disturbances originating in such causes; but those injuries, together with the calamities incident to invasion from a foreign enemy, will be attributed by the body of our subjects to the domestic rebel, or to the foreign invader, not to the Government; while the peaceable and well-affected inhabitants of our dominions, will rely on the operation of a just and well-ordered system of administration, to repair the accidental injuries of rebellion or invasion.

27. It cannot therefore be doubted, that the immediate extension of the new form of government throughout the territories subject to your Lordship's authority, will be productive of the most favourable effects on the resources of the country, and on the character and disposition of the people; and that we may expect to derive from the attachment of our vigour and purity of our internal administration, a security for the permanence of our power, which can never be attained by any extension or exertion of military force.

28. The establishment of a regular system of government in the Carnatic, Tanjore, and Malabar, and throughout the territories subject to your Lordship's authority, is of particular importance at the present juncture of affairs in Europe. If the settlements formerly possessed by the French and Dutch on the continent of India shall ever be alienated from the British power, it may become necessary to admit a considerable number of the subjects of those nations into our territories for the superintendence of their commercial speculations. It is of the highest importance to the British interests, that the conduct of those foreigners should be subjected to the strictest control. It does not appear to be practicable to devise a more just and satisfactory test of the nature of the conduct of such foreigners, than that which will result from the ordinary administration of the laws under the new constitution. While the subjects of those nations shall refrain from transgression of the laws, your Lordship in Council will possess sufficient evidence that their general conduct is not openly inconsistent with the British interests, with the respect due to the authority of our Government, and with the tranquillity and happiness of our subjects. If the conduct of those foreigners should be of a contrary description, every instance in which they may transgress the laws must come under the cognizance of the judges and magistrates of the courts, and your Lordship will be enabled to adopt the measures which it may be necessary to pursue with regard to the offenders. While foreigners shall be subjected to this just and necessary restraint, they will possess the means of informing themselves of the laws by which they are expected to regulate their conduct; and when they shall be apprized that all other foreigners, as well as our own subjects, are equally amenable to the operation of the same laws, they will be deprived of every pretext for claiming dangerous exemptions from the restraints of civil and criminal jurisdiction.

29. Deliberating on those important considerations, his Excellency in Council has no hesitation in directing that your Lordship in Council will be pleased to proceed without delay to establish the Zillah Courts, and the Courts of Appeal and Circuit, and to extend the authority of the Sudder Adawlut and the Foujdarry Adawlut, throughout the Carnatic, Malabar, Canara, Tanjore, the territories ceded to the Company by the Nizam, and all the countries now subject to the immediate authority of your Lordship's government.

30. Under these orders, the powers vested in the Board of Revenue and the Collectors, by the clauses of the first and second Regulations passed by your Lordship in Council in the year 1803, will be abolished, and the authority of the collectors of the revenue in the newly acquired territories will be limited to the assessment and collection of the revenue, under whatever plan the circumstances of the several districts may render advisable; and those officers will exercise the same powers, and be subject to the same control of the courts of judicature, as the collectors of the revenue in the districts in which a permanent settlement of the Land Revenue has been concluded, and in which the new constitution has been established. The collectors of the recently acquired territories will have full leisure to prosecute the enquiries which may be necessary for forming a permanent settlement of

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the Land Revenue, and that arrangement may be postponed until the completion of those enquiries, and the state of the respective districts shall render it advisable to fix the account of the Land Revenue in perpetuity.

31. The instructions of the Governor General in Council, under date the 31st December 1799, and the orders of his Excellency in Council, of 18th June 1801, respecting the annexation of the provinces of Malabar and Canara to Fort St. George, state the principles conformably to which the settlement of the Land Revenue of the districts in which no settlement has been formed must be regulated. Where the necessary enquiries for forming a permanent settlement have not been completed, the settlement should be made for such term of years as local circumstances may render advisable. In all cases it is desirable, that the settlements should be formed with the zemindars, or other description of landholders. Where no such description of persons exist, it would be proper to form the lands into estates, and to dispose of them to persons who will attend to their cultivation. These persons, as well as all other landholders, should be permitted freely to transfer their estates by sale, gift, or in any other manner. It can never be desirable, that the Government itself should act as the proprietor of the lands, and should collect the rents from the immediate cultivators of the soil. The rates of rent payable for the different descriptions of produce, must vary in every district, and often in every village. Where any proprietors may be found, they will generally collect those rents agreeably to the specific engagements which they may conclude with their tenants, or according to the established usages of the country. If any differences should arise between the landholders and the tenants, regarding those engagements or usages, the courts of judicature will form the proper tribunals for deciding such differences. These questions are of private right, in which the executive authority cannot interfere, consistently with justice, policy, or its own interests. The difficulties experienced in Malabar, in regulating the assessment on the pepper vines and other articles of produce, and the evils which have resulted from the measures adopted for that purpose, afford most convincing proof of the bad policy of a system of revenue, which requires the executive authority of that Government, to assume every where the character of a proprietor of land, and to interfere in details, which cannot be conducted in a manner favourable to the interests of the cultivator of the soil, and to the extension of agriculture, excepting by the proprietors of the lands.

32. The cultivation of the country must depend on the exertions of the landholders. In order to encourage them to employ those exertions, and to conduct themselves with moderation and justice towards the immediate cultivators of the soil, the annual payments of the landholders to Government should be fixed upon a scale of equity and moderation, regulated with reference to the receipts of Government from the lands or estates of the different landholders, for a period of years; and all the authorities of every description employed in the collection of the revenue, including the executive authority of the Government itself, should be rendered amenable for their acts to the control of the laws, according to the rules already established in those parts of the country to which the new constitution has been completely extended. The early extension of these principles to the unsettled districts, will combine the interests of the state, as connected with its revenues, with the welfare of every class of its subjects concerned in the cultivation of the lands. It will rest with your Lordship in Council to apply these principles to local circumstances in Malabar, and other districts, in which a permanent settlement has not been concluded.

33. The superintendence of the police of the country generally, the administration of justice in all criminal cases, and in all civil suits (whether relating to the revenue or otherwise, and whether the parties consist of private persons, or of the Government in its executive capacity or any of its officers) will be committed exclusively to the magistrates, and to the several courts of judicature, under the Regulations passed by your Lordship in Council, conformably to the provisions of the Legislature, and to the rules contained in the first Regulation passed by your Lordship in Council in the year 1802.

34. From the Regulations passed by the Governor General in Council on the 24th of March 1803, for the internal government of the provinces recently ceded to the Honourable the East India Company by the Nawaub Vizier, your Lordship in Council will observe, that his Excellency in Council has carried into execution in those provinces, the same measures which he has in this letter directed your Lordship in Council to adopt in the Carnatic, and in other territories lately subjected to your government. The provinces of Oude had long been destitute of any regular form of government. No establishments or provisions existed for the security of the persons, rights, or property of individuals. The revenues were annually farmed to the persons who offered the most favourable proposals. The provinces exhibited a deplorable scene of extortion on the part of those farmers, and of resistance on the part of the people; many of the principal inhabitants observed a merely nominal obedience to their sovereign, and the resources of the country, with the comforts of the people, were disturbed by disorders originating in a general confusion of public authorities; in the urgent necessities of the state, in the uncontrolled power, corruption and contumacy of the public officers; and in the hopeless condition of the subject, deprived of every channel of access to public justice. This state of anarchy had occasioned the desolation of a large proportion of those fertile provinces, which possessed every natural advantage, but had languished almost to utter decay under the inveterate vices of the native Government of Oude within these provinces, when ceded to the Company. The Governor General in Council directed a settlement of the Land Revenue, for three years, to be formed in the first instance

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in all practicable cases; and the Lieutenant Governor and Commissioners, under his Excellency's orders, previously to the establishment of a permanent settlement of the Land Revenue, concluded two other periodical settlements, one for three, and the other for four years, extending the period at which it is proposed to fix the Land Revenue in perpetuity to eleven years from the date of the cession of those provinces to the British Government. Instead of considering the desolate and distracted state of the ceded province in Oude, to afford objections to the introduction of the system of internal government established in Bengal, the Governor General in Council deemed the prevalence of those calamities to constitute an urgent motive, which enhanced the duty, without obstructing the power, of commencing that salutary and politic work, immediately upon the transfer of those declining provinces to the authorities of the British Government. The expected benefits have been attained. The revenue, on account of the year in which the transfer was made, was realized with a trivial balance; the revenue of the past year (the first year of the first periodical settlement) has been collected with equal punctuality; the authority of the laws, wherever openly resisted, has been established by the magistrates, with the temporary aid of the military power, in the manner described for your Lordship's guidance in this letter; a fair prospect exists, that, at the expiration of the specified periods of time, the Land Revenue of those provinces will be fixed on a scale highly advantageous to the Government, and equally beneficial to the people.

35. It is the intention of the Governor General in Council to extend the same system of government to the conquered provinces ceded by the late treaties of peace, as soon as sufficient information can be obtained to enable this Government to fix the subdivisions of those provinces respectively.

36. The Governor General in Council deems it to be proper to add, that he considers the measures adopted in the provinces ceded to the Company by the Vizier, and the correspondent measures which he now authorizes and directs your Lordship in Council to extend throughout the territories subject to your Lordship's government, to be consistent with the orders of the Honourable Court of Directors, conveyed in their letter to your Lordship in Council, dated the 21st of July 1802, regarding the permanent settlement of certain parts of the territories recently annexed to your Lordship's government.

37 If it was the intention of the Honourable Court of Directors, that the establishment of the courts of judicature in those territories should be delayed, that intention could only have originated in the supposition, that the establishment of the courts must necessarily be accompanied by the conclusion of a permanent settlement of the Land Revenue. From the observations contained in this letter, the Honourable Court will perceive, that the questions relating to private rights and property, connected with the settlement of the Land Revenue, form an inferior proportion of the concerns of the inhabitants of the extensive dominions subject to your Lordship's government; that the general prosperity of those dominions, and particularly the extent of the resources from which the Public Revenue is derived, depends chiefly on the protection experienced by the people in the enjoyment of their private rights and properties, and in the conduct of their private concerns and occupations, which are unconnected with the Land Revenue; and that this protection is not to be expected under the ancient system of internal administration now prevailing in the districts in which the permanent settlement of the Land Revenue has not been concluded.

38. It cannot therefore be doubted, that the Honourable Court will approve the introduction of the new form of government into those districts, as affording the sole security for establishing the settlement of the Land Revenue, as well as for the welfare and comfort of the native inhabitants. Under the salutary operation of this form of government, the evils and inconveniences which must otherwise have been experienced in many of the districts by the delay of the permanent settlement of the Land Revenue will be obviated; the happiness of the people and tranquillity of the country will be secured during the progress of the enquiries requisite for forming the settlement; and when the time for completing that arrangement shall arrive, the resources from which the revenue is to be drawn will be enlarged, and the means of securing in perpetuity a just proportion of the wealth of the country for the public use will be improved.

39. The Governor General in Council observes, that the 36th Regulation, passed by the Governor in Council in the year 1802, and all the Regulations passed by his Lordship in Council in 1803, were printed and published at Fort St. George, without having been previously transmitted to his Excellency in Council for his approbation.

40. It was the intention of the Governor General in Council, by the instructions issued to the Governor in Council, under date the 31st December 1799, to direct, that all the Regulations which the Governor in Council might frame, pursuant to those instructions, should be forwarded to his Excellency in Council, previously to their being passed into laws. From the observations contained in this letter, your Lordship in Council will observe, that his Excellency in Council considers the establishment of the form of internal government, described in those instructions, throughout the British possessions in the Peninsula of India, and the maintenance of the fundamental principles of that system, in a state of efficiency, purity, and uniformity, to be essential to the happiness and welfare of the people, to the prosperity of the country, to the interests of the East India Company, and to the stability of the British empire in India. His Excellency in Council, consequently deems it to be his indispensable duty to direct, that all Regulations for the better govern-

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ment of the British territories, subject to your Lordship's immediate authority, which your Lordship in Council may deem it to be expedient to enact, in conformity to the Act of Parliament passed in the 37th year of His Majesty's reign, and to the rules contained in the first Regulation passed by your Lordship in Council in the year 1802, may be transmitted to the Governor General in Council for his approbation, previously to their being passed into laws.

21st May - 1803
20th August —
24th Decem^r —
20th April - 1804
28th - D° - —

41. The dispatches from the Governor in Council of the annexed dates, respecting the provision of goods on account of private merchants, through the agency of the commercial officers of the Company, being intimately connected with the subject of this letter, his Excellency in Council now adverts to those dispatches.

42. The memorials of the private merchants, dated the 16th of April 1803, and January 1804, and the nature of the restrictions which the plan imposes on the manufacturers, manifest that the plan is not considered by either of those classes of people to be favourable to their interests. It remains therefore to consider how far the plan is consistent with justice and policy, as connected with the political and commercial interests of the Honourable East India Company. It was evidently supposed by the Honourable the Court of Directors, that these considerations either had been fully examined by your Lordship in Council, or that they would obtain your attention previously to your carrying the plan into effect.

43. The Court of Judicature would certainly consider it to be their duty to interfere to prevent any exclusive appropriation of the labour of the manufacturers, or any compulsory proceedings in the provision of the Company's investment, unless a law were to be passed by your Lordship in Council, according to the prescribed forms, declaring such appropriation and compulsion to be legal. The Governor General in Council is firmly convinced, that the Honourable Court of Directors would not sanction, as a part of the jurisprudence of the British territories in India, a law, of which the operation must be utterly repugnant to every principle of humanity, justice, and good policy.

44. By Act of Parliament, the Company possesses an undoubted right to prohibit British subjects from trading to England in piece goods, but the Company has never exercised that right, nor does the exercise of that right form any part of the plan now under consideration; on the contrary, the plan proposes to allow to the private merchants a large proportion of the trade in piece goods, in the expectation, that when the plan shall have attained a sufficient degree of maturity, the private merchants may withdraw their agents from the interior of the country, and may consent to receive their goods exclusively through the officers of the Company appointed to provide those goods from the manufacturers.

45. The merchants have now declined to avail themselves of the agency of the officers of Government, in the provision of their goods under those conditions; the merchants therefore must either be permitted to provide their goods, according to former usage, through their own agents, or they must be prohibited from trading to Europe altogether in goods of the assortments in question. Such a prohibition, while the provision of piece goods on account of the Company is necessarily limited to an amount confessedly much below the manufacturing means of the country, would operate to the great injury of the manufacturers, who have hitherto derived considerable advantage by the sale of their goods to the private merchants; such a prohibition would also materially affect the resources of the territories under the government of your Lordship in Council, and be ultimately injurious to the revenue of Great Britain.

46. The Honourable Court of Directors will determine, under the information which has been submitted to the Court, whether it would be just and politic, or consistent with the purposes for which the Legislature vested the Honourable Company with a power of prohibiting British merchants from trading to Europe in piece goods, to exercise that right of prohibition, unless those merchants shall consent that their goods shall be provided by the officers of the Government in India. Such a stipulation, if enforced, must operate as a prohibition of the trade; and this important question ought to be reserved for the decision of the Honourable Court, empowered by law to decide it.

47. The exclusion, however, of the private merchants from the trade to Europe in piece goods, either by a direct prohibition, or by an adherence to the present plan of providing the goods of private merchants, through the agents of the Company, would not answer the primary object of that plan. That object does not appear to have been the exclusion of the private merchants from a share in this trade, but the exclusive appropriation of the labour of the weavers, and the establishment of a control over that labour, in order to enable the commercial officers to obtain the proportion of the goods required for the Company, at prices to be regulated by those officers.

48. But the concurrence of the British merchants in this plan, would not be sufficient for the accomplishment of the proposed object. It will probably be always found to be wise and necessary to admit foreign European states, and also the native states of India, to a fair and liberal participation in the commerce of the British territories in India. This participation (which it may be presumed will in most cases form the subject of national treaties) necessarily supposes the admission of the agents of these states, whether

Europeans

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Europeans or Natives, into the interior of the country, where the goods are manufactured. It would be impossible, consistently with the spirit in which such treaties will necessarily be framed, to restrain the manufacturers from entering into engagements with such agents for the provision of goods, even if the ordinary maxims of justice could tolerate such restraints. The exclusion, therefore, of the British merchants from the trade in piece goods, by either of the proposed projects, would be productive of no other permanent effect than to force the trade now enjoyed by British merchants into foreign channels, to the great detriment of the British nation and of the Company.

49. If private British merchants could be induced to consent to provide goods through the agency of the officers of the Company, under the conditions required, or if those merchants were to be excluded altogether from the trade, and if the competition of the agents of foreign European and Indian states could be prevented, the necessity for adopting the Regulation proposed by Lord Clive, according to the instructions of the Governor General in Council, would still subsist. The transactions and dealings between the commercial officers of the Company, and the manufacturers of every description, would equally require legal control, whether conducted for the benefit of the Company, of these commercial officers, or of the private merchants. To subject those transactions and dealings to the control of just and equitable principles of law, constitutes the principal object of the Regulation proposed by Lord Clive.

50. The Acts of Parliament vesting the Company with certain powers to be eventually exercised with a view to prevent the private trade of British merchants in piece goods between India and Europe from injuring the trade of the Company in the same articles, would not warrant your Lordship in Council to continue in the hands of the commercial officers at Fort St. George the uncontrolled authority which they have exercised in the provision of the Company's investment. That authority has been rendered the instrument of oppression by the subordinate officers, and is still proposed to be employed for purposes inconsistent with justice, and with the real interest of the Company.

51. The necessity of depriving the commercial officers of all undue authority is the more urgent, in consequence of the extensive trade carried on by the commercial officers stationed in the interior of the country on their private account. While they shall continue to exercise such powers in the provision of goods for the investment of the Company, it must be expected that they will employ the same powers in the conduct of their private concerns.

52. In exercising the government of the British empire in India, the Company is bound by the obligations inseparably connected with the functions of sovereignty. No Charter or Act of Parliament has absolved the Company from any of those obligations; nor has that great Commercial Body, nor has the Court of Directors, indicated any disposition which can warrant the servants of the Company in India to commit any act inconsistent with the duties of a just and wise sovereign power towards its subjects. Among the primary obligations of that high and sacred office of sovereignty, is the protection of every class of the Company's subjects in the fair enjoyment of the fruits of their labour, and the work of their hands. No prospect of commercial gain or advantage could justify the violation of that obligation, by a compulsory appropriation of the labour of the manufacturer to the exclusive benefit of the Company, and by an arbitrary valuation of that labour and of its fruits.

53. The operation of such a system on the general commerce and prosperity of the country must be deeply injurious, and the same causes must ultimately injure the Company's investment. Under that system, no injunctions on the part of Government, against unjust dealings and the oppressive exercise of authority, can be expected to avail, while the numerous European and Native officers and agents, employed in the provision of the investment, shall possess the power of departing from the principles of justice, or shall derive any private advantage from such a deviation. No case can be imagined, in which the active interposition of legal control can be more necessary, than in the extensive commercial transactions of the executive authority of the Government in India, with the manufacturing class of the subjects of those Governments. The exemption of the officers, employed in the immediate conduct of such transactions, from the general control of the laws, or the delegation to those officers of any exclusive authority over the labour or persons of the manufacturers, would arm those subordinate agents with powers which the executive authority itself does not exercise in any branch of the internal government of the country, or in any question of private rights and property between the State and its subjects. The nature and extent of the trade of the British Government in India, with the manufacturers and other classes of its subjects, must necessarily expose those subjects to the most grievous oppressions, if the agents employed in the superintendence of that trade be vested with uncontrolled powers. The evils to be apprehended from the existence of such a relation between the Government and its subjects cannot be averted, otherwise than by requiring the public commercial agents to conform their dealings to those principles of justice which private individuals must observe, and by subjecting the public commercial agents, equally with such individuals, to the control of the laws, and to the process of the courts of justice.

54. Until the manufacturers shall be allowed the option of accepting or of rejecting the employment of the Company, and shall receive a fair price for their labour, it cannot be expected that they will work for the Company with cheerfulness or good-will. A system of coercion and injustice on the part of the Government will necessarily produce among the manufacturers habits of contumacy, idleness, and profligacy. The true remedy for these

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evils, in whatever degree they may exist, will be found in the adoption of principles calculated to encourage industry, and to promote fair dealing. The example must commence with the Government. The Government must be just in its character of sovereign, and honest in its capacity of merchant, before it can require obedience, honesty, or industry, from its manufacturing subjects.

55. The emancipation of the manufacturers from all control (excepting that of the law applicable to the case of deviation from voluntary engagements with the commercial officers) will neither affect the quality of the goods nor improperly raise their price, nor limit the extent of the Company's provision.

56. The standard quality of the Company's assortments is well known to their officers. The rejection of goods not of that quality, and the exaction of the stipulated penalties for breach of engagements, are the obvious and effectual remedies against the manufacture of goods of an inferior quality. The proposed regulation for stamping goods would not promote this object, and would probably be attended with much vexation and trouble to all parties concerned in the manufacture or purchase of goods.

57. With regard to the price of the goods, if in the cases in which the prices now paid for the required assortments are not sufficient to afford the manufacturer a fair reward for his labour, the prices must be raised; where the prices offered are sufficient for that purpose, it is evident that the manufacturers must ultimately accept those prices. It would be impossible to form, among the numerous manufacturers employed by the Company, a combination of sufficient extent or duration, to enable them to exact permanently or generally an unreasonable price for their goods.

58. The Governor General in Council, however, deems it to be unnecessary, on this part of the question, to examine, whether the prices paid for the goods manufactured on account of the Company be reasonable or otherwise. The fact will be best ascertained by regulating the provision of the investment conformably to the principles herein stated. His Excellency in Council cannot rely upon any other criterion for determining this question, than the voluntary acquiescence of the manufacturers, under the protection of the laws, in the price offered for their labour. No calculation can afford a due test of the just proportion between the price offered by the Company and the value of the labour of the manufacturer, while the manufacturer shall be compelled to accept that price; when all undue restraints shall have been removed, the price of labour and the value of the goods must find a just level. It is difficult to estimate the value of an article of commerce which is purchased at a compulsory price; and, in such a case, the most fallacious calculation would probably be, that of the forcible purchaser.

59. With regard to the extent of the provision of goods on account of the Company, it cannot be doubted that a faithful adherence, on the part of the commercial officers, to the principles now prescribed for their guidance, will enable them gradually to engage all the most skilful workmen in the employment of the Company. The relation in which the commercial officers stand towards the Government of the country, the superior knowledge regarding the manufactures which those officers possess, their means of obtaining a command of money, and their constant residence on the spot, afford to them advantages in the conduct of the commercial concerns of the Company, which, combined with fair and honourable dealing, will enable them to prevent any evil effects from the competition of private traders.

60. The Governor General in Council is satisfied, that the interest of the Company, as connected with their investment at Fort St. George, cannot be successfully maintained otherwise than by a system founded on the principles now prescribed to your Lordship in Council. The Governor General in Council therefore deems it to be his indispensable duty to direct, that no further time should be lost in resorting to those established and solid maxims of fair trade, sanctioned by the uniform practice and experience of every wise state which has cultivated and encouraged commerce in the spirit of integrity, liberality and honour, for the general welfare of its subjects, for the diffusion of opulence, and for the security of peace and good order, by the protection of industry in the undisturbed enjoyment of the fruits of honest labour.

61. The Governor General in Council is persuaded, that these maxims will experience a fair and honourable trial under the administration of your Lordship in Council. If, after such a trial, it shall still be deemed requisite to employ the exertion of authority for the provision of the Company's investment at Fort St. George, it will then become necessary to consider to what extent the British Government (consistently with its most sacred duties) can withhold from the manufacturers residing in the territories under your Lordship's immediate authority, that protection with respect to their rights, persons and property, which the manufacturers derive from the just and equitable system of laws which now forms the constitution of the internal government of this presidency.

62. The Governor General in Council, however, entertains confident reliance, that neither the Honourable the Court of Directors nor the Supreme Government of India will ever be required to decide an alternative of such difficulty and danger. Salutary practical consequences may be reasonably expected to result from just principles of policy, nor could the experience of long success be admitted to warrant the continuance of any system manifestly contradictory to justice, humanity, and wisdom; but the rule prescribed to your Lordship in Council,

Council, is not only just in its principle, but approved and confirmed by long experience and practice in the conduct of the commercial affairs of the Company in Bengal.

63. Complaints of a nature similar to those stated by the commercial officers at Fort St. George, were formerly urged at this presidency. To obviate those complaints, measures of restraint and compulsion were frequently adopted. Those measures, aggravated by other causes, produced the most mischievous consequences to the trade and prosperity of the country. The investment continued to decline in quality, and to rise in price; and a general disinclination prevailed among the weavers and manufacturers to work for the Company.

64. The remedy for those evils was found by regulations for the provision of the investment of the Company, through the agency of the commercial servants of the Company, upon the principles prescribed in the plan adopted by the Governor General in Council in the year 1787, and in the subjection of those servants, and their native officers, to the jurisdiction of the courts of judicature for every act done in their official capacity by the 31st Regulation of 1793. The investment in Bengal, with few exceptions, has since been provided by advances, made without the intervention of any contractor, broker, or other person, to the manufacturers, by the servants of the Company, who receive a commission on the value of the goods provided. The Regulation under which the goods are provided, and also the rules by which the courts of judicature regulate their decisions in all cases connected with the commercial concerns of the Company, and those of the private traders of every description, are laid down in the 31st Regulation of 1793, passed by the Governor General in Council.

65. During the long period of time which has elapsed since the arrangements contained in that Regulation have been in force, they have answered all the purposes for which they were adopted; and your Lordship in Council will find, that this wise and humane Regulation, together with the code of Regulations enacted from time to time by the Governor General in Council in Bengal, has not only been confirmed by the Honourable Court of Directors, but also has received the sanction of Parliament, by the Act of Parliament passed in the year 1797.

66. Since that Regulation has been in force in Bengal, the private merchants of every description have enlarged their concerns to an unprecedented extent, without prejudice to the investment of the Company, which has in general greatly improved in quality and diminished in price; and the weavers and manufacturers, instead of manifesting an aversion to work on account of the Company, prefer the employment of the Company to any other engagements.

67. It was therefore, upon the grounds of long experience, as well as on the general principles of justice, that the Governor General in Council, in his instructions of the 31st of December 1799, recommended to the Governor in Council of Fort St. George to conduct the provision of the Company's investment at Fort St. George according to the rules adopted in Bengal. Under that system, the commercial officers of the Company must necessarily acquire the knowledge requisite to qualify them for superintending the provision of the goods; and the residence of those officers in the districts in which the manufactures are produced, the influence which they must derive from their official situations, their personal intercourse with the weavers, and their command of money, accompanied by the effects of that just and equitable conduct which they and their native servants must observe, when subject to the jurisdiction of the courts of judicature, will soon enable the commercial officers to insure the voluntary services of the manufacturers to the desired extent, and to provide goods of the best quality, at the most reasonable rates at which they can be afforded.

68. The Governor General in Council cannot therefore doubt the justice and policy of directing that the system of agency, which your Lordship in Council has already partially adopted, be extended, as early as may be practicable, to every branch of the Company's investment at Fort St. George; that no goods be under any circumstances provided by the officers of Government on account of individuals; and that, until the final orders of the Honourable Court of Directors on the subject shall be received, the provision of the investment of the Company, and the trade of private merchants of every description in the interior of the country, be conducted agreeably to the Regulation proposed by Lord Clive, in conformity to the spirit of the 31st Regulation of 1793 passed in Bengal; and that the Regulation proposed by Lord Clive be passed into a law at Fort St. George.

We have, &c. &c.

Fort William, 19 July 1804.

(Signed) *Wellesley.*
G. H. Barlow.
G. Udney.

—No. 11.—

RETURN of the Number of WRITERS, CADETS, SURGEONS, and CHAPLAINS, sent to *India* during the last Ten Years; specifying the number appointed to the different Presidencies in each year.

A Return of the Number of WRITERS sent to *India* during the last Ten Years; specifying the Number appointed to the different Presidencies in each Year.

	Bengal.	*Fort S^t George.*	*Bombay.*	*P. W. Island.*
1802 - - - - -	28	4	none.	none.
1803 - - - - -	12	4	none.	none.
1804 - - - - -	26	6	5	9
1805 - - - - -	19	19	10	none.
1806 - - - - -	9	9	8	1
1807 - - - - -	20	10	4	none.
1808 - - - - -	11	15	3	none.
1809 - - - - -	24	8	7	2
1810 - - - - -	15	7	3	1
1811 - - - - -	17	8	4	none.
1812 - - - - -	21	15	8	1

East India House, the 30th April 1813.

Examined, *J. Melvill.*

Return of the Number of CADETS sent to *India* during the last Ten Years; specifying the number appointed to the different Presidencies in each year.

	Bengal.	*Madras.*	*Bombay.*	TOTAL.
1803 - - - - -	196	125	171	492
1804 - - - - -	198	138	21	357
1805 - - - - -	198	230	none.	428
1806 - - - - -	110	211	19	340
1807 - - - - -	140	113	28	281
1808 - - - - -	152	55	56	263
1809 - - - - -	59	36	19	114
1810 - - - - -	81	74	39	194
1811 - - - - -	44	42	27	113
1812 - - - - -	18	28	7	53

East India House, 15th April 1813.

William Abington,
Clerk for passing Military Appointments.

Return of the Number of SURGEONS sent to *India* during the last Ten Years; specifying the number appointed to the different Presidencies in each year.

	Bengal.	*Madras.*	*P. W. Island.*	*Bombay.*	TOTAL.
1803	14	8	-	6	28
1804	24	12	4	6	46
1805	23	27	-	1	51
1806	20	12	-	4	36
1807	22	13	-	13	48
1808	14	4	-	6	24
1809	18	4	-	6	28
1810	7	14	-	6	27
1811	6	8	-	none.	14
1812	15	9	-	4	28

East India House,
21st April 1813.

William Abington,
Clerk for passing Military Appointments.

A Return of the Number of CHAPLAINS sent to *India* during the last Ten Years; specifying the Number appointed to the different Presidencies in each Year.

	Bengal.	*Fort St George.*	*Bombay.*
1802	none.	1	1
1803	none.	none.	none.
1804	1	1	none.
1805	3	2	none.
1806	none.	1	none.
1807	1	2	none
1808	none.	1	none.
1809	2	3	2
1810	2	1	none.
1811	none.	none.	none.
1812	2	1	none.

East India House,
the 30th April 1813.

Examined,
J. Melvill.

Part III

PAPERS

RELATING TO

EAST INDIA AFFAIRS.

(Resident Europeans.—Police.—MISSIONARIES.—Weavers, and Investments.)

Ordered, by The House of Commons, *to be printed,*
14 *April* 1813.

LIST OF PAPERS

Presented to The Honourable House of Commons, pursuant to Orders, dated the 2nd—7th—9th—and 12th of April 1813.

—No. 1.—

EXTRACTS from such TREATIES with the Native Powers of *India*, as relate to the Residence of *Europeans* in their respective States - - page 1.

—No. 2.—

EXTRACTS of the Replies of the ZILLAH JUDGES of *Bengal*, *Bahar*, *Orissa* and *Benares*, to the Thirty-ninth Query of the Governor General, in 1801, relative to the conduct of *Europeans*, not in the service of the East India Company, residing within their Jurisdiction - - - - page 5.

—No. 3.—

RETURN to the Order of the Honourable House of Commons, dated the 2nd April 1813, requiring, "Copy of the fourth, fifth, ninth, tenth, eleventh, "twelfth, thirteenth, nineteenth, and twenty-second Paragraphs, of the "Report on the External Commerce of India, dated the 28th December "1804." - - - - - - - - - - - page 7.

—No. 4.—

EXTRACT of the *Bengal* Judicial Consultations in the CRIMINAL DEPARTMENT, of the 13th of July 1810; containing a Letter from the Justices of the Peace at Benares to the Secretary of the Government of Bengal, dated the 5th of May 1809, transmitting his Proceedings on certain Charges preferred by a Native Subject against Mr. *James Titchborne*, for an assault and false imprisonment;—together with the Enclosures referred to in that Letter - - - - - - - - - - - - page 8.

—No. 5.—

EXTRACT of the *Bengal* Judicial Consultations in the CRIMINAL DEPARTMENT, of the 20th of July 1810;—containing an Abstract of the Cases of Mr. *J. L. Turner*, *R. S. Douglas*, *T. Gardner*, and *T. Clark*, Persons accused or tried for serious offences committed in the interior of the Country; also of Mr. *Titchborne*, accused of similar offences;—together with the Depositions referred to in the said Abstract; and Copy of the Proceedings of the Governor General thereon - - - - - - - page 11.

— No. 6. —

Copy of a LETTER from the Governor General in Council, to the Secret Committee of the Court of Directors, dated the 2nd November 1807; relating to The MISSIONARIES - - - - - - page 41.

— No. 7. —

Copies of all DOCUMENTS inclosed in a LETTER from the Governor General of India, to the Court of Directors, dated the 2nd November 1807; in so far as the said Documents relate to The MISSIONARIES:—And, Copy of the ANSWER from the Court of Directors to the said Letter, so far as relates to the said subject of The MISSIONARIES - - - - - page 47.

— No. 8. —

Copy of a LETTER from the *Bengal* Government, to the Secret Committee of the Court of Directors, dated the 7th December 1807; together with the several Enclosures accompanying the same; on the subject of MISSIONARIES: —Also, Extract of a Letter from the Court of Directors, dated 7th December 1808, in REPLY to the said Letter - - - - - page 74.

— No. 9. —

Copy of a PROCLAMATION of Lord WILLIAM BENTINCK, as Governor of *Madras*; dated 3rd December 1806 - - - - - page 86.

— No. 10. —

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East India House,
14th April 1813.

— No. 1. —

Extracts from such TREATIES with the Native Powers of *India*, as relate to the RESIDENCE of *Europeans* in their respective States.

EXTRACT TREATIES CONCLUDED BY THE GOVERNMENT OF BENGAL.

Treaty with Nudjum ul Dowla, Nabob of Bengal: 1765.

ARTICLE 10.—I will allow no Europeans whatever to be entertained in my service, and if there already be any, they shall be immediately dismissed.

Treaty with Asuf ul Dowlah, Nabob of Oude: 1775.

Article 2.—The aforesaid Nabob engages never to entertain or receive in his dominions Cossim Ally Cawn, the former Soubadar of Bengal; and Sumro, the murderer of the English; even in case of his getting them into his hands, he will, out of friendship, make them prisoners, and deliver them up to the English Company. He also engages, not for any cause or under any pretence, to entertain Europeans of any nation in his service, without the consent of the English Company. That he will prevent, oppose, and send back such as offer to come into, pass through or remain, or shall be in his dominions, without the perwannah of the English Company. The Europeans of every nation, in the service of the said Nabob, are hereby dismissed; and now and in the future, he engages never to entertain the said Europeans, and to deliver up to the English Company such of their servants who have deserted or may desert, in case of his apprehending them.

Treaty with the Ranah of Gohud: 1779.

Article 9.—No English factory shall be established in the dominions of the Maha Rajah. No persons of any denomination shall be sent into his dominions on the part of the English Company, or with the licence of the Governor General and Council, without his previous consent; neither shall his ryots be pressed for any military service, nor any authority exercised over them but his own.

Treaty with the Marattas: 1782.

Article 13.—The Peshwa hereby engages, that he will not suffer any factories of other European nations to be established in his territories, or those of the chiefs dependant on him, excepting only such as are already established by the Portuguese; and he will hold no intercourse of friendship with any other European nations: and the English, on their part, agree, that they will not afford assistance to any nation of Decan or Indostan, at enmity with the Peshwa.

Treaty with the Nabob of Oude, Asoph ul Dowlah: 1787.

Lord CORNWALLIS's Proposition.	NABOB's Answer.
If any Europeans shall reside there without my permission in writing, your Excellency shall oblige him to quit the country; or, if demanded, send him to the Resident on the part of the Company.	I have not answered every particular of your Lordship's kind letter, because I have heard, that your Lordship positively means to come to this quarter, and when we meet, every matter will be answered in a most friendly manner. Now, considering acquiescence to your Lordship's orders and preservation of your pleasure as the principle of friendship, I have complied.

Treaty with the Rajah of Travancore: 1797.

Article 6.—The reigning Rajah of Travancore for the time being, shall not keep in his service, in any civil or military capacity, nor allow to remain within his dominions, as merchants or under any other plea or pretext, the subjects or citizens of any nation being at war with Great Britain or with the East India Company; nor under any circumstances of peace

No. 1. Extracts from Treaties, relative to Residence of Europeans.

or war, allow any European nation to obtain settlements (*i. e.* territory or places under their own authority) within the same, nor enter into any new engagements with any European or Indian States, without the previous concurrence of the British Government in India.

Treaty with the Vizier Nabob of Oude, Saadit Ali: 1798.

Article 15.—The Nabob, Saadit Ali Khan, engages and promises, that he will not entertain any Europeans of any description in his service, nor allow any to settle in his country, without the consent of the Company.

Treaty with the Nizam: 1798.

Article 6.—Immediately upon the arrival of the subsidiary force at Hydrabad, the whole of the officers and servants of the French party are to be dismissed, and the troops composing it dispersed and disorganized, that no trace of the former establishment shall remain. And his Highness hereby engages, for himself, his heirs and successors, that no Frenchman whatever shall ever hereafter be entertained in his own service, or in that of any of his chiefs or dependants, nor be suffered to remain in any part of his Highness's dominions; nor shall any Europeans whatever be admitted into the service of this state, nor be permitted to remain within his territories, without the knowledge and consent of the Company's government.

Treaty with the Nizam: 1800.

Article 1.—That all the former treaties and agreements between the two states, now in force, and not contrary to the tenor of this agreement, shall be confirmed by it.

Treaty with the Peshwa: 31st December 1802.

Article 11.—Whereas it has been usual for his highness Rao Pundit Purdhaun Bahauder to enlist and retain in his service Europeans of different countries, his said Highness hereby agrees and stipulates, that in the event of war breaking out between the English and any European nation, and of discovery being made that any European or Europeans in his service, belonging to such nation at war with the English, shall have meditated injury towards the English, or have entered into intrigues hostile to their interest, such European or Europeans so offending, shall be discharged by his said Highness, and not suffered to reside in his dominions.

Treaty with the Rajah of Jyepoor (or Jyenagur): 1803.

Article 7th.—The Maha Rajah shall not entertain in his service, or in any manner give admission to any English or French subjects, or any other person from among the inhabitants of Europe, without the consent of the Company's Government.

Treaty with Rajah Umbajee Rao Englah: 1803.

Article 4.—Rajah Umbajee shall not entertain in his service, or in any manner give admission to any English or French subjects, or any other person from among the inhabitants of Europe, without the consent of the English Government.

Treaty with the Rajah of Berar: 1803.

Article 8.—Senah Saheb Soubah engages never to take or retain in his service any Frenchman, or the subject of any other European or American power, the government of which may be at war with the British Government, or any British subject, whether European or Indian, without the consent of the British Government. The Honourable Company engage, on their part, that they will not give aid or countenance to any discontented relations, rajahs, zemindars, or other subjects of Senah Saheb Soubah, who may fly from or rebel against his authority.

Treaty with Dowlut Rao Scindiah: 1803.

Article 13.—The Maha Rajah, Ali Jah Dowlut Rao Scindiah, engages never to take or retain in his service any Frenchman, or the subject of any other European or American power, the government of which may be at war with the British Government, or any British subject, whether European, or native of India, without the consent of the British Government.

Treaty with the Ranah of Gohud: 1804.

Article 9.—Maha Rajah Ranah shall not entertain in his service, or in any manner give admission to any English or French subjects, or any other persons from amongst the inhabitants of Europe, without the consent of the British Government.

Treaty with the Rajah of Travancore: 1805.

Article 8.—His Highness stipulates and agrees, that he will not admit any European foreigners into his service, without the concurrence of the English Company Bahaudur; and, that he will apprehend and deliver to the Company's Government all Europeans, of whatever

whatever description, who shall be found within the territories of his said Highness, without regular passports from the British Government, it being his Highness's determined resolution not to suffer, even for a day, any European to remain within his territories, unless by consent of the said Company.

Treaty with the Rajah of Bhurrutpore: 1805.

Article 8.—The Maha Rajah shall not, in future, entertain in his service, nor give admission to any English or French subjects, or any other person from among the inhabitants of Europe, without the sanction of the Honourable Company's Government; and the Honourable Company also agrees, not to give admission to any of the Maha Rajah's relations or servants without his consent.

Treaty with Jeswunt Rao Holkar: 1805.

Article 6.—Jeswunt Rao Holkar hereby engages never to entertain in his service Europeans of any description, whether British subjects or others, without the consent of the British Government.

EXTRACT TREATIES CONCLUDED BY THE GOVERNMENT OF FORT ST. GEORGE.

Agreement with the Rajah of Tanjour, 20th October 1771.

IF any Europeans, in the service of the Sircar and Company, have deserted and fled to me, I will deliver them up.

Agreement with the Rajah of Tanjour: 1776.

The Company will be pleased to acquiesce to the following conditions:

Article 3.—No houses shall be built by the Sircar in villages, called Agne, where Bramins reside. No European shall be allowed to dwell near any tanks or ponds belonging to pagodas or Bramin villages.

Treaty with the Rajah of Mysore: 1799.

Article 7.—His Highness stipulates and agrees, that he will not admit any European foreigners into his service, without the concurrence of the English Company Bahaudur; and that he will apprehend and deliver up to the Company's Government all Europeans, of whatever description, who shall be found within the territories of his said Highness, without regular passports from the Company's Government; it being his Highness's determined resolution not to suffer, even for a day, any European foreigners to remain within the territories now subjected to his authority, unless by consent of the said Company.

Treaty with the Rajah of Tanjore: 1799.

Article 11.—His Excellency the Rajah stipulates and agrees, that the said fort shall in no case whatever, become an asylum for public offenders, or for persons desirous of escaping from the jurisdiction of the courts of civil and criminal justice, or from the authority of the revenue officers, or of any other branch of the authority of the Honourable Company; and his Excellency the Rajah further agrees to deliver up all such persons, without delay, on application from such officer or officers as the Governor in Council of Fort St. George shall appoint for the purpose.

Treaty with Azeem-ul-Dowlah, Nabob of the Carnatic: 1801.

Article 11.—The entire defence of the Carnatic against foreign enemies, and the maintenance of the internal tranquillity and police of the country, having been hereby transferred to the British Government, his said Highness engages not to entertain or employ in his service any armed men, without the consent of the British Government, who will fix, in concert with his Highness, the number of armed men necessary to be retained for purposes of state. Such armed men as his Highness may, in consequence of this article, engage in his service, shall be paid at the exclusive cost and charge of the said Nabob.

Treaty with the Rajah of Cochin: 1809.

Article 7.—The Rajah of Cochin stipulates and agrees, that he will not admit any European foreigners into his service, without the concurrence of the English Company Bahauder, and that he will apprehend and deliver to the Company's Government all Europeans, of whatever description, who shall be found within the territories of the said rajah without regular passports from the English Government, it being the said rajah's determined resolution, not to suffer, even for a day, any European foreigners to remain within the territories now subjected to his authority, unless by consent of the said Company.

No. 1.

Extracts from Treaties, relative to Residence of Europeans

EXTRACT TREATIES CONCLUDED BY THE GOVERNMENT OF BOMBAY.

Agreement with the Marattas: 14th September 1761.

Article 3.—That all Europeans and natives, either soldiers, seamen, or others, in His Britannic Majesty's or the honourable Company's pay, who may hereafter desert from Bombay, shall be immediately secured and returned to the nearest English settlement to such place where they may be apprehended, upon landing in any part of the Maratta country; the governor having promised all such a free pardon, and to pay any reasonable charges that may be incurred on the occasion. In like manner shall be delivered up all deserters, in the English pay, from Surat, on their being known, or immediately on receiving notice of them, within the Maratta limits, it not being in their power to speak more positively with respect to those of Surat, as the country thereabouts is open, and numbers go through it without being known. It is also agreed, that whatever people, Europeans of all nations excepted, who are in the service of Madanao, and may desert therefrom to the English, shall be delivered up on the same terms and conditions.

Agreement with the Shaikh of Bushire: 12th April 1763.

Article 3.—No European nation whatever is to be permitted to settle at Bushire, so long as the English continue a factory here.

Agreement with the Bouncello, concluded at the Fort at Barree: 7th April 1765.

Article 14.—The Bouncello will not entertain in his service any people belonging to the English, whether Europeans or others, nor suffer any European deserters to pass through his districts; but on the contrary, give strict orders to all his officers to seize such as may be seen in his dominions, and return them to the chief of Fort Augustus, on promise of pardon, whether they are applied for or not. The English will observe the same in respect to the subjects of the Bouncello, and slaves to be returned on both sides.

Agreement with the Rannie, at Fort Augustus, 12th January 1766.

Article 10.—Maha Rajah Jeejaboy, the Rannie, will not entertain in her service any people belonging to the English, whether Europeans or others; but, on the contrary, give strict orders to her officers, to seize such as may be seen in her dominions; nor suffer any European deserters to pass through her country, but return them to the resident of the English factory, on promise of pardon, whether they are applied for or not. The English will observe the same in respect to the subjects of the Rannie; and slaves to be returned on both sides.

Treaty with the Nabob of Baroach: 1771.

Article 4.—The Dutch have already a factory at Baroach; but, in future, no other European nation shall be permitted to settle a factory at Baroach, without the consent of the honourable the President and council.

Treaty with Ragobah: 1778.

Article 15.—Ragonath Row Badjerow Purdhan hereby engages and agrees, that no European settlements shall be allowed to be made on the maritime coasts, or in any other part of the Maratta dominions, without the consent of the Company, or of their representatives, being previously obtained; and that no manner of intercourse, or connection, shall be maintained between the Maratta Government and the French Nation; any failure, in which stipulation, will be considered as a breach of the alliance between the Maratta Government and the honourable Company.

Treaty with Anund Row Guicowar: 1805.

Article 9.—The Maha Rajah Anund Row Guicowar Sena Khas Khcyl Shumsheir Behauder hereby engages, that he will not entertain in his service any European or American, or any native of India, subject to the honourable Company, without the consent of the British Government; neither will the Company's Government entertain in their service any of the Guicowar servants, dependants, or slaves, contrary to the inclination of that state.

—No. 2.—

Extracts of the REPLIES of the Zillah Judges of *Bengal*, *Bahar*, *Orissa*, and *Benares*, to the Thirty-ninth QUERY of the Governor General in 1801, relative to the Conduct of *Europeans*, not in the Service of The East India Company, residing within their Jurisdictions.

The thirty-ninth QUESTION put to the Zillah Judges of BENGAL, BAHAR, ORISSA, and BENARES, by the Governor General in 1801; with the ANSWERS thereto.

QUESTION.—WHAT is the nature of the general conduct of the Europeans, not in the service of the Company, who reside within your jurisdiction?

ANSWERS.

Magistrate of Jessore, Mr. *S. Middleton*: 30th November 1801.

They conduct themselves with the greatest propriety.

Magistrate of Midnapore, Mr. *H. Strachey*: 30th January 1802.

There are no Europeans out of the service constantly residing in this district. A few indigo manufacturers and cloth merchants have, or rather had considerable dealings in Midnapore, and occasionally come to look after their concerns. The cloth and indigo trade have very much fallen off within these few years.

Magistrate of Beerbhoom, Mr. *D. Campbell*: 25th March 1802.

There is at present but one European of this description in the district, and his conduct, to the best of my knowledge, has been in every respect uniformly correct and proper ever since he settled in this part of the country, now upwards of ten years.

Magistrate of Hooghly, Mr. *T. Brooke*: 3d May 1802.

With the conduct of Europeans residing in this district, not in the service of the Company, there is no reason whatever to find fault.

Magistrate of Nuddea, Mr. *C. Oldfield*: 16th January 1802.

It is peaceable, and generally correct.

Magistrate of Burdwan, Mr. *G. Thompson*: 9th March 1802.

I am happy to have it in my power to say, that it has been such as to meet with my approbation, correct, regular, and moral; and it is a justice I owe them to observe, that I have not known an instance of complaint against any of them since I have been at the station; now three years.

Magistrates of Fouzdarry Adawlut, of the 24 pergunnahs, Messrs. *Marlyn*, *Blaquiere*, *Macklew*, and *Thoroton*: 1st July 1802.

The general conduct of the Europeans, not in the service of the Company, who reside within our jurisdiction, is correct, and very few instances have occurred of any complaint whatsoever having been preferred against them.

Magistrate of Backergunge, Mr. *Wintle*: 7th January 1802.

The general conduct of the Europeans, not in the service, residing in this district (who are very few) is decorous and proper; I seldom have any complaints against them.

Magistrate of Tipperah, Mr. *J. Elliot*: 23d April 1802.

The conduct of the Europeans in this zillah, not in the service of the Honourable Company, is in every respect satisfactory.

Magistrate of Sylhet, Mr. *Roberts*: 1st May 1802.

The Europeans in this district conduct themselves with the greatest propriety; and, generally speaking, the inhabitants are satisfied with the integrity of their dealings.

No. 2.

Replies of Zillah Judges, relative to conduct of resident Europeans, not in the service of the East India Company.

Magistrate of Momensing, Mr. *J. Stracey:* 29th January 1802.

There are no Europeans in the district, out of the service, excepting one Frenchman, who carries on a trifling trade, and is a very quiet well-behaved man.

Magistrate of Chittagong, Mr. *Molony:* 27th March 1802.

They have conducted themselves heretofore, in general, with great propriety, and much to my satisfaction.

Magistrate of Dacca and Jelalpore, Mr. *J. Paterson:* 28th July 1802.

There are no Europeans, not in the service of the Company, in this district.

Magistrate of the City of Moorshedabad, Mr. *Sturt:* 17th March 1802.

With respect to the nature of the general conduct of the Europeans, not in the service of the Company, who reside within my jurisdiction, there are only two of the description alluded to, viz.—Mr. Holst, who has been permitted, with the sanction of Government, to continue in charge of the Dutch factory at Calcapore, and a Frenchman, also resident at Calcapore, whose sole occupation is that of a confectioner, and who is, I understand, a quiet sober character.

Magistrate of Rajshahy, Mr. *C. Græme:* 10th April 1802.

The Europeans, not in the Company's service, who reside within this jurisdiction, have, since I have been in the district (which is now four years and a half) behaved themselves in the most orderly and correct manner; so much so, that I do not recollect any complaint having ever been preferred against one of them.

Magistrate of Bhaugulpore, Mr. *J. Wintle:* 31st May 1802.

The general conduct of the Europeans, not in the service, residing in this district (who are but few) is decorous and proper; I seldom have any complaints against them.

Magistrate of Dinagepore, Mr. *Burges:* 15th January 1802.

The conduct of the few Europeans, not in the service, resident in this district, I have ever found to be peaceable and correct.

Magistrate of Purnea, Mr. *Thornhill:* 19th December 1801.

The Europeans residing in this district have, during my time, conducted themselves with propriety.

Magistrate of Zilla Moorshedabad, Mr. *J. Becher:* 31st December 1801.

The few Europeans, not in the honourable Company's service, residing in my district, behave with great propriety in all respects.

Magistrate of Rungpore, Mr. *J. Wordsworth:* 13th April 1802.

The conduct of the Europeans, not in the service of the Company, who reside within my jurisdiction, has ever been of the most exemplary nature; and to them have I been often indebted for important information; and the country, in a great measure, for its present improved and improving state of manufactures, cultivation and commerce.

Magistrate of Sarun, Mr. *Boddam:* 16th December 1801.

There are only three Europeans, not in the service of the Company, who reside in this district; but others go to Boggah, at the proper season, to purchase timbers. Mr. Blake has a considerable indigo work at Acberpoor; Mr. M'Entie has one at Dironly, on the banks of the Dewa, but he principally trades in timbers; and Mr. Massyck has a small indigo work near to Mr. Blakes. I have never received a single complaint against either of these gentlemen, on the contrary, I have every reason to believe, that the inhabitants of that part of the country in which they reside, are perfectly satisfied with their conduct, and reap great benefit from the money expended by them in their manufactories.

Magistrate of Behar, Mr. *A. Tufton:* 9th December 1801.

I am most happy to bear testimony to the good conduct of the Europeans in this district. Two complaints only have been made against them within these last four years; and they arose, not from any dishonesty or oppressive conduct, but from that haste and want of consideration which Europeans, not conversant with the people, and strangers to the language, are sometimes apt to indulge in. The natives are, however, grown very impudent.

Magistrate of Shahabad, Mr. *G. Webb,* 11th December 1801.

The conduct of the Europeans, not in the service of the Company, who reside in this district, has been very correct.

Magistrate.

No. 2. Replies of Zillah Judges, relative to conduct of resident Europeans, not in the service of the East India Company.

Magistrate of Ramghur, Mr. *W. T. Smith:* 21st December 1801.

There are no Europeans of this description residing in this jurisdiction.

Magistrate of Tirhoot, Mr. *G. Arbuthnot:* 22d December 1801.

Having never had any serious charge preferred against any of the Europeans, not in the Company's service, who reside in this district, I naturally conclude, that they conduct themselves in a quiet and peaceable manner.

Magistrate of the City of Benares, Mr. 17th December 1801.

I never have heard any complaints on the subject.

Magistrate of Juanpore, Mr. *A. Willand:* 17th December 1801.

The conduct of Europeans, in this district, is mostly applied to the manufacture of indigo, and to concerns in the traffic of cloths. The encrease of the circulation of money in consequence, is of considerable benefit; but scarcely one among them has been successful in his speculations, and some appear to be suffering under severe privations and distresses

Magistrate of Mirzapore, Mr. *R. Ahmuty:* 30th November 1801.

No complaint of a violent tendency has ever been brought forward against any of the Europeans who reside in this district, out of the service; and they have, on all occasions, conducted themselves with perfect humility, and the utmost deference to the rules and orders of Government.

—No. 3.—

RETURN to the Order of the Honourable House of Commons, dated the 2d April 1813; requiring, "Copy of the fourth, fifth, ninth, tenth, eleventh, twelfth, thirteenth, nineteenth, and twenty-second Paragraphs of the REPORT on the External Commerce of *India*, dated the 28th December 1804."

RETURN to the Order of the Honourable House of Commons, dated the 2d April 1813; requiring, "Copy of the fourth, fifth, ninth, tenth, eleventh, twelfth, thirteenth, nineteenth, and twenty-second Paragraphs of the REPORT on the External Commerce of India, dated the 28th December 1804."

THE entire Reports of the External Commerce of Bengal, from 1795 to 1811, having already been presented to the House, the Extracts required by this Order will be found in the Volume containing these Reports.

Examiner's Office,
East India House.

—No. 4.—

Extract of the BENGAL Judicial Consultations in the Criminal Department of the 13th of July 1810; containing a Letter from the Justice of the Peace at *Benares* to the Secretary to the Government of *Bengal*, dated the 5th of May 1809, transmitting his Proceedings on certain Charges preferred by a NATIVE SUBJECT against Mr. JAMES TITCHBORNE, for an Assault and false Imprisonment; together with the Enclosures referred to in that Letter.

EXTRACT BENGAL JUDICIAL CONSULTATIONS,
the 13th July 1810.

(Criminal.)

No. 54. Justice of the Peace at Benares to George Dowdeswell, Esq. Secretary to Government, Fort William.

SIR,

I have the honour to inclose, for the information of the right honourable the governor general in council, all the proceedings held by me in English and Persian, on the charges preferred by Ram Gholam against Mr. James Tichborne, for an assault and false imprisonment; and in the full discharge of my duty, I have deemed it expedient to commit Mr. Tichborne to take his trial before the Supreme Court of Judicature, on the grounds of the depositions of the prosecutor and his witnesses.

I have the honour to be, &c.

Benares, 5th May 1809. } (Signed) *W. T. Smith*, Justice of Peace.

No. 55. The information and deposition of Ram Gholam, prosecutor, taken upon oath before W. T. Smith, Esq. one of His Majesty's Justices of the Peace in and for the city of Benares, the nineteenth day of April 1809; who, on his oath, saith; My name is Ram Gholam, my father's name is Munsa, I am of the cast of Aheer, I reside at Fardonee, in the district of Goruckpore, I am about 50 years of age, and have been in the employment of Mr. Tichborne from the commencement of the year 1803 until the period of my imprisonment by Mr. Tichborne, in the month of Assin 1808. In the month of September Mr. Tichborne complained against me to the magistrate of Goruckpore in the Foujdarry Adawlut, for the sum of 5,572 rupees, the price of timber. Mr. Ahmuty, the magistrate, consequently placed a chupprassy named Seta Ram, over me, who conveyed me to the Court, where I gave in a reply to the complaint, and I petitioned the Court to depute an aumeen to enquire into the nature of Mr. Tichborne's complaint against me; security being required from me by the Court, directed a chupprassy to proceed with Mr. Tichborne's mootsuddies and my own mootsuddies to enquire into the accounts, and bring them before the Court for examination, who would afterwards decide upon what was proper to be done. Mr. Tichborne beat Rugbunsee Loll, for not making out these accounts in the manner Mr. Tichborne wished, and the nephew of Rugbunsee Loll consequently preferred a complaint to the Judge of Goruckpore, who sent Emmaumbux to protect the mootsuddies, and to prevent their being beaten by Mr. Tichborne in future; after this, Mr. Tichborne confined me on board one of his boats, from the 22d September until the 24th December 1808; in consequence of this dispute about accounts, on the 24th of December I asked Mr. Tichborne why he confined me? when Mr. Tichborne answered, do you want your discharge? I would expend 2,000 rupees to take your life away. On the 22d September Mr. Ahmuty's chupprassies enquired of Mr. Tichborne where he was taking me to; and Mr. Tichborne replied, I am going to Ragepore, come along with me; to which the chupprassies replied they could not without orders from the Judge; afterwards Mr. Tichborne said to the chupprassies, I know nothing about the Court, you may return. The chupprassies went away, and reported this circumstance to the Judge, when Mr. Tichborne imprisoned me in his boat, and conveyed me to Ragepore; we arrived at Ragepore, where Mr. Tichborne had pitched a tent, and he took me out of the boat, caught me by the neck and kicked and beat me, and afterwards tied me by the hands to a bamboo, on which the sail of a boat was suspended, and he caught me by the mustaches, and pulled them violently; after having thus ill-treated me for three hours, he made me over to the custody of Caloah chupprassy, who re-conveyed me on board the boat; when we had left Ragepore, and proceeded two coss below the river, I was again taken out of the boat, and compelled to

pull

No. 4. Extract Bengal Judicial Cons in. Crim. Dep. 13 July 1810 — Assault upon a Native Subject by an European.

pull the ghoone of the budgerow; one of Mr. Tichborne's boats sunk a little a-head, in consequence of which Mr. Tichborne came too for the night, when myself, Ajudiah Persaud, and Rugbunse Loll, were placed on board the sunken boat, and kept there under the custody of a chupprassy the whole of the night, up to our middles in water, without food. The next morning we proceeded to Bogalepore, and when we arrived, Mr. Tichborne again took me out of the boat, and beat me in the face; two or three days after this we went to Darowly, when Mr. Tichborne seized all my clothes, and beat me with a rope, from Darowly Mr. Tichborne went on without me, and left me and the other people with Mr. Robinson, who went to Decree Gunge; when I arrived at Revel Gunge, to which place Mr. Furgusson, the magistrate of Chupprah, had wrote to Mr. Tichborne, requiring my attendance; Mr. Tichborne consequently delivered me over to the custody of Mr. Furgusson's peons, who took me to Chupprah, where I was maintained at the expence of Government, and Mr. Furgusson took down my deposition, and sent me to Benares. Calloah chupprassy was placed over me, from our leaving Gorruckpore until our arrival at Darowly; and I was under the custody of Ram Sing chupprassy, from our leaving Darowly, until my arrival at Revel Gunge.

Chunee Lall and Bussunt Lall have absconded, in consequence of an order to do so, from Mr. Tichborne.

(Signed) *Ram Gholam,*
×
his mark.

Sworn the day and the year first above written, before me,
(Signed) *W. T. Smith,* Justice of the Peace.

No. 56.

The Examination of James Tichborne, taken before me, W. T. Smith, one of His Majesty's Justices of the Peace in and for the Province of Benares, the 20th of April 1809.

The said Examinant being duly interrogated, saith; I am not guilty of the charge laid against me.

(Signed) *Jas Tichborne.*

Taken the day and year first above written, before me,
(Signed) *W. T. Smith,* Justice of the Peace.

No. 57.

The Information and Deposition of Sook Lall Sookul, 1st witness, taken upon oath, before W. T. Smith, Esq. one of His Majesty's Justices of the Peace in and for the City of Benares, the 19th day of April 1809; who on his oath saith; My name is Shook Lall Sookool, my father's name Domey Sookool; I am of the cast of Brahmin; I reside at Jullalpore in the district of Mozufferpore; I am about 42 years of age, and I have been in the employment of Mr. Tichborne one year; I know Ram Gholam, he was in Mr. Tichborne's employment, but I do not know how long; in the month of September 1808, Mr. Tichborne complained against Ram Gholam, for the theft of 5,572 rupees in the Dewanny Adawlut; after which, Mr. Tichborne solicited the Judge of Gorruckpore to sell the effects of Ram Gholam to make good the loss he had sustained, or commit him to prison; the Judge replied, that without enquiry he could not give an order of such a nature, but after examining into the business, proper measures should be adopted; a chupprassy was accordingly sent to summons Ram Gholam, who attended the Court, and gave in his reply to the complaint, and petitioned the Court to depute an ameen to enquire into the number of timbers, and what were the price of them; and if, agreeably to the account, there was any balance in favour of Mr. Tichborne, he would pay it afterwards; Ram Gholam gave in his security into the Court, and Mr. Ahmuty, the Judge, directed Sela Ram to order the two mootsuddies to compare the accounts and to bring them to him, when instructions would be given, when it was ascertained what was right and proper. In the mean time, these accounts had been ready eight days, when Mr. Tichborne told Ram Gholam that his timber boats were going off, and that Ram Gholam must proceed with them. Ram Gholam replied; my complaint, respecting our accounts, is still pending before the Court, without any decision being passed; how can either you or I go away? and Seta Ram, chupprassy, also stated this circumstance to Mr. Tichborne; but Mr. Tichborne replied, that he knew nothing of the forms of the Court, and directed Seta Ram, chupprassy, to proceed with him to Ragepore; the chupprassy replied, that he could not, without orders from the Judge; when Mr. Tichborne told the chupprassy, he might go. The chupprassy went away accordingly; when Mr. Tichborne placed Ram Gholam on board his boat, and proceeded in the month of Cautick to Ragepore; when Mr. Tichborne arrived at Ragepore; he pitched a tent; at which place one of the mhullee, and another person, ran away; when Mr. Tichborne sent for Ram Gholam, and told him to procure the attendance of the mhullee, that had ran away; Ram Gholam replied, you have imprisoned me; how can I obtain the appearance of the mhullee; on which Mr. Tichborne kicked, and beat, and pulled him violently backwards and forwards, and tied him by his hands to a bamboo, and kept him in this state for six hours; when he placed him in the custody of Culloah and Ram Sing, chupprassies, who placed him again on board the boat. In the morning, the boat I was in proceeded on, and Mr. Tichborne and Ram Gholam remained behind; I consequently do not know what happened afterwards; but three days after this, I reached Boglepore, where Mr. Tichborne and Ram Gholam arrived; at this place, one of Mr. Tichborne's boats sunk;

No. 4. Extract Bengal Judicial Cons in Crim. Dep. 13 July 1810:—Assault upon a Native Subject by an European.

and Mr. Tichborne called Ram Gholam, and ordered him to change the boat, and get another; who replied, where am I to get another boat? when Mr. Tichborne beat him. After this I went to Chupprah, and know nothing more of the business.

QUESTION put to the Witness:

Was Ram Gholam ever placed under your custody?

Yes; I was placed over Ram Gholam, at Mr. Tichborne's bungalow, at Gorruckpore, for three days.

What were the nature of the orders Mr. Tichborne gave you, when you were placed over Ram Gholam?

He directed me to confine Ram Gholam, stating that he would neither settle his accounts with him, or pay him the balance for the timbers.

QUESTION put to the Witness by the Prisoner.

You are a chupprassy. How do you know any thing of this complaint for 5,572 rupees?

I went with yourself, Chunee Lall, and Bussunt Lall, to the cutcherry, and you represented this to the Judge's moonshee, in my hearing.

(Signed) *Sook Loll Sookool,*
Sworn the day and year first above written, before me, ✕
W. T. Smith, Justice of the Peace. his mark.

No. 58. The Information and Deposition of Kulloot, 2d Witness, taken upon oath, before W. T. Smith, Esquire, one of His Majesty's Justices of the Peace in and for the City of Benares, the 20th day of April 1809; who, on his oath saith; My name is Kulloot; my father's name, Doolum; I am of the cast of Aheer, an inhabitant of Gorruckpore, 22 years of age; I was four months and a half in the employment of Mr. Tichborne; when Mr. Tichborne was about to proceed to Ragepore, in the month of Cautic, he ordered Ram Gholam to proceed with him; Ram Gholam stated, that he had deposited his security with the Judge of Gorruckpore, and asked Mr. Tichborne why he wished to take him away; Mr. Tichborne replied, I shall not release you, I would expend 2,000 rupees to take your life away. Seta Ram, chupprassy, asked Mr. Tichborne what orders he had for him, if he went to Ragepore, and Mr. Tichborne desired the chupprassy to go with him to Ragepore. The chupprassy said he would go to the Judge, and if he got an order to that effect, he would proceed with Mr. Tichborne to Ragepore; when Mr. Tichborne replied, I do not know the business of the Judge, and the chupprassy returned to the Huzzoor. Afterwards, Mr. Tichborne having confined Ram Gholam on board a boat, proceeded to Ragepore, where Mr. Tichborne had pitched a tent, and two days after, one of the mhullees of the boat ran away, and Mr. Tichborne ordered Ram Gholam to recover the mhullee, which Ram Gholam stated he could not do, as he was in confinement; when Mr. Tichborne knocked Ram Gholam down, tied both his hands, and pulled him by the whiskers, and threatened him with a stick he held in his hand; shortly after this, Mr. Tichborne left Ragepore, and had proceeded two coss, when he made Ram Gholam pull the ghoon of the boat. The ghoon broke, and Ram Gholam was placed in a dongee, and conveyed into the middle of the boat that was sunk; but not being able to raise the boat, Ram Gholam, Ajudeah Pershaud, and Bundoo Loll, were made over to the custody of Kable Khan and myself. The next morning we left the place, and when we arrived at Boglepore, another boat of Mr. Tichborne's sunk, in consequence of which Mr. Tichborne sent for Ram Gholam, and beat him with his fist, insisting that the boat had sunk from his connivance. Ram Gholam was then made over to a sepoy of Mr. Tichborne's, who was ordered to convey and confine him in the tannah. The tannadar refused to receive charge of Ram Gholam. Chunny Loll Mutsuddy went after this to the tannah and brought Ram Gholam away, and replaced him in Mr. Tichborne's boat. When we arrived at Darowley, Mr. Tichborne seized all the papers and accounts of Ram Gholam, Rugbunee Loll, Chunee Loll, and Bussunt Loll, and beat Gholam and Rugbunee Loll with a rope. Mr. Robinson sent me after this to Chupprah, and I do not know more of the business. When I went to Chupprah, Ram Gholam was in the custody of Ram Sing.

(Signed) *Kulloot,*
Sworn the day and the year first above written, before me, ✕
(Signed) *W. T. Smith*, Justice of the Peace. his mark.

No. 59. The Information and Deposition of Bitchook, 3d Witness, taken upon oath, before W. T. Smith, Esquire, one of His Majesty's Justices of the Peace in and for the City of Benares, the 20th day of April 1809; who, on his oath saith; My name is Bitchook; my father's name, Dolah; I am of the cast of Aheer, inhabitant of Ferdanee, in the district of Gorruckpore, 28 years of age, and I have been in the employment of Mr. Tichborne four years, as a bullock-driver; another servant, named Munnoah, who was also a bullock-driver in the employment of Mr. Tichborne, went to Mr. Tichborne at Gorruckpore, in the month of

of Cautic, to get mine and his own wages, who obtained his wages and returned to Fadanee, and stated, that Mr. Tichborne had imprisoned and beat Ram Gholam and Rugbunee Loll, mootsuddies, and told me, Mr. Tichborne would not send me my wages, and that I had better go to Goruckpore for my wages myself. After this Munnoah collected his clothes, &c and non * away for the service of Mr. Tichborne, and of this circumstance I went to Goruckpore to apprize Mr. Tichborne and to get my wages, but Mr. Tichborne observed, that he could not give me my wages, as Ram Gholam and Rugbunee Loll had gone to Ragepore. After this, Mr. Tichborne went to Ragepore, and Lollgraim and myself followed him in two days. There was a balance of wages of 34 rupees due to me from Mr. Tichborne, of which he only paid me five rupees; when at Ragepore, I saw Mr. Tichborne beat Ram Gholam, tie his hands to a bamboo, and threaten him with a stick. He kept Ram Gholam in this situation for three hours, and then released him. In the morning, I went to Boglepore, where I heard, that in consequence of one of Mr. Tichborne's boats having sunk he had beaten Ram Gholam; I also heard, that a boat of Mr Tichborne's had sunk at another place, and that Mr. Tichborne had placed Ram Gholam in a dongee, and had him conveyed into the sunken boat, and I saw Mr. Tichborne beat Ram Gholam with a rope at Darowlee. After this, I went to another place with Sereekishen, and know nothing more of the business.

* See orig

(Signed) *Bitchook*,
his mark.

Sworn the day and the year first above written, before me,

(Signed) *W. T. Smith*, Justice of the Peace.

— No. 5. —

Extract of the BENGAL Judicial Consultations in the Criminal Department of the 20th of July 1810; containing an Abstract of the Cases of Mr. *J. L. Turner*, *R. S. Douglas*, *T. Gardner*, and *T. Clarke*, Persons accused or tried for serious Offences, committed in the interior of the Country; also, of the Case of Mr. *Titchborne*, accused of similar Offences; together with the Depositions, &c. referred to in the said Abstract, and Copy of the Proceedings of the Governor General thereon.

EXTRACT BENGAL JUDICIAL CONSULTATIONS,

the 20th July 1810.

(Criminal.)

THE Secretary submits the following Abstract (together with the Depositions on which it is founded) of the cases of the different persons who are stated in the foregoing letters to have been accused of or tried for serious offences, committed in the interior of the country; together with that of Mr. Tichburn, who has been some time in confinement for similar offences. The case of that person is recorded at large on the Judicial Proceedings of the 13th instant.

ABSTRACT.

Mr. J. L. Turner, Zillah Tirhoot.

No. 4.

Mr. Turner was indicted for murder. The Depositions state, That Mr. Turner having sent peons to seize and bring the deceased and other ryots before him, and having inquired why they had not sown indigo, according to their engagements, Mr. Turner's dewan alleged that the deceased would not sow, unless he were punished. On this, Mr. Turner struck the deceased several times with his fists and kicked him, and then ordered him and two other ryots into the stocks for the night, during which the deceased died. The place where the stocks stood was infested with snakes, and the Jury appear to have given credit to the evidence brought forward to prove that the deceased was bitten by a snake, and died in consequence. They acquitted Mr. Turner accordingly.

Mr.

No. 5. Further Extracts from Bengal Judicial Cons. 20 July 1810:—Offences committed in the interior of the Country.

Mr. R. S. Douglas, Zillah Sarun.

Mr. Douglas was charged as an accessory before the fact, in the crime of arson, and in a violent outrage committed at the premises of Mr. Moran; he was further charged with being an accessory after the fact, in having received, harboured and maintained the said natives, knowing the crimes in question to have been committed by them. The remote cause of the outrage seems to have been an attempt made by Mr. Moran to establish indigo works and a haut, in a place which interfered with indigo works before established by Mr. Douglas, and with a haut established by a zemindar connected with Mr. Douglas. The immediate and ostensible cause of the outrage committed, was an attempt on the part of Mr. Douglas and the native landholders, to prevent the people of Mr. Moran from taking water or cutting reeds for building the new factory from a nullah which adjoined Mr. Moran's ground, but was claimed as the property of the native. In the prosecution of this intention, armed men (among whom were the native prisoners who were servants of Mr. Douglas) were sent to enforce the prohibition, and an affray took place between the parties, which ended with a few blows on each side; but a few days afterwards Mr. Douglas's party having been reinforced by a number of armed men, proceeded to Mr. Moran's premises, severely beat his assistant, Mr. Clark, destroyed every thing moveable, and burnt the huts, containing grain, &c. The Jury found the natives guilty; and as to Mr. Douglas, their verdict of guilty, as accessory before the fact, being coupled with the expression of a doubt, that the natives had exceeded his directions, the Judge refused to receive the verdict; and the Jury, after an hour's deliberation, brought in a verdict of guilty, as accessory after the fact, in having harboured and maintained the others, knowing them to have been guilty of the crimes committed. Sentence, a fine of 1,000 rupees, and 12 months imprisonment.

Mr. Gardiner, Zillah Nuddeah.

Mr. Gardiner was charged with the murder of a clashy in his service. The deceased was employed in superintending the ryots in sowing indigo. It would appear that his master was not satisfied with his activity, and had him and another seized and brought before him, and punished by stripes with a rattan, partly inflicted by Mr. Gardiner, with his own hand; after this, he ordered chillies and salt to be applied to the wounded parts, but salt only was used. The deceased received about 15 or 20 strokes of the rattan on the posteriors and back, after which both of the clashees were sent to another factory. It does not appear that they were confined; but they both declared their intention of quitting Mr. Gardiner's employment. The day after the beating, the deceased was seized by a vomiting and bowel complaint, and continued, during that and the succeeding day, so ill as to be able to take very little nourishment from his relations, who attended him, and drinking only water to assuage a violent thirst, of which he complained. He died towards the latter part of the third night after the day on which he was flogged. The grand jury threw out the bill.

Mr. T. Clark, Zillah Purneah.

No. 4. Mr. Clark was charged with the murder of a ryot. The depositions state, that the deceased had been sent for, to receive advances for the cultivation of indigo; but, in consequence of his stating that he had no bullocks, and therefore could not take advances, nor cultivate to the extent required, Mr. Clark's sircar insisted upon taking a pair of bullocks, at 10 rupees; but the deceased refused to allow more than 8 rupees. His refusal being notified to Mr. Clark, he came and struck the deceased several times with his fists, and kicked him; after which the deceased walked home, having previously received an advance of 4 rupees, and the 2 bullocks at the adjusted price of 9 rupees, which he gave in charge to one of his neighbours, to drive home. The deceased died the next morning in consequence, as the depositions state, of the beating. Verdict, man-slaughter; sentence, a fine of 400 rupees, and 12 months imprisonment.

Mr. Tichburne, Zillah Goruckpore.

Mr. Tichburne was accused of the murder of a gomastah, employed in the timber trade. It appears that Mr. Tichburne sent to the deceased, requiring his presence for the adjustment of his accounts; but the hircarrahs sent to bring him returned with information, that the deceased was ill, and unable to come. On this, Mr. Tichburne suspecting collusion, flogged the hircarrahs; and taking them tied in his boat to Goruckpore, sent them again to enforce the attendance of the deceased, who being very ill and weak, was conveyed to Mr. Tichburne in a dooly; when Mr. Tichburne placed him in confinement in an out-house, stated to be a bathing-place, and necessary. Here he remained for 14 days without any food or nourishment, except a little sherbet; stating, that he could not eat food in a necessary, but that if removed to a Hindoo house, he would eat. The deceased at length died. The jury found Mr. Tichburne guilty of manslaughter; and he was sentenced to pay a fine of 400 rupees, and to be imprisoned for 12 months.

Mr. Tichburne was again indicted at the following sessions, for a most aggravated assault and imprisonment of Ramduloll, another of his gomastahs. In this case it appeared, that Mr. Tichburne had some trifling dispute with Ramduloll, respecting advances on account of the wages of his woodcutters; in consequence of which Ramduloll was first beaten by his employer, and then had a complaint laid against him, before the magistrate, for withholding advances

advances to the amount of 5,000 rupees. The magistrate directed an adjustment of the accounts by two mutsuddies, who found a balance due from Mr. Tichburne of 3,000 rupees; when Mr. Tichburne, instead of adhering to this adjustment, carried Ramduloll on board his boat, and proceeded down the river; and during several months, Ramduloll was imprisoned in the boats, repeatedly flogged, pulled by the beard, and compelled to pull the ropes of the boat. Mr. Tichburne was found guilty, and sentenced to a fine of 100 rupees, and imprisonment for 12 months.

(A true abstract.)

(Signed) *G. Dowdeswell*, Sec^y to Gov^t.

No. 5. Further Extracts from Bengal Judicial Cons. 20 July 1810.—Offences committed in the interior of the Country.

DEPOSITIONS in the case of JOHN LATHBURY TURNER.

No. 5.

THE Information and Deposition of Fawruckul Roy, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the Town of Calcutta, at Fort William in Bengal, the seventeenth day of November 1809; who, on his oath saith; I am a native of Mouzah Koorjena, in pergunnah Bhoosaree, in the province of Behar; and the son of Mootty Roy, the malick or owner of the Mouzah Khoorjennah. On a Sunday morning, some time in the month of Assaur last, Bhobany Roy, Mosaheb Merdha, and Bhicrary Roy, peons belonging to Mr. John Lothbury Turner, came to my village, and seized my father, Motty Roy, and carried him to the indigo factory of their master at Suvoonny, in Baliah pergunnah, in the same province, at the distance of seven coss; I did not accompany my father to the factory. Early on the following morning, Roop Sing and Ramdyal Roy came to my house, and informed me that my father, Motty Roy, was dead; upon hearing this news, I, Sobha Roy, Jebon Roy, Chironjee Roy, and Soobron Roy, proceeded to the factory, and arrived there on the same morning; we there saw the corpse of my father laying on the ground in an open place. Rutton Laul, a chuprassy belonging to the thannah, was making enquiry, and he desired me to point out to him any marks of beating or violence on the body; whereupon I took off the cloth with which the corpse was covered, and shewed to the chuprassy the marks of a blow on the right cheek, and another on the left; I observed another mark, as if caused by a kick, on the navel, which I also pointed out to the chuprassy; I then observed another mark behind the right thigh, as if occasioned by another kick. These last marks appear to have been done with boots or shoes, from the impression of violence on the body. The blows on the face appeared to have been done with fists; all those marks had become blue. I then put the corpse on a bamboo tatty, and with the assistance of the persons who accompanied me, took the corpse to the thannah. In the way, we met the thannahdar coming towards the factory, in order to make further enquiry; I requested of him to do so, and suffer us to burn the corpse. The thannahdar desired me to take the corpse back to the factory, where he would make the necessary enquiry, and then let us burn it. As we had become faint through fatigue, and unable to proceed further, the tannadar left one of his chuprassies with us, who took care of us, and procured us some nourishment in a village, where he kept us until the next morning. On the following morning, we reached the factory with the corpse. The thannadar sent one of his chuprassies for Choyton Roy, Ojet Roy, and Dhumram Roy, the malicks or owners of the village, and interrogated them as to the murder. The malicks said, there are no dosauds or chowkeedars in the village that can give any account respecting the murder; but they stated to the thannadar, in my presence, that they had been informed by Sitta Matto, Chamon Roy, Runjet Sing, that Motty Roy had been taken to the factory by some peons, and while he was there, the dewan, named Nowrougheelaul, represented to Mr. Turner that Motty Roy was a great hurramzaddah, and unless he was punished, he will not sow indigo; whereupon Mr. Turner beat Motty Roy with his fist, and he kicked him; and then Mr. Turner ordered him to be put into the stocks, which was accordingly done by Bhobany Roy, Mr. Turner's peon; where Motty Roy, in a pahar, expired. After the thannadar had closed his investigation, I requested of him to suffer me to have the corpse burnt, which was accordingly granted, and he allowed a chuprassey to go with us. We took the corpse to the bank of the river, and burnt it according to our customs. After the corpse had been burnt, I requested of the thannadar to send his report to the hazoor or presence. He seemed to delay this very much, and threw obstacles in the way, by telling me to bring witnesses. On the fifth day the thannadar went away without making any report to the presence. On the same day, Mr. Turner offered to my younger brother, named Amrow, two hundred rupees to make a sraud in commemoration of my deceased father. He further offered to return a bond of six rupees, which sum my father had received from him in advance for indigo; and likewise the agreement, which my father had entered into with him. This proposal was also made to my brother, by Nowroughee Loll, and Daby Persaud Malick. My brother, in order to obtain his liberty, as he had been ever since detained in the Factory, accepted of the two hundred rupees, and took the bond and agreement, which were put into his hand by Nowrughee Laul, Mr. Turner's dewan. At this time there were present, Ramdial Roy, Sobhaub Roy, and Soobron Roy; this was done in a godown. Having obtained our liberty, we went to our houses, and there I performed the sraud, and then proceeded to Moozopherpore, and made a complaint against Mr. Turner, Nowroughee Laul, and the three peons who had seized and carried away my father. The magistrate heard my complaint, and my witnesses; the three peons did not attend before the magistrate, but Mr. Turner and Nowruoghee Laul attended. As the magistrate delayed the investigation very long, and as I saw no probability of its being soon brought

No. 5. Further Extracts from Bengal Judicial Cons. 20 July 1810.—Offences committed in the interior of the Country.

to an issue, I presented a petition to the Court of Appeal, whereupon the proceedings held before the magistrate were sent for, and after a perusal of the whole, we were directed to be sent down to Calcutta.

The mark of
⋈
Fazucul Roy.

Sworn this day and year before written, before me,
(Signed) *C. F. Martin*, Magistrate.

(A true copy.)
(Signed) *A. H. Smith*, Head Clerk.

No. 6.

The Information and Deposition of Ramdial Roy, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the Town of Calcutta, at Fort William in Bengal, the 17th day of November 1809; who, on his oath, saith; I am a native of Boosaree in Sooba Bahaur, a farmer, and of the Brahmin cast. On the 12th or 13th of Assaur last, answering to the 24th or 25th of June, on a Sunday early in the morning, Bhobany Roy Hircara, Mosahib Merdha Hircara, and Bhecrary Roy, zilladaur (a person that superintends the sowing of indigo seed) belonging to Mr. Turner, the prisoner here present, came and seized me, and conducted me to the indigo factory of Mr. Turner, situated at Soonnee, in the province of Behar. Those persons also seized Motty Roy and Roop Sing, and they were conducted to the aforesaid factory. When we reached the factory, one pahor, or three hours English, of the day was remaining, and Mr. Turner came home about the time we reached the factory; he was in boots, and after dusting them, he went into the house. We were taken near the house, and Mr. Turner asked Nowronghee Laul, who is his dewan, if Tilluck Roy was come? Nowronghee Laul said no: but Motty Roy is brought. Mr. Turner seeing him, asked the reason of his not sowing indigo: Motty Roy answered, "Khodabund; I have sowed three times, but the "soil being moist, the whole has not come up; if you will give me more seed, I will sow "again." Whereupon, Nowronghee Laul said to Mr. Turner, "Sir, he is a great kur-"ramzadah, and unless you punish him he will not sow the seed." Mr. Turner then repeated again what he had expressed before to Motty Roy, and received nearly the same answer as before. Mr. Turner, who was at this time at the distance of about two paces from the deceased, went up to him and gave him four blows with his clenched fists about the cheeks; then immediately gave the deceased two kicks with his foot, one of which struck on the hind part of his right thigh, and the other kick or blow struck him on the belly below the navel; Mr. Turner after this, gave the deceased a slap on the face, which knocked his turban on one side; Mr. Turner then laid hold of him by the throat and pushed him away, and ordered him to be put into the stocks; whereupon Bhobany Roy Hircara took Motty Roy, Roop Sing, and me, near the vat-house, where Bhobany and Peary Laul brought the stocks there, and were proceeding to put our legs into it, when I requested of them not to put Motty Roy into the stocks, as he had been beat. They abused me, and said, if Mr. Turner had heard my words he would take the skin off my back. I saw that the stocks were covered with ants; I told them that the ants would torment us to death; upon which they brushed the stocks, and put our legs into it. Motty Roy was put in the middle; I and Roop Sing on each side of him. When we were put into the stocks, half a pahur, or about an hour and a half of the day was remaining. At half a pahur of the night, Motty Roy complained of a great pain in his belly, pointing to his navel, and he seemed to be so from his movements; whereupon I cried for people to come to the place of our confinement, when I requested him to take Motty Roy out of the stocks, he said he could not do so, without the gentleman's order, meaning Mr. Turner. Ouddon called out to Purlaud, another chokeydar; he came to the place, and remained there; Ouddon then called out for Peeary Laul. Peeary Laul came, and opened the stocks, which was fastened with a padlock and key, and released us. I and Roop Sing helped to lift up the deceased; he could neither walk or stand: we laid him on the ground; he never uttered a word afterwards, but continued to keep his hands upon his belly. While the deceased lay in this situation, a mussulman, whose name I don't know, came to the spot and gave out, that the deceased had been bitten by a snake, and he began to mutter something to remove the poison. While we continued in the stocks, and after we were released, I saw no snake approach us, nor did the deceased complain of having been bit by one; all I observed was, a swelling from the right wrist to the end of the fingers; at one pahor in the night, Motty Roy expired, at the place where we had laid him down. Joud-dowal how Kedar and Roop Sing remained by the corpse the whole night. In the following morning Roop Sing went away; at noon on that day, two chuprassees of the krannah came into the factory and examined the corpse; one of them went away, and the other remained by it. In the afternoon of the same day, Omrow Roy, one of the sons of the deceased, and Domon Roy, Sahaub Roy, Dhooroop Roy, Roop Sing Roy, Poloute Moheto, Tobocole Roy, and Chronjee Roy, relations of the deceased, came to the factory and wished to take away the corpse; the thannadar's chuprassy said, that he could not let it be removed until the thannadar had taken a view of the body. As the corpse was getting putrid, the chuprassy at last consented to its being taken away; we accordingly put the corpse on a bamboo tatty, and was taking it towards the thannah, when we met the thannadar in the way; Omroo, the deceased's son, made his complaint to the thannadar. The thannadar desired us to return back to the factory, as he was proceeding thither to make enquiry; Omroo represented to the thannadar, that the corpse was getting putrid, and heavy; and besides, every one that accompanied the corpse was much fatigued and exhausted. The night advancing, the

chu,rassy

chuprassy took us to a village, where we laid the corpse and rested a little; one pahor of the night remaining, we proceeded back with the corpse to the factory, and saw the thannadar there. The thannadar, after he had made his enquiry, ordered the corpse to be burnt. In the afternoon Omroo went to burn the corpse; I and Girdhary were detained at the factory; Tawacul was not then present, he went away before the thannadar came to the factory. Omroo came back into the factory, after having burnt his father's corpse. About five or six days after, Nowronghee Laul, the dewan, requested of Girdhary, uncle of the deceased, and Omroo the son, to give a razunama, or release, to the gentleman, meaning the prisoner. After this conversation had passed, Nowronghee Laul, Daby Persaud, and Bany Roy went into Mr. Turner's bungalow; Girdhary and Omroo followed, but remained on the outside of the bungalow; shortly after, Bany Roy and the other two persons came out; Bany Roy went up to the place where Omroo and Girdhary were, with two hundred rupees in his cloth, while the other two persons remained within the bungalow. Bany Row counted out the money in my presence, and gave it to Omroo; Omroo took the money and gave it to me, and I afterwards returned it to him; we then proceeded to our respective houses. I cannot say, whether Towacul, the prosecutor, partook of any part of these two hundred rupees.

The mark of
Sworn the day and year before written, before me, ✕
(Signed) *Chas. F. Martyn*, Magistrate. *Ramdial Roy.*

(A true copy.)
(Signed) *A. H. Smith*, Head Clerk.

The Information and Deposition of Samuel Dugdile, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the Town of Calcutta, at Fort William in Bengal, the seventeenth day of November 1809; who, on his oath, saith; I am fourth officer on board the honourable Company's ship the Retreat; I have known Mr. John Lathbury Turner, the person now present, from his infancy; we were at school together at Exeter, in Devonshire; he is a native of that place, as well as myself, and our parents reside in that city.

(Signed) *Samuel Dugdile.*

Sworn the day and year first above written, before me,
(Signed) *Charles F. Martyn*, Magistrate.

(A true copy.)
(Signed) *A. H. Smith*, Head Clerk.

The Information and Deposition of Seeta Mahotto, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the Town of Calcutta, at Fort William in Bengal, the seventeenth day of November 1809; who, on his oath, saith; I am a peasant, and cultivate indigo, rice, &c. and reside at Munjhour, in pergunnah Bhoosaree, in Zillah Tirhoot. On the 13th Assaur, corresponding to the 25th June last, while I was at the factory of Mr. Turner, at Soosnee Gau in Tirhoot, making a bargain with his jamadar poorun for renting a field of mangoe trees, a burkundauge came and took the deceased Motty Roy, together with Ramdial and another person, who were standing near to where I was, and carried them to Mr. Turner's bungalow. I was standing about seven paces distant, and could hear Mr. Turner say to them, "why did you not sow the indigo," Motty Roy answered, he had sown, but that the seed had not come up; Mr. Turner said, "you are only spoiling my seed," and immediately struck him two blows with his clenched fist upon the cheeks, upon which Mooty Roy stooped, and his turban fell off. I did not see any other blows given; Mr. Turner then ordered the burkundauge to take Motty Roy, Ramdial, and the third person to the vat-house, which is about the distance of 2 biggahs or 100 yards. I did not hear Mr. Turner give any order to put them into the stocks, and I did not go to the vat-house, and do not know what happened there. They were sent to the vat-house about 24 minutes before sun-set, and about 1 pahor, or 3 hours after sun-set, an alarm was given by the people of the vat-house, that Mooty Roy had been bitten by a snake, and heard the noise from Poorun's house, which is about 100 yards distant; I went to cook my victuals there on account of night coming on, my house being about 3 coss, or six miles, distant; I saw the corpse of Mooty Roy next morning, covered up with a sheet, lying outside of the vat-house, but I did not examine it, and do not know whether there were any marks on it, or not; I went home on the morning that I saw the corpse of Motty Roy, and know not whether Mr. Turner gave any money to any person, or not; and I know nothing further.

The mark of
Sworn the day and year first above written, before me, ✕
(Signed) *Charles F. Martyn*, Magistrate. *Seeta Mahotto.*

(A true copy)
(Signed) *A. H Smith*, Head Clerk.

The Information and Deposition of George Phillott, Esq. taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the Town of Calcutta,

No. 5. Further Extracts from Bengal Judicial Cons. 20 July 1810 — Offences committed in the interior of the Country.

Calcutta, at Fort William in Bengal, the fifteenth day of May 1810, when on his oath, saith; I am an assistant surgeon in the service of the honourable the United Company of Merchants trading to the East Indies; I am a relation of Mr. John Lathbury Turner, and have known him for a long time; he was lately a superintendent of some indigo works belonging to Mr. John Kelso, in Tirhoot. Mr. Turner is an Englishman, and from Exeter, in the County of Devon.

(Signed) *George Phillott.*

Sworn the day and year first above written, before me,

(Signed) *Charles F. Martyn,* Magistrate.

(A true copy)

(Signed) *A. H. Smith,* Head Clerk.

No. 10. The Information and Deposition of Roop Sing, taken upon oath before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the Town of Calcutta, at Fort William in Bengal, the thirtieth day of May 1810, who, on his oath, saith; I am a cultivator, and an inhabitant of Hoorjinna in Zillah Tirhoot, in the province of Behar; I knew Motty Roy, he is now dead; he was malik (proprietor) of village Moozuomabad, and I am malik of village Gunnespoor, which is adjoining the above Zillah Tirhoot. On Saturday about the twelfth or thirteenth of last Aussaur (June) two peons, Bhobany Roy and Mosaheb, and one Zillahda named Bhikdhary, came from Mr. Turner, who is now in imprisonment, to Mouzomabad, staid there that night, and in the morning following seized Motty Roy, and Ramdyal Roy, and me, and took us all three to Mr. Turner's indigo factory at Soosownee, which is six coss distant from Gunnespore. When above one pahor of the day was remaining, Mr. Turner returned to the factory; whereupon the aforesaid peons, and Zilladar, took us before Mr. Turner. He asked Nowranghee Laul, his dewan, who was present also, whether Tilluk Roy, malik of Dhurmpore, had come; Nowranghee Laul said he was not; but that Motty Roy, the malik of Mouzoomabad, meaning the deceased, was come, and pointed Motty Roy out to Mr. Turner; whereupon Mr. Turner asked Motty Roy, whether he had sowed indigo seed or not? Motty Roy replied, that he had sowed twice, that a part had come up, and requested to be furnished with seed for the remainder of his lands; upon this, Nowranghee Laul said to Mr. Turner, that Motty Roy, the deceased, was a "Jewrra haramzada," and told Mr. Turner to punish him; whereupon Mr. Turner struck him four blows with his fist, two on each side of his cheek, and also struck him a slap, and gave him two kicks, one about his navel, and the other on his right thigh. He then shoved him down from the room, which was about waist high from the ground. Mr Turner then ordered all of us three to be put into the stocks, and we were all accordingly put in the stocks, near an indigo vat; Motty Roy was brought to the stocks, held up by Mr. Turner's peons; and no sooner he reached the place, than he fell down, and remained so from the pain in his belly, occasioned by the kick he had received. He applied his hand to his belly, and appeared restless from pain. When it was about half a pahor of the night, Motty Roy addressed me, and said, "I shall not live; disengage me from the stocks, the pain of my belly is excessive." Upon this, I asked Oodun Chokedar, who was placed to watch us, and told him that Motty Roy was in great pain, and requested that he might be set free. A short time after this, we were all three let out of the stocks, at which time Motty Roy was on the point of expiring, and a mussulman, whose name I do not know, and who belonged to the factory, said that Motty Roy was bit by a snake, and directed that he might be brought to him, and that he would use some spells to cure him; spells were used over Motty Roy, but all in vain; Motty Roy died. When Motty Roy desired me to disengage him from the stocks, I asked him what pain he felt, and whereabout the pain was situated; and, as the place was much infested with snakes, whether he was bit by a snake; he said, he was not; but that the pain in his belly was all that ailed him.

The mark of
⋈
Roop Sing.

Sworn the day and year first written, before me,

(Signed) *C. F. Martyn,* Magistrate.

(A true copy)

(Signed) *A. H. Smith,* Head Clerk.

No. 11. The Information and Deposition of Rungit Sing, taken, upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, in Fort William, in Bengal, the thirteenth day of May 1810; who, on his oath, saith; I am a native of Munjhowl, in pergunnah Bhoosaree, in Behar. I knew Motty Roy; he is now dead. On a Sunday, in the month of Assaur last (June) I went to Mr. Turner's factory, which is in Sosowny, in Zillah Tirhoot, about three coss from my village, for the restoration of a calf belonging to me, which was detained in the factory. The jemaddar of the factory, Poorun Sing, told me, that the calf would be restored to me the next day, and I was accordingly coming away; when, in my way back, I saw Roop Sing, who is now here present, and Motty Roy, the deceased, and Ramdyal Roy, who is also here, all three in the stocks, in Mr. Turner's factory. I did not speak to them a word, but went my way. I came to the jemaddar, Poorun Sing's lodging, where, at about one pahar of the night, some servants belonging to the indigo factory came and said, that Motty Roy had been

been bit by a snake. I went to see Motty Roy, and others went also; when I came to the spot, I saw Motty Roy expiring. Ramdyal Roy was supporting him on his breast, and a mussulman, whom I do not know, repeated some spells and prayers; but he did not live. I did not examine the body. Roop Sing, one of the three that were in the stocks, said, at the time, "he has been murdered;" (mar dala hey).

The mark of
Sworn the day and year first above written, before me, ✕
(Signed) *Cha. F. Martyn*, Magistrate. *Runjit Sing.*

(A true copy.)
(Signed) *A. H. Smith*, Head Clerk.

No. 12.

The Information and Deposition of Chhamun Mahots, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the thirtieth day of May 1810; who, on his oath, saith; I am a native of Munjhowl, in Zillah Tirhoot, in the province of Behar. On a Sunday, in the last Aussaur (English date, June) whereabout twelve or thirteen days in the month had passed, I went to Mr. Turner's factory in Soosawnee, in Zillah Tarhoot, in Behar, for the purpose of effecting a settlement in respect of mangoes, which grew in my village, and of which Mr. Turner was thicadar. I continued there for some time after my business was over. Bhobany Sing and Beckdarry Sing, two peons in the service of Mr. Turner, brought Motty Roy, the deceased, Roop Sing and Ramdyal Roy, to Mr. Turner; when about half a pahor of the day was remaining, Mr. Turner asked Motty Roy, why he did not sow indigo? Motty Roy replied, that he had sowed indigo, but that it had not come up; and requested to be furnished with indigo seed again. Bhikdharry said to Mr. Turner, that Motty Roy was a "(dagabaz)" rogue; and that if he were not punished, he would not plant indigo. Whereupon Mr. Turner struck Motty Roy two blows with his fist, which he parried with his hand. Mr. Turner then struck him four blows, two on each side of the cheek; and gave him two kicks with his boots, one on his right hip, and one on the belly. Motty Roy fell down; whereupon Mr. Turner ordered, that he should be put into the stocks; and Bheckdarry and Bhobany Sing, took him away to put him into the stocks. About a ghunee after this, when I was going to Poorun Sing, the jamadar's lodging, I saw Roopsing Ramdyal, and Motty Roy the deceased, in the stocks. At about one pahor of the night, while I was in the lodgings of Poorun Sing, jemadar, I heard that Motty Roy had died from the bite of a snake. I did not go out till the next morning, when I saw the dead body in Mr. Turner's factory, laying covered with a cloth. I did not examine the body.

The mark of
Sworn the day and year before written, before me, ✕
(Signed) *Cha. F. Martyn*, Magistrate. *Chhamun Mahots.*

(A true copy.)
(Signed) *A. H. Smith*, Head Clerk.

No. 13.

The examination of John Lathbury Turner, taken before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, and factory of Fort William in Bengal, the eighteenth day of November 1809.

The said examinant, being charged on the oaths of Towakul Roy and Ramdial Roy, with the wilful murder of Motty Roy, late of Mouzah Hoorjennah, in the province of Behar: and the said examinant, being duly interrogated, says, I am not guilty of the above stated charge.

(Signed) *John Lathbury Turner.*

Taken, the day and year above written, before me,
(Signed) *Cha. F. Martyn*, Magistrate.

(A true copy.)
(Signed) *A. H. Smith*, Head Clerk.

DEPOSITIONS in the Case of Mr. Douglas.

No. 14.

THE Information and Deposition of Thomas Clark, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the fourth day of December 1809; who, on his oath, saith; I was employed by Mr. Mathew Moran in April 1808, to go and erect a set of indigo works at Mootiharry, in the district of Chupra, on ground belonging to Mr. Moran, which was purchased by him, and the sale sanctioned by the Board of Revenue. I arrived at Mootiharry on the 2d May 1808, and was daily prevented by a number of people, said to belong to Mr. Douglas and Motrum Khawn, from taking water from the nulla. In consequence of which, I waited upon Mr. Douglas; who told me, that he did not prevent me from taking water, but that Motrain Khawn would prevent Mr. Moran's people from taking any water, as they had no right to it; and that he,

No. 5. Further Extracts from Bengal Judicial Cons. 20 July 1810.—Offences committed in the interior of the Country.

Mr. Douglas, had sent him one hundred hircarrahs, and would send him four or five hundred more, for the purpose of preventing them from taking water; observing to me at the same time, that he thought I and my family were in great danger by residing there. That in case of any violent affray happening, in which any lives were lost, and which he thought very likely would be the case, that I would be sent out of the country, and then he would provide for my wife and family. Mr. Douglas called at my tent a few days afterwards, when nearly the same conversation took place before my wife. He wished very much, that I would alter the day on which a market was held on Mr. Moran's land, to which I partly consented; but thinking afterwards, that it would not be proper for me to do so without Mr. Moran's consent, I wrote to Mr. Douglas, that I could not comply with his request, without previously obtaining the permission of Mr. Moran. In answer to this, Mr. Douglas wrote to me, saying, "Sir, you had promised to alter the day of your market, but since you "have changed your mind, I have recalled my people from Mootaharry, and shall prevent "as much as is in my power your establishing a market, or taking water from the nulla." This letter is in the possession of my attorney, Mr. Tylors. Matters remained in this perplexing state, while a great number of armed men, by day and night, paraded at the nullah, on Mr. Moran's ground, preventing my people from taking water. They drove them from the nullah and beat them with sticks, so that in fact, the progress of the building of a factory, for many days was wholly put a stop to for want of water. In consequence of this, I was obliged to commence sinking wells, and as often as I opened them, the same armed persons who obstructed me from taking water at the nulla, came on Mr. Moran's premises, beat away my people, and forcibly filled up the wells. The operations of those armed men had been hitherto confined to obstructing my going on with the buildings; but on the 4th of June 1808, between the hours of three or four in the afternoon, after I had retired from the works to my bungalow, a great number of persons, from seven hundred to a thousand, as I supposed, came armed with swords, sticks, and other weapons, suddenly surrounded my bungalow, and a number of them rushed in. I was then upon a couch. They did not give me an opportunity of asking what they wanted with me, but proceeded to beat me with large bamboos, which cut me upon the right eyebrow in two places, and in several other places of the head. I became senseless from the injury I received; and when I recovered, I found myself lying under a tree about 40 or 50 yards from the bungalow; but how I came there I do not know. I saw the munshee khana, in which the native writers belonging to the factory reside, eat, drink, and sleep, and the granary in which the grain, indigo seed, and other stores of the factory are kept, and all the huts on the premises of Mr. Moran, were on fire; but I do not know who set fire to them. The moonseekhana and granary containing several hundred maunds of different sorts of grain, all the huts and outbuildings were burnt to the ground, and the fire continued for several days. My bungalow was plundered of plate, furniture, wearing apparel, and other articles. They hacked the bungalow with their tulwars, broke my palakeen, carried off my tent, horse, and dogs. The horse and dogs were let loose, but every thing else was carried to Mr. Douglas's factory.

Sworn, the day and year first above written, before me,

(Signed) *C. F. Martyn*, Magistrate.

(A true copy.)

(Signed) *A. H. Smith*, Head Clerk.

No. 15. The Information and Deposition of Mrs. Elizabeth Clark, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justice of the Peace, in and for the town of Calcutta, at Fort William in Bengal, the 5th day of December 1809; who, on her oath, saith; My husband, Mr. Clark, was deputed by Mr. Moran in the month of May 1808, to superintend the building of a set of indigo works, situated at Mootiary, in the district of Chuprah. The work was delayed in consequence of the workmen being constantly interrupted by persons said to belong to Mr. Robert Scott Douglas and Mottram Khawn, the latter of whom is holder of some ground contiguous to Mr. Moran's land. In consequence of those interruptions, Mr. Clark went to Mr. Douglas, to state to him the loss and injury which Mr. Moran was suffering from the unwarrantable interference of his servants; and another object he had in view, was to endeavour to make up the differences between them. This attempt, as I understood from my husband, did not succeed. Mr. Douglas and Mr. Clark had afterwards a conference in our tent at Mootcary, at which I was present. Mr. Douglas came, accompanied with a great number of persons. They were not of that description of people who are the usual attendants of one person paying a visit to another. Many of them were equipped with tolwars and other weapons, and in number and appearance seemed an armed force brought thither to intimidate. In the course of the conversation, Mr. Douglas endeavoured to persuade Mr. Clark to change the market day to that of another, which he declined to do, but having in the course of conversation, plainly given Mr. Clark to understand, that his wife and child would incur danger by continuing to reside at Mooteary, and that he did not know what steps Mottram Khawn might take to prevent Mr. Moran building his works on land to which he had no right, for if a contest should arise, and any lives were lost, Mr. Clark would most likely be sent out of the country. Mr. Clark did, in consequence, partly acquiesce in changing the market day. Mr. Douglas went away; Mr. Clark, on further consideration, did not think himself authorized to change the market-day without the sanction of Mr. Moran, and he wrote to Mr. Douglas a letter to this purport. The answer returned was of a threatening nature, and Mr. Clark was therein required not to take water from the nullah, or cut reeds from the lake, which were stated to be the exclusive property of Mottram

No. 5. Further Extracts from Bengal Judicial Cors. 20 July 1810 — Offences committed in the interior of the Country.

Mottram Khawn, who would do all in his power to prevent Mr. Clark from appropriating either water or reeds to the buildings of Mr. Moran or to his own private use. To obviate those frequent inconveniences, and to avoid as much as possible all disputes, Mr Clark commenced the sinking of a well; here also he met with every opposition from a number of persons belonging to Mr. Douglas, who, when the well was opened, forcibly came to the place and filled it up. Matters continued in this state until Saturday the 4th of June 1808. Mr. Clark had on that day returned from the works between three or four o'clock in the afternoon, and had gone to lay down on his cot; at this time I was walking with my child in the shade of some trees near the bungalow; I suddenly heard a great noise from the opposite tope, which I at first thought to be the celebration of some holyday by the natives, but on seeing a great number of persons come out of the tope armed with swords, sticks, and other weapons, and approaching the place where I was, I became very much alarmed and ran into the house; I immediately called out to Mr. Clark, that the people were coming, and had scarce time to say more, and got into my room, when the armed multitude surrounded the house, and some of them rushed in and began to beat Mr. Clark; I shut my door, and concealed myself under my cot, and from thence I observed some of the armed men enter my room, tore away the curtains of the cot, took away all the property which was in the room, and destroyed what they could not carry off. My female servant concealed my child behind a large water jar which stood in the verandah, close to the window of my room. Some of those in the house began to beat my female servant, when others said, "do not beat the woman." This gave me a little courage, and supposing that they would not injure me, I attempted to come out of my room, to go to Mr. Clark, whom I had seen from the window, that the people were using ill at the outside of the house; just as I had opened the door, an hircarrah, named Dirgapaul Roy, belonging to Mr. Douglas, and whom I had noticed when his master came to see Mr. Clark, advanced up towards me with a tulwar, and was about to strike me; a sepoy, dressed in uniform, and whom I had also seen in the retinue of Mr. Douglas, stayed him from striking me, saying, "it was Mr. Douglas's order to "refrain from offering any violence to the babee or child, but to aaidallo, or beat "Mrs. Clark, and all people about the place." Mr. Clark was laying about 15 or 20 yards from the bungalow covered with blood; I retired into my room; from the window, I observed the granary, the moonshee khannah, the godowns, and all the huts on fire; who set fire to them I do not know. Previous to the rioters quitting the bungalow, some of them called out to set fire to it; while others said, "no, no, do not set fire to this house, the babee is inside of it;" when they had done all the injury they would, they came up to me, and told me "to make myself easy, as they had killed Mr. Clark, and would not molest me." They then took their departure. Some of our servants, who had made their escape during the committing of the outrages, returned to the house, bringing Mr. Clark with them. He was wounded in several places about the head, bruised all over the body, and covered with blood, as will appear by the cloaths which he wore at the time, and which I still have by me, in the same state they were when he shifted them. When the confusion was over, we discovered that the rioters had carried off all the articles belonging to the factory as well as to the workmen. In the bungalow, they destroyed almost every thing, plundered us of our little plate, broke open several chests, one of which contained some dozens of china-ware, which they smashed to pieces, robbed my female servants of all their toys or ornaments, and even carried away the bedding, palampore, and the pillows of my child. Nothing escaped them, and what they could not carry off, they destroyed upon the spot. The havoc they occasioned, left us so destitute, that we had not a chair to sit down upon, nor in the kitchen a single utensil to dress our food. To the best of my knowledge, one of the prisoners, Pahar Sing, now shewn to me, was among the persons who committed these acts. The other two prisoners I cannot so well speak to, from the consternation and confusion I was in at the time. My cook was so severely beaten, that he constantly complained of the pains he felt, and he died in about two months afterwards.

Sworn the day and year first above written, before me. *E. Clark.*

(Signed) *C. F. Martyn*, Magistrate.

(A true copy.)

(Signed) *A. H. Smith*, Head Clerk.

No. 16.

The Information and Deposition of Mobaruck Hussain, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the Town of Calcutta, at Fort William in Bengal, the fifth day of December 1809; who, on his oath saith; I am a servant at present out of employment; but in the month of June 1808, I was in the service of Ally Muzzufier Khawn, as a tassildar or collector. I lived at the Bowbanypore garden, to the east of Mr. Clark's bungalow, and distant from it about fifty yards. It was on the forty bigahs of land granted by Cazee Assam Khawn to Mr. Moran. I lived in a straw hut thereon, which Mr. Clarke gave me the means of building. There were other straw buildings on the same land. There was also a bungalow, granary, vats, moonshee khanna, botique shops, and bricklayers houses. I eat, drank, and slept in the hut erected for me. None of my family resided with me, there was only a peon. I recollect an affray on the first of last June, on their land. On that day, Mr. Clarke had ordered his people to cut some reeds from the Jeel adjoining the forty begahs, and within that part borders on the Jeel. They were in the act of cutting the reeds, when Dirgassal Sing, Gunga Sing, Sheekissen Sing, Pahar Tacoor, and other men, armed with sticks, came and ordered Clarke's people to desist. I was on the banks of the Jeel at the time. Clarke's people said,

No. 5. Further Extracts from Bengal Judicial Cons. 20 July 1810:—Offences committed in the interior of the Country.

said, they were not cutting reeds on any other person's land but their own. Whereupon some of those in company with Gungah Sing, Sreekissen Sing, and Pahar Tacoor, went into the Jeel, laid hold of Clarke's people, and drove them out of the water, beating them all the way. Meer Phakoo, a peon of Mr. Clarke's, seeing what was going on, went and informed his master, who called Munnoo Tewarry, and he was ordered to repair to the spot with his men, to prevent Clarke's people from being beat, and to tell Douglas's party that the reeds which had been cut down were within Moran's boundary, and it was very wrong to bring on a dispute. Munnoo Tewarry did so; an altercation took place between both parties; from words they proceeded to blows, and after having fought with each other some time with their fists (neither party using their sticks) they parted and went away. I cannot say which side prevailed. They parted as if by consent, but at parting, Gungah Sing said, it was his master's orders to look out for such a beginning as had occurred, and told Clarke's party to take care of the consequences that might follow. In the scuffle some of Mr. Douglas's people might have been hurt, but not considerably, as neither party fought with sticks or swords. Munnoo Tewarry was Mr. Morand's superintendent of the factory; and his people were thus employed under him for the purpose of the business of the factory. On the 2d of June Gungah Sing, and Drogapall Sing, came within the forty begahs, accompanied with about thirty-five men, cut down a mangoe tree close to Clarke's bungalow, and took it away. No resistance was made on the part of Clarke; but some of his people called out "dhwy, dhwy," and desiring Gungah Sing not to cut down the tree. Gungah Sing and Durgopall Sing said, as you went to cut the reeds, so are we come to cut down the tree. While they were taking the tree away they came to a well, which had been dug on the banks of the Jeel, and filled it up, and then went away. On the 4th of June, in the morning, about three gurries after sun-rise, three hundred men, or thereabouts, came in a tumultuous manner, and stood before the bungalow of Mr. Clarke. On this, all the people employed in the factory came to the bungalow, to see why so many persons were assembled. Futty Ally Jemadar, and others belonging to Mr. Clarke, asked the cause of their assembling; but no answer was given. I saw four or five of the rioters come out of the crowd and perform pojah, and having done so, went away without saying any thing. Mr. and Mrs. Clarke were then in the bungalow, and saw what was going on. They did not say any thing to the rioters. The rioters were about the distance of a begah from the bungalow. In the afternoon, three gurries of the day remaining, I was in my house, and two persons came running to me, saying, there was a great mob coming from Mootyary. On nearing this, I looked out, and saw on the bank a few persons, and all of a sudden about six hundred men came out of the Jeel, and stood on the bank, and then went to the same place where they had performed poojah in the morning. I knew some of them; there were among them Gungah Sing, Durgopall Sing, Soobha Tacoor, Pahar Tacoor, Haytoo Khawn, Kullo Khawn, Meer Ahmud Ally, Burson Roy, and Summarum Sing; on their coming to this place, Futty Ally jemadar, and Onoop chokidar, came out of Clarke's bungalow, and called out "dhwy company, dhwy judge saile," and addressed the rioters, saying, why are you assembled here. You came here in the morning, what are you again come for? The rioters gave no answer at first. Some brandished their swords, spears, and sticks, and some were leaping. A little after, Durgapall called out to Futty Ally and Onoop, to hold their tongues, as it was their master's order to spare Mrs. Clarke and child, and to beat that banchute Clarke, and his people, and drive them out. Whereupon Durgapall and Bursun Roy came out of the crowd, and Bursun Roy struck Onoop with a stick, and Durgapall made a blow at Futty Ally also with a stick, but it missed him, and he ran away. Immediately Durgapall Sing, Sreekissen Sing, Pahar Tacoor, Haytoo Khawn, and others, in all ten or fifteen, went into the bungalow, and the rest remained outside, destroying things in the verandah; others were employed in pulling a tent down which stood near the bungalow. I don't know what was doing in the bungalow. I saw Mr. Clarke run out bareheaded, and wounded, and the blood running down; the rioters followed him, beating him with sticks. Mr. Clarke said twice, "dustoor, "dustoor," and then fell down He raised himself a little, and the rioters repeated their blows till he fell again; he again attempted to rise, and was beat down again, and laid senseless at the foot of a tree. I then went a short distance from the bungalow. Futty Roubut, Clarke's chokidar, who had been absent, returned, and called out "dhwy," on which four of the rioters ran up to him, and one of them cut him with a sword on the right side, and part of the belly; who cut him, I don't know; Futty fell down wounded. The rioters then proceeded towards the vats where the bricklayers were working. The bricklayers, on seeing them, ran away, and the rioters took up the things belonging to the bricklayers. They and others proceeded on to the moonshee khonna; I saw five or seven go in; they were peons, I don't know their names; they took out pots and other things from thence. In the moonshee konnah there was some indigo seed, and Durgapall Sing and Gunga Sing bring fire from opposite, to the shop of Samebah Saho, a moody, on the forty begahs of land adjoining the moonshee khonna. They gathered some dry grass, put the fire on it, blew it into a flame, and then placed it against the thatch of the moonshee khonna, which took fire, and burnt it to the ground. While the moonshee khonna was burning, one of the rioters, whose name I don't know, took from thence some of the burning straw, and carried it, and set fire to the granary, which was also burnt to the ground. The fire continued to burn for two or three days. My hut was not burnt, only the moonshee konnah and the granary. I did not hear Sreekissen Sing, Summurun Sing, Pahar Tacoor, or Soobhao Tacoor, give orders to burn these places. They were present while it was burning. Then some of the rioters brought two hackeries to the moonshee konnah, and loaded them, and another which was standing by, with straw belonging to the factory, and

set

set them on fire, and burnt the whole. The rioters then went to the bezar, plundered the moody and poddaur. They returned again to the bungalow, and some of them went in and brought out different articles of furniture, and took them away. The tent was taken away. Munnoo Tavarry, and other mutsuddies, inhabited the moonshee konnah, eat, drank, and slept there.

Sworn the day and year first above written, before me.

(Signed) *C. F. Martyn*, Magistrate.

(A true copy.)
(Signed) *A. H. Smith*, Head Clerk.

No. 17. Deposition of Sadho Ram, 5th December.

The Information and Deposition of Sadho Ram, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the Town of Calcutta, at Fort William in Bengal, the fifth day of December 1809; who, on his oath, saith; I am at present out of employment; but was formerly a mutsuddy, or writer, in the service of Mr. Douglas, who is an indigo manufacturer at Pepra, in zillah Sarun, in the district of Soubah Behar. Mr. Douglas entertains a number of men in his service, of different descriptions. While I lived with him, he had also armed men, who were ready to fight, or to do any thing else that they were ordered. Among those armed men, he kept in his pay or service, Summarun Sing, jemuldar, Soobhao Tacoor, sepoy, Srie Kessen, jemuldar, and Pahar Tacoor, jemuldar. Those four persons acted under the orders of Mr. Douglas He dispatched them to Mootyary, and desired me to follow them in four days afterwards. While I was at Mootyary, I, as well as the four above-named armed men, received letters from Mr. Douglas, that in the event of Mr. Clarke's people making any movement, we were not to spare them, but to turn them out of possession of the factory. That letter is not with me, but is deposited in the Supreme Court.

Sworn the day and year first above written, before me,

(Signed) *Chas. F. Martyn*, Magistrate.

(A true copy.)
(Signed) *A. H. Smith*, Head Clerk.

No. 18.

The Information and Deposition of Sunt Lall, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the Town of Calcutta, at Fort William in Bengal, the fifth day of December 1809; who, on his oath, saith; I was formerly employed by Mr. Robert Scott Douglas, and kept the hackeray account, at the factory at Pipra. On the 3d of June 1808, while I was at Pakeree Ossoke, I received a letter from Cherunjeebeg Lall, instructing me to provide 100 or 200 armed picked men, but for what purpose I do not know, and send them to him to the factory at Pipra; and to send them along with Bodekissen, who was the sezawal, and to whom I was a writer. On receiving the letter and reading it, I asked the person who brought it, whose name I do not know, but who is a rajpoot, for what reason Bodekissen had been sent for. He replied, that Sadhooram, who was a tussuldar at Mootyary, on behalf of Mr. Douglas, to leave the business, that he might not be involved in a quarrel that was existing between gentlemen, meaning Mr. Douglas and Mr. Clarke. In consequence of the orders which the letter contained, I took a horse and rode round to all the villages under the sezawal, and desired every body who wanted employment to repair to Moonshee Cherunjuvee Lall, at the factory at Pipra; eight or nine men accordingly went from Bukhree, and four or five persons from Bissumberpore. I do not know whether any person went from any of the other villages or not; on Sunday, in the morning, I went to Pipra, where Bhola Tewarry, a hircaira, belonging to Mr. Douglas, arrived on horseback from Mootyary. He said to me outside of the bungalow, before we had seen Mr Douglas, We have obtained a victory; Mr. Clarke is wounded (zikiem.) I asked Bhola if he had seen Sadhoram, who was there? he informed me, that Sadhoram had gone to his own house at Surgeea on Friday the 2d; Bhola then went into the bungalow, and I was following him, when I was stopped by Mr. Douglas's chubdar, who said his master had given order not to admit any person while Bhola was inside; I told him I was a servant, and entered into the room, upon which Mr. Douglas said, why do you come so often here; go and attend to your business? I made my salam, and went away. I did not hear any conversation between Bhola and Mr. Douglas; I again went to the factory on the 7th or 8th, and I saw Cherunjuvee Lall receive 600 rupees from Mr. Douglas, and pay it to the armed men who had returned from Mootyary. They were paid up to the 7th of June, and the servants of the Pipra factory, who had gone to Mootyary to fight, received double wages.

Sworn the day and year first above written, before me,

(Signed) *Chas. F. Martyn*, Magistrate.

(A true copy.)
(Signed) *A. H. Smith*, Head Clerk.

No. 19.

The Information and Deposition of Shecih Fyzoolla, taken upon oath before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the fifth day of December 1809; who, on his oath, saith; I am a husbandman, and a native of Mogla, in Zillah Chupra in Soobah Bahar. I remember on the 4th of June 1808, there was an earthquake, about three gurries of the day remaining, and on that day I saw five or six hundred persons coming towards Mootyary, some by land and others by water. Those persons were armed with sticks and tulwars. They first stopt

No. 5. Further Extracts from Bengal Judicial Cons. 20 July 1810:—Offences committed in the interior of the Country.

about ten paces distant from Mr. Clarke's bungalow, at Bhobanypore in zillah Chupra, in Soobah Bahar. The armed men afterwards proceeded and came near a mangoe tree, which was about one pace distant from Mr. Clarke's bungalow, when Onoop, Mr. Clarke's chokidar, called for justice: "Dowe, Dowe, in the open face of the day these men are "come to commit a dacorty." Whereupon Sree Kissen Sing, one of the prisoners now present, said, Be quiet, Banchoot, it is my master's orders not to molest the beebee saheb and the baba, but to beat Mr. Clarke and his people, and turn them out from the premises; that he, Clarke, might not be able to erect a factory there. Pahar Thacoor, Sreekissen Sing, Sumrum Sing, and six or seven others, beat Onoop with sticks, which brought him to the ground, and they then forcibly entered into the bungalow. What passed in the bungalow I did not see. Mr. Clarke came out from the north door, and was endeavouring to run away, when he was pursued and beat by the prisoners and others. I heard Mr. Clarke tell the prisoners, that it was against the regulations to beat Europeans. The prisoners and others replied, it was their masters orders; and continued beating him. I saw Mr. Clarke fall down on the ground in consequence of the beating. Mr. Clarke got up, and attempted to run away, but he was brought to the ground a second time.. Mr. Clarke got up again, and attempted to effect his escape. He was brought to the ground a third time. In this situation, he continued bleeding much from the face, and I observed blood about the cloaths. The prisoners and others proceeded towards the vats. In their way they met Futty Rawate, a chokidar of Mr. Clarke, whom they beat; and some of them, but whom I cannot say, gave him a cut with a tulwar on the right of the belly. The bricklayers, who were at their work in the vats, on seeing the rioters ran away. The prisoners and others plundered them of their tools and their cloaths. They then proceeded towards the moonshee khonna, and plundered it of every thing; but they did not touch the grain or the indigo seed. There was some fire at a short distance from the moonshee khonna, which had been left by some person that had cooked victuals at the place. Drupall Sing took some straw from the chopper, and gave to Gunga Sing. Gunga Sing put some fire into the straw, and began to blow at it. Drupall Sing assisted Gopall Sing in blowing it into a flame. I heard four or five others say, in a loud voice, blow up the house, the saheb will be glad of it (meaning Mr. Douglas) and will give us buxsees. This order was again given by the prisoners, and another person of the name of Sabhoo Sing repeated it. I saw the granary and the moonshee khonnah on fire, but I cannot say who set fire to it. Some of the rioters, but who I cannot tell, went behind the moonshee khonnah, and set fire to three hackeries; while the hackeries were burning, the rioters proceeded towards the bungalow, plundered the remaining articles that were in the bungalow, and took a tent, and a horse with them, and proceeded towards Mootyary.

Sworn the day and year first above written, before me,

(Signed) *C. F. Martyn*, Magistrate.

(A true copy.)

(Signed) *A. H. Smith*, Head Clerk.

No. 20. The Information and Deposition of Bhoiro Roy, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the fifth day of December 1809; who, on his oath, saith; I am a peasant, and live at Bilbona, near Motiharee, in the district of Chupra. In the afternoon of a Saturday, four days from the end of Joistee, or June, 1808, I went to the bazar at Bhowaneepore; and finding it shut up, I proceeded towards Mulcharee; and, in my way, I saw five or six hundred people assembled at a bungalow, inhabited by Mr. Thomas Clarke. I saw Bussun Roy strike Onoop, chokidar of Mr. Clarke's bungalow, with a stick. Afterwards Pahar Thacoor, Drupaul Sing, Sree Kissen Sing, Hetoo Khawn, Calloo Khawn, and several other persons, rushed into Mr. Clarke's bungalow; a short time afterwards, I saw Mr. Clarke come out of his bungalow, and much blood flowed from his head; and many of the people were beating him with sticks; and Mr. Clarke fell down twice; and the third time that he fell, he became senseless. Some of them were plundering the bungalow. I saw the moonshee khannah granary, and a hut, and three garries, or carts, on fire; but I do not know who set them on fire. They carried away a horse and a tent, and plundered the bungalow of every thing that they could carry away.

Sworn, the day and year first above written, before me,

(Signed) *Cha. F. Martyn*, Magistrate.

(A true copy.)

(Signed) *A. H. Smith*, Head Clerk.

No. 21. The Information and Deposition of Radha Kissen, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the fifth day of December 1809; who, on his oath, saith; I was formerly employed by Mr. Douglas, as collector of the village of Chintamoupore. On Friday the 24th of Joyt 1215, (Fuslee), corresponding to the 3d of June 1808, I went to the factory of Mr. Douglas, at Pissera, about eight o'clock in the morning, and saw Cherunjeeree Lall, who was Mr. Douglas's moonshee, engage about forty persons, as servants; and told them, that they were engaged for the purpose of going to Mootyary, to fight Cherunjeeree Lall; went into the bungalow to Mr. Douglas; and when he came out again, he said to the people

people whom he had engaged, that Mr. Douglas had ordered them to go to Mootyary, and beat the gentleman, and turn him out of Mr. Moran's factory. He did not mention the gentleman's name, but desired them to turn him out of Mr. Moran's factory, and to prevent him from establishing a factory there. A short time after this, Mr. Douglas came out of the bungalow, and also gave orders to the people to go to Mootyary, and beat the gentleman, and turn him out of the factory. After this, Siodeal Sing, the nephew of Cherinjeevee Lall, said to his uncle, that the villages of Bissumberpore and Bukheria, were inhabited by Rajpoots; and told him to write a letter to Sunt Lall, who was there, with Bade Kissen, desiring him to pick out a hundred, or a hundred and fifty men, and send them also. Cherinjeevee Lall did, in consequence, write a letter, and sent it by a coyst, named Gnidhar. Mr. Douglas was walking backward and forward outside of the moonshee khonnah, in the flower-garden. He heard this conversation, and desired Cherinjeevee Lall to write a letter, but did not dictate any particulars. I know nothing about the affray at Mootyary.

Sworn the day and year first above written, before me,

(Signed) *Cha. F. Martyn*, Magistrate.

(A true copy)

(Signed) *A. H. Smith*, Head Clerk.

No. 22.

The Information and Deposition of Rauj Dhurr Rawoot, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the 5th day of December 1809, who, on his oath, saith; I am a native of Mootyary in zillah Chuprah, in Sooba Behar, and a husbandman. While six days were remaining in the month of Jayt, before the last, one evening a dosand, or chokidar, belonging to Mr. Douglas, came to my house, and desired me to go with him to fight. I told him I did not know how to fight; the chokidar went away, and I, Sobhanny, and Peero, proceeded to the house of Cherungeevee Lall, the mooktear of Mr. Douglas; Cherungeevee Lall took us before Mr. Douglas, and told him we had refused to go to fight. Mr. Douglas spoke something to Cherungeevee Lall, in English, which I did not understand. Cherungeevee Lall came and informed us, that Mr. Douglas said we must go to fight, and if we do not, he would flog us, and take away our lands, and banish us from the village. We went to our homes. On the following day, Saturday, four days of the month of Jayt remaining, a number of persons armed with sticks and tulwars began to assemble early in the morning, at a place called Puttya. I joined them also, through fear of Mr. Douglas's putting his threats into execution. We collected in a large body, and proceeded to Bhabanypore, to Mr. Clarke's factory. We arrived near the factory at about three gurries in the morning. Sriekissen Sing, Pahar Tacoor, and Drapall Sing, the principal jamadars, laid down their arms, and said their prayers, in order to be successful in the fight. They got up, armed themselves, and gave orders to proceed back to Mootyary, the place where they had originally assembled. We went thither, and in about one gurrie and a half we were served with refreshments. When three gurries of the day were remaining, Sheekissen Sing, the prisoner now present, and Drapall Sing, said, "Victory is on our side, let us arise and proceed." We got up and proceeded towards Mr. Clarke's bungalow, which we reached in a short time. When we came near the bungalow, I saw the prisoner Sieckissen Sing, without uttering a word, take his stick, and gave a blow to Goveye, Mr. Clarke's cook, upon the head. Some others beat him also; he fell down on the ground. Onoop, Mr. Clarke's chokedar, seeing what was passing, cried out, "Dowe, dowe;" upon which the prisoner Sreekissen Sing abused him, and called out to him to be quiet. He added, I have Mr Douglas's orders not to meddle with madam and the child, but to beat Mr. Clarke, and to set fire to his bungalow. Whereupon the prisoners, Sreekissen Sing, Pahar Tacoor, and some others, rushed into the bungalow. What passed there, I do not know. Shortly after they had entered the bungalow, I saw Mr Clarke running out of the bungalow, with his head uncovered. As he was running he was warding off the blows with both of his hands, which the prisoners Sreekissen Sing, Pahar Tacoor, and Drapall Sing, were giving him with sticks. Mr. Clarke fell down twice, and got up, but the third time Mr. Clarke fell upon his face, and could not rise again; Mr. Clarke bled very much from the head, face, and other parts. I was much frightened, and stood at a distance, from whence I saw the moonshee konnah burning; who set fire to it, I did not see. The armed men began to plunder the bungalow. The tent was afterwards cut down by Sobanny. Hattoo, mussulman, belonging to Mr. Douglas, took away Mr. Clarke's horse. We then went away.

Sworn the day and year first above written, before me,

(Signed) *Charles F. Martyn*, Magistrate.

(A true copy.)

(Signed) *A. H. Smith*, Head Clerk.

No. 23.

The Information and Deposition of Cassem Ally Khawn, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the Town of Calcutta, at Fort William in Bengal, the fifth day of December 1809, who, on his oath, saith; I am a peon, at present employed by Mr. Smith, the Judge of Circuit at Patna, and was formerly employed by Charles Boddam, the Judge and Magistrate of zillah Sarun. In the month of Joyt 1215, (fulsee) I received a perwannah from Mr. Boddam, and was directed to go to the daroga of Culleanpore, and apply to him for assistance, to bring Foyjun Sicklegur and others; I do not recollect the date, but I arrived there on a Friday; on the Saturday

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Saturday morning, hearing that Foyjun had gone to Mooteary to purchase some leather, and that some of the others had entered into Mr. Douglas's service, I went, accompanied by a burkundauze named Emaumbux, and in the way I saw smoke, which appeared to be a fire, in the direction of Mootyary; I mentioned the circumstance to Emaumbux, who said, he supposed that the smoke arose from the burning of Mr. Moran's bricks; when we approached Mootyary, we met four labouring people running away without any cloths upon their heads, and of whom we enquired, what was the matter? they informed us, that they had run away from fear, in consequence of a body of people belonging to Mr. Douglas, that had come to Mr. Moran's factory in a riotous manner, had wounded Mr. Clarke, and set fire to the moonshee konnah. When we advanced a little farther, I saw Futtah Gowallah lying on the ground, and he had received a slight wound by a sword, on the right side; as we passed Mr. Clarke's bungalow, Mrs. Clarke sent Foyjoolla, chuprassy, to call me and Emaumbux, I told him that I was a peon of the court, and then upon duty, and could not go; I also told him, that as there was a quarrel between Europeans, I did not wish to be involved in it, or to be afterwards called upon to give evidence. Foyjoolla came a second time, in consequence of which we went into Mr. Clarke's bungalow, where I saw him lying on a cot, and blood flowing copiously from his brow; Mrs. Clarke shewed us his clothes, covered with blood, and told us the circumstances; but this was after the affray, and the riotous people had all dispersed, and I saw nothing of it. We left the bungalow, and proceeded on our duty to the village of Mooteary, where we saw Mr. Douglas's people making out a list of some European articles, among which were two spoons, which appeared to be silver, two shades, and a bundle wrapt up in a blanket, the contents of which I do not know; Emaumbux informed them, that Mrs. Clarke had related the circumstances to us, and told them that they had done very wrong in beating Mr. Clarke, and plundering his house, they replied, that they had acted according to Mr Douglas's orders, and that he was responsible for whatever they had done; they further said, they would take every thing to the factory, to their master, Mr. Douglas. In the crowd I saw the three prisoners now present, whose names, I am informed, are Pahar Tacoor, Sree Kessen Sing, and Sumerum Roy.

Sworn the day and year before written, before me,

(Signed) *Chas. F. Martyn*, Magistrate.

(A true copy).
(Signed) *A. H. Smith*, Head Clerk.

No. 24. The Information and Deposition of James Bruce, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace, in and for the town of Calcutta, at Fort William in Bengal, the 5th day of December 1809; who, on his oath, saith; I am acquainted with Mr. Robert Scott Douglas, of Pepra, pergunnah Majawah Zillah Sarum, and have known him for several years; he is an indigo planter in that district: I have frequently heard him say that he was born in England, though I do not know of what country he is.

J. Bruce.

Sworn the day and year first above written, before me,

(Signed) *Cha. F. Martyn*, Magistrate.

(A true copy)
(Signed) *A. H. Smith*, Head Clerk.

No. 25. The Information and Deposition of Mathew Moran, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace, in and for the town of Calcutta, in Fort William in Bengal, the 5th day of December 1809; who, on his oath, saith; I am an indigo planter at Barah, in the province of Behar. Sometime in the month of April 1808, I employed Mr. Thomas Clarke to go to Mootyary, to superintend the building of a set of indigo works, which I was then erecting at Mootyary, on forty begahs of land, which I had obtained a potah for, from Cazey Hussain Khawn, with the sanction of the Board of Revenue; Mr. Clarke did accordingly proceed to Mootyary, sometime in the month of May 1808. From the time of Mr. Clarke's arrival at that place he frequently wrote to me, stating the improper conduct of the servants of Mr. Robert Scott Douglas, who were continually obstructing the work from going on, and my people from taking water from the Jeel, to go on with the building; in consequence of which I wrote to Mr. Clarke, to dig wells and obtain water, in order to prevent having any altercation with Mr. Douglas or his people; in this attempt he was also opposed by Mr. Douglas's people, who forcibly entered on my premises, and filled the wells up. I had received continual accounts of the interruption my people met with from those of Mr. Douglas, while going on with the building; in consequence of which I wrote Mr. Douglas a letter, desiring him to prevent his people from committing such unwarrantable outrages; in answer to which I received a very dissatisfactory reply. About the 7th or 8th June I received further accounts, that a large body of people, belonging to Mr. Douglas, had forcibly entered on my grounds, and beat and cruelly ill used Mr. Clarke, and other servants belonging to the factory; that they had set fire to a granary, containing a large quantity of different sorts of grain and indigo seeds, moonshee konnah, and several other out-houses, and had carried off almost every thing they could lay hold of, belonging to me and Mr. Clarke, at the factory.

Sworn the day and year first above written, before me,

(Signed) *Cha. F. Martyn*, Magistrate.

(A true copy)
(Signed) *A. H. Smith*, Head Clerk.

The

The Examination of Sreekissen Sing, Someron Roy, and Pahoi Tacoor, taken before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta and factory of Fort William, in Bengal, the sixth day of December 1809. No. 26.

The said examinations being charged on the oaths of Thomas Clarke, Elizabeth Clarke, Mobarruck Hussain, Sadhoram Sunt Lall, Shukh Fyzoolla, Bhairoo Roy, Radho Kissen, Rajdhur Rawoot, Cassim Ally Khan, Mathew Moram, and James Bruce, and with having riotously assembled, and maliciously, wilfully, and feloniously set fire to, and burnt to the ground, one thatched granary, containing eighteen hundred cutcha maunds of different sorts of grain and indigo seed, and a thatched moonshee konnah dwelling, together with divers other straw huts, or dwellings, the property of the said Mathew Moran; and the said examinants, being duly interrogated, say, we are not guilty of the above stated charge.

Taken the day and year first above written, before me,
(Signed) *Cha. F. Martyn*, Magistrate.

(A true copy.)
(Signed) *A. H. Smith*, Head Clerk.

DEPOSITIONS in the Case of THOMAS GARDINER.

The Information and Deposition of Tucktee Buvah, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of Peace in and for the town of Calcutta, at Fort William in Bengal, the ninth day of June 1810; who, on her oath, saith; I am the widow of the late Harro, and an inhabitant of Kurimali, in Zillah Krishnagore, in the province of Bengal. Six days remaining of the month of Choyte, or April last, on a Tuesday, and prohor of the day remaining, Loboye and Huneef, two packs belonging to Mr. Kelso, came to my late husband's house, and said, that Mr. Gardiner wanted him. Harro was at this time smoaking a chillum of tobacco; Cattay Khawn, a brother-in-law of Harro, was with Loboye and Haneef. Harro went along with them, of his own accord. On Thursday Lochum Birwas came to my husband's house, and informed Damoo, my brother, that my husband had been beaten by Mr. Gardiner, Haneef, Loboye, and a sepoy; and that he was kept in the factory, and was not suffered to go home. Lochum Birwas also said, that Harro was very ill, and he was speechless, and there were no hopes of his living; and he said, if Damoo wishes to see him, he ought to go to the factory; whereupon Damoo set off instantly on the same night, or a little of the night remaining. Damoo came home, and gave me tidings of the death of my husband. I lamented the loss of my husband, and remained at home. I did not go to see the corpse of my husband, because it was in the factory, and I was afraid of loosing my cast. Besides which, my husband's lawful wife did not go there herself. In the afternoon that my husband went to the factory, he was not ill; he was in good health, and so for many days prior to his going thither. He was a strong, healthy, middle sized, stout man, and was not old. No. 27.

The mark of
Sworn the day and year first above written, before me, ✕
(Signed) *C. F. Martyn*, Magistrate. *Tucktee Bewah.*

(Signed) *J. Gonsalves*, Int^r.

(A true copy.)
(Signed) *A. H. Smith*, Head Clerk.

The Information and Deposition of Callay Khaun, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the ninth day of June 1810; who on his oath, saith; I am a clashee, in the service of Mr. Kiloo, and am attached to an indigo factory at Tuddoonofpore, in the district of Khrisnagore, in the province of Bengal. On a Tuesday, about two months ago, on the day of the new moon, I was taken from Mirzapore village, where I had been to get indigo seed, sown by Loboye and Hanup chowkeedaurs of the above factory; Haroo, clashee, the deceased, was also taken away along with me. Haroo was seized by the chowkudaurs after I had been in their custody. He was taken at his house at Kurimale village, in the aforesaid district. We were taken to the Tuddolpore factory, and kept in the sircar's writing office, until the gentleman, Mr. Gardiner, had done taking his dinner, when we were produced before him by the said chowkudars, at his outh chatta or bungalow. Mr. Gardiner asked us why we had not sown seed; and he said we had committed a great fault, and for which we must be punished. Mr. Gardiner then ordered Loboye and Haneef to beat us; and Mr. Gardiner brought from a godown two canes, of the length of about two cubits, and of the thickness of my little finger, which he gave to Loboye, and with one of which, Haneef gave Haro, the deceased, five or six strokes about his posteriors. Mr. Gardiner got angry with Haneef, and said you are blind. He snatched the cane from his hand, and then gave it Loboye, and ordered him to beat us; whereupon he gave the deceased four or five strokes upon his posteriors; and afterwards he gave me about ten strokes with the same cane on the posteriors. After this, Mr. Gardiner ordered a sepoy, whose name I do not know, to beat Harro. He gave Harro five or six strokes with one of the canes about his posteriors. After this, Mr. Gardiner took the cane from the hand of the No. 28.

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sepoy, and gave Harro about five strokes on his back; Mr. Gardiner then ordered Haneef to rub chilly and salt upon us; Haneef brought some salt only, and rubbed it on the parts where I and Harro had been beaten. I felt a smarting for a short time; the marks swelled a little. Mr Gardiner then ordered Loboye and Haneef to take us to Juddoonotpore factory, which is from two to three coss distant from this factory. Harro in the way told me that he had not received four months wages; that he would take his wages and leave the service, as he could not bear to be flogged frequently; I and Harro proceeded to the Juddoonotpore factory, and remained in the lodging of the chowkudars who had first brought us under custody. I requested of Harro, who was my brother-in-law, to go home; Harro replied, he would not go away, until he received his wages. On the next day, Wednesday, Harro began to complain of experiencing constant thirst, and he drank much water. Loboye Khawn, a relation of ours, who had come to the factory on his own business, came to the place where we were, and asked us why we had not gone home; whereupon Harro replied, that he had been vomiting, and was taken ill with a bowel complaint, which made him unable to proceed to his home. At this interval, Buxmahomed, another brother-in-law of the deceased, came to the place, and gave him some khoye, or fried paddy to eat; he eat two or four mouthfuls of it, and Buxmahomed went away, leaving us together. On Thursday following, Damoo, another brother-in-law of the deceased, came, and brought him choorah or beaten rice, and washed it in some water, and gave him to drink it. Harro drank some. I and Damoo remained by him on that night. I left Harro on a durmah mat, and went to sleep; at the latter part of the night I was awakened by Mooyden and Hessumdy Piadah. They desired me to go and inform Harro's family of the death of Harro. I came back to the factory, and saw Mr. Gardiner walking about in his bungalow, and the tamah people making investigation. My deposition was likewise taken by the buxey or mohorir. On the second day of Harro's death, the mohorir came and ordered the corpse out of the room where it had lain. It was accordingly dragged out of the room by Buxmahomed and Loboye Khawn, over planks, broken bricks, &c. which rubbed off part of the skin from the right posteriors. Mr. Gardiner requested of the mohorir to hold his inquest in the room where the corpse lay, to which the mohorir paid no attention, but said he would have the corpse out, which was accordingly done. Four days after I was ordered by the mohorir to dispose of the corpse. I and the other relatives of the deceased buried it. We were afterwards taken to the tannah, and from thence sent to Mr. Eliot, the magistrate, who took my deposition, and sent me to Calcutta with the others.

Sworn the day and year first above written, before me,

The Mark of ✕
Callay Khawn.

(Signed) *C. F. Martyn*, Magistrate.

(A true Copy.)

(Signed) *J. Gonsalves*, Int^r.

(Signed) *A. H. Smith*, Head Clerk.

No. 29.

The Information and Deposition of Nobye, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the ninth day of June 1810, who, on his oath, saith; I am a chowkeidar, attached to the Juddoonotpore indigo factory, belonging to Mr. Kelso, in zillah Kishnagore. In the month of Choyte last (April 1810) on a Tuesday, at about seven in the morning, Mr. Gardiner, the superintendent of four indigo factories of Mr. Kelso, came to the Juddoonotpore factory, and ordered me and Haneef chokeedar, to go and call Harro, the deceased, and Callay Khan, two superintendents in the cultivation of indigo. We proceeded on our errand, and found Callay Khan at Mirzapore village, in the said zillah, to whom we communicated the order. Callay Khan said he was ready, and came along with us. We then proceeded to the house of Harro, the deceased, at Kurimali, in the said zillah. Harro accompanied us to the Juddoopore factory. I went to Mr. Gardiner's bungalow, and informed him that Harro and Callay Khawn were brought, and I was ordered to produce them before him. I did so. Harro and Callay Khawn were asked why they had not sown indigo seed, as this was the time. Harro did not make any answer; but Callay Khawn said he had sown indigo seeds. The gentleman then again asked Harro why he did not sow indigo seeds, for which neglect he ought to be punished. Mr. Gardiner thereupon walked into a room, and brought out from thence a rattan of the length of about two cubits, and of the thickness of my little finger, and gave it to Haneef, and said, lugow, or strike him; whereupon Haneef gave Harro three strokes with the said rattan about his waist, upon the cloth, but as he squinted, and could not see well, Mr. Gardiner snatched the rattan from his hand, and he gave the rattan to a sepoy, whose name I do not know, and desired him to beat Harro. The sepoy gave Harro five stripes with the rattan on the back. Mr. Gardiner then gave the rattan to me, and ordered me to flog Harro with it; I did accordingly give him four stripes about the posteriors. Mr. Gardiner then took the rattan out of my hand, and gave of himself to Harro seven stripes about the back. Mr. Gardiner, after this, ordered Haneef to apply salt to the parts where Harro had been flogged. Mr. Gardiner then went into the cookroom, and brought from thence some black salt, about half a chuttack, in his hand, and gave the same to Haneef, and ordered him to rub the parts with it. Haneef did so. Mr. Gardiner ordered me to rub in chilly, but none was rubbed in, although the same was brought by Hollodhur Baworchy, by the direction of Mr. Gardiner. We were afterwards ordered to go to the Juddoonotpore factory. Harro, as I understood from himself, had been ill about twenty days before, of a bowel complaint.

Neither

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Neither Harro or Cally Khawn were put into custody. We proceeded on to the Juddoonotpore factory, where we arrived about seven in the evening. Harro and Callay Khan went to sleep. I went the rounds at daylight in the morning. I got up, and was proceeding to the village, to see indigo seeds sown, when I desired Harro to go also to his duty. Harro said he would not serve any longer; so did Cally Khan. They would wait for their wages, and upon receiving them, they would go away, as Mr. Gardiner had beat them without any cause. About five in the afternoon of the same day, I returned to my lodging from my duty, when I found Harro calling for water frequently to drink. Callay Khan, in my presence, told him to go home. Harro said he expected Mr. Gardiner at the factory; and when he comes he would take his pay, and then go home. Callay Khan eat some rice, but Harro did not eat any. I went to the bungalow, and on my return I enquired of Callay Khan, why Harro had refused to eat rice. Callay Khan said, he did not know why Harro had refused to eat rice. I went to sleep, in the morning I got up, and was about to go to my daily work, when, in my presence, Harro was calling for water to drink. Callay Khan said, if he would eat rice, he would give him water, otherwise not. I gave Harro some rice in a plate; Harro took a mouthful, but he could not swallow, and threw it up. Harro only continued to drink water. I saw him once vomit. I returned from my duty in the afternoon, and found Harro had eased himself in his cloth, and he had also vomited. He complained of a great heat about his body, and was rolling about the hut. Damoo after helped Harro up, and made him sit down; he also took him out whenever Harro wanted to go to ease himself, which might be two or three times on the same evening. About seven or eight I went to my own home at Tangara, and I did not see any thing further of Harro. Two days afterwards two ticka peons of the thannah came to my house, and carried me to the factory, where the corpse lay, and where the buxey took down my deposition. I did not see the corpse of Harro. From the factory I was taken to the thannah by the thannah people, and from whence I was conducted before the magistrate, Mr. Elliot, before whom my deposition was taken, and from whence I have been sent to Calcutta. This is all that I know of this business.

Sworn the day and year first above written, before me,
(Signed) *C. F. Martyn*, Magistrate.

The mark of
✕
Nobye.

(A true copy.)
A. H. Smith, Head Clerk.

(Signed) *J. Gonsalves*, Intr.

No. 30.

The Information and Deposition of Haneef, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the ninth day of June 1810; who, on his oath saith; I am a ticca peon, in the service of Mr. Kilso, belonging to his indigo factory, situated at Juddoonotpore, in the district of Kishnagore. Three months ago, on a Tuesday, Mr. Gardiner came to the Juddoonotpore factory, from that of Jadubpore. The gentleman sent for me and Nobye, into his office, and ordered us to go and bring Callay Khawn of Odlossie, and Harro of Hurmate, to the Jadubpore factory. We went to the Muzapore village, where we found Callay Khawn, whom I told that Mr. Gardiner wanted him, Callay Khawn said he was ready. From thence, with Callay Khawn, we proceeded to the house of Harro, and told him, that Mr. Gardiner also wanted him; Harro accompanied us. In the afternoon we reached the factory, and took them before the gentleman, who asked Callay Khawn why he had not sown indigo seeds; Callay Khawn said he had sown some. After this, Mr. Gardiner asked Harro if he had sown any? Harro said he had not sown any, as the land would be covered with grass, whereupon Mr. Gardiner said to Harro, that he had neglected to do his duty, and he would punish both Callay Khawn and Harro; whereupon Mr. Gardiner ordered me and Nobye to punish them; Mr. Gardiner brought out from a room two pieces of rattan, of about the size of my little finger, and about two cubits long, one of which Mr. Gardiner gave me, and the other he held. I was directed to flog Harro; I gave Harro three stripes on the posteriors. Mr. Gardiner took the rattan from me, saying, I could not flog well, and delivered it to Nobye. Nobye gave four stripes upon the posteriors, the end of the rattan split, and bruised a little of the skin of Harro's waist, of the size of a paddy. The same rattan was taken from Nobye, and given to a sepoy, whose name I do not know; and he was ordered to flog Harro. The sepoy thereupon gave Harro five stripes on his posteriors; the gentleman snatched the rattan from the sepoy, because he gave one stripe on the back; and then Mr. Gardiner gave with his own hand seven stripes on the back. The gentleman, after this, ordered some chilly and salt to be applied to the parts that had been flogged. Some salt and chilly were given to me in a broken earthen pot; I threw away the chilly, because I was told by Nobye and others, that the chilly would burn very much; but I rubbed the salt upon Harro; I do not recollect who gave me the salt and chilly. Callay Khawn was beaten in like manner by Nobye and the sepoy. At this time I went to the sepoy's lodging for a drink of water. I did not see Mr. Gardiner beat Callay, but applied salt to the flagellation, by the order of the gentleman; Mr. Gardiner then ordered me, Nobye, Harro, and Callay Khawn, to go to the Juddoonotpore factory. We accordingly went to the factory at Juddoonotpore. In the way, I desired Harro and Callay Khawn to go to their homes; they replied, that they would not go away until they received their wages; and they further said, that they would not serve Mr. Gardiner any longer, because they were beaten without cause; when we reached the factory, Harro and Callay Khawn requested of me and Nobye to allow them

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them to remain in the lodging of the peon, and other servants. I took my victuals in the above lodging, and went to watch Mr. Gardiner's office. On Wednesday following I saw Harro drink water frequently. On Thursday following, in the evening, I asked Harro how he was? Harro said he was drinking water, and has been vomiting and purging. After two o'clock in the morning, Hessundy peon came to Mr. Gardiner's office, and informed me that Harro was dead. Every person left the factory, and went away; I also went to my own house. On the third day of Harro's death, some of the tannah people went to my house, and brought me to the factory, where Harro had died; and I was taken into Mr. Gardiner's bungalow, where the bareey took my deposition. I did not see the corpse of Harro; I was taken by the bareey to the tannah, from thence before the magistrate, Mr. Eliot, where my deposition was a second time taken, and from whence I have been sent down to Calcutta.

The mark of
Sworn the day and year first above written, before me, ✕
(Signed) *C. F. Martyn*, Magistrate. *Haneef.*

(A true copy)
(Signed) *A. H. Smith*, Head Clerk.

No. 31. The Information and Deposition of Damoo Gazee, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the ninth day of June 1810; who, on his oath, saith; I am a cultivator of land, and an inhabitant of Hurimale, in zillah Nuddea, in the province of Bengal; when about six days were remaining in the month of Choyt (April last) on a Thursday, at or a little after one prohor of the day, in the morning, Lochan Biswas, one of the ameens of the Juddoonotpore factory, situated in the aforesaid zillah, and belonging to Mr. Kilso, informed me, at my house, that Harro, superintendent of the said factory, was very ill; I asked Lochim Biswas where Harro was. He informed me, that Harro was in the factory. Lochun Biswas also desired me to take a lotta, for Harro to drink water from. I did not take the lotta with me. About six ghurries of the day remaining, I went to the factory, and saw Harro in the house of the chowkeydar belonging to the factory. I found him laying on a mat. He seemed to be very uneasy, and was muttering some words, which I could not understand. I was at this time standing near the door of the chowkeydar's house, and went close to Harro, and stood by him for some time. He looked at me for a while, and then said, "brother Damoo, are you come, give me some water to drink;" whereupon I took an abkhorra, or a brass cup, belonging to Hassundy Poada, of the factory, and give Harro some water to drink. A little while after, he requested of me to lift him up. I did so several times; and he set down, whilst I supported him. Shortly after, he asked me again for water; and I gave him some. Some time after this, I washed some chooia, or beated paddy, and gave him the water to drink. After this nourishment, he seemed a little easy; but soon after, he became in the same state as before. Upon seeing him in that state, I asked him, what was the matter with him; he said, that the gentleman had beat him, and chilly and salt was rubbed upon the part where he had been flogged. I saw about eight or ten strokes upon Harro's back. They appeared to have been done with a rattan. I saw these marks when I lifted him up, in order to let him sit down. When about one prohor of the day was remaining, Harro, in that uneasy state, requested of me to take him out of the house. I took him out, where he made water, and eased himself; and at dark, I brought him back into the house, where he had been before, and laid him down at the same place. I took leave of Harro, and was proceeding home; and, after I had got to the distance of eight or ten cubits, Haneef chowkeydar called me, and said, Harro wanted me. I returned, and found Harro in the same state. Harro said to me, "brother, remain here this night, and attend upon me." I did accordingly remain with Harro, and attended upon him, and frequently gave him water to drink; that is, as often as he asked me for it. He did not complain of any internal, or external pain, or any other malady. About seven in the evening, I went to lay down near him, on a plank. In about an hour afterwards, I heard him groan. I got up, and went to him, and found him speechless. I repeatedly called him by his name, but could get no answer from him; whereupon I awoke Collye Khawn clashee, and Haram chokiydar; the former was within a fatty or fence, and I and Harro within another. Both of them came up to Harro, and found him groaning. They called him by his name, and could get no answer from him. Near midnight, I found Harro in agony. I went to Hassanidy Peada, who was in another hut, at a short distance, and informed him the state in which Harro was, and said he was at the point of death. I and Hassanidy then proceeded to the house of the dewan, Srieburry Bose, in order to inform him of the state in which Harro was; when we reached the dewan's house, Hassanidy Peada called out to him, by his name; he did not answer; but another person within replied, that the dewan was asleep; whereupon Hassanidy mentioned to him that Harro would not live. This person desired Hassanidy to go with a chokeydar, and inform the gentleman, Mr. Gardiner, of the circumstance. We did not go to the gentleman, but went back to Harro, whom I found in the state I had left him. I and Hassanidy went again to the dewanjee; and Hassanidy called him out. The dewan asked Hassanidy what he wanted; Hassanidy said Harra was dying, and he requested of him to come and see him. The dewanjee followed us. He came and stood without the house in which Harro was, and asked of Hassanidy, if he, or any one else, could feel the pulse. Hassanidy said he could not, but Moozdeen could; whereupon Hassanidy called Moozdeen, who was at the gentleman's bungalow.

Moozdeen,

Moozdeen, in a short time, came; and the dewanjee desired him to feel Harro's pulse. Moozdeen did so; and said, he would not live. At this time the groaning ceased, and he had a little breath remaining in him. I left him alive at about two prohor, and proceeded to the thannah, in order to give notice. I reached the thannah at about two and a half prohor, and found the jemmedar at the thannah, to whom I related the circumstance. The jemmedar asked, if Harro was dead? I replied, that he was not dead; whereupon the jemmedar desired me to go to the factory, and remain there until Harro died; and to give him notice. I told the jummedar, that I could not go back to the factory, but was going to my own house. Early in the morning I sent to the Jaddobepore factory, in order to inform the gentleman of the situation that my brother-in-law, Harro, was in. I could not find the gentleman there, but was given to understand, by a gomasta of the above factory, that he had gone to the Juddoonautpore factory, the place where my brother-in-law was. I then crossed the bate creek, in order to proceed to Juddoonautpore factory; and, at which place, on the bank of the creek, Sheikh Bhollye, a clashee in the employ of the gentleman, Mr. Gardiner, informed me that Harro was dead; I asked him from whom he had got that information; Bhollye said that he heard it from another person. Bhollye desired me to proceed to the factory with expedition; and he also desired me to give notice at the thannah. I did accordingly go to the thannah, and gave notice to the jemmedar and his buxry, or muhmer; whereupon the thannah people proceeded to the factory. They found the gentleman in his bungalow. The thannah people went into the hut where my brother-in-law lay, and where I saw him lying dead. They received the corpse; some of the thannah people brought some villagers, in order to take a view of the corpse. Before the body was exposed to view, the corpse was brought out of the hut where it had laid by the buxey, who held the deceased by both of his hands; and another person, whose name I do not know, held both of the deceased's legs; and, in this manner the corpse was brought out. I saw, at the time, at the view of the body, that the back and posteriors were covered with dust, I did not see them before, and I cannot therefore say whether the parts were in that state before, or whether it was caused at the time of removing out the body. I also observed the skin on the right posterior rubbed off. It appeared to have been as if the corpse had been dragged over some hard substance. In the afternoon, the thannah people went and brought some villagers, and proceeded in their presence to take down depositions of Callay Khawn, a peon of the factory. I remained there three days; and during my stay there, the thannah people had not finished their investigation. They took down also my deposition. I left the factory on the next day after my deposition had been taken. I did not see how, or in what manner the corpse was disposed of. Some days afterwards I was taken by the thannah people before the magistrate, Mr. Eliot, who took my deposition, and sent me, with others, to Calcutta.

The mark of
Sworn the day and year first above written, before me, ✕
(Signed) *C. F. Martyn*, Magistrate. *Damoo Gauzee.*

(A true copy.)
(Signed) *A. H. Smith*, Head Clerk.

The Information and Deposition of Manick Gauzey, taken upon oath, before me, Charles Fuller Martin, one of his Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Begal, the ninth day of June 1810; who, on his oath, saith; I am a cultivator of land, and an inhabitant of Oolassee, in the zilla of Krishnagore. On a Thursday, in the month of Chogte, or April last, about two gurries in the night, I went to the lodging, Sohaye, in the factory of Mr. Kilso, on account of having been overtaken by rain. I there saw two paikes, whose names I do not know, together with Goberdhone, Cally Khawn, Harro, and Damoo. I saw Harro very restless and groaning, and Damoo giving him water to drink. I asked Damoo what was the matter with Harro. He said, that the gentleman, without naming who he was, had beaten him. At about two and a half prohor of the night, Harro seemed in agony, he was groaning and speechless. Upon hearing Damoo say he was going to the Tannah to complain, I quitted the place, and went to my own house; I saw Harro on the night of his death. He vomited twice, and went out once in order to ease himself. I saw nothing further. I did not see his corpse afterwards.

The mark of
Sworn the day and year first above written, before me, ✕
(Signed) *C. F. Martyn*, Magistrate. *Manick Gauzee.*

(A true Copy) (Signed) *J. Gonsalvez*, Int^r.
(Signed) *A. H. Smith*, Head Clerk.

The Information and Deposition of Moozeen Sirdar, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the ninth day of June 1810; who, on his oath, saith; I am a chowkeedar, in the service of Mr. Kelso, to watch his factory at Juddonothpore, in the district of Krishnagore. On a Wednesday, some time in the month of Choyte last, I returned from Ranaghaut. In the afternoon I went into my lodging in the said factory, where I found Harro and Cally Khaun, both sleeping, and I asked them the reason

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of their being there; they said that they had been flogged for a trifling fault, and they would not therefore serve the gentleman any longer. I eat my victuals, and went to watch Mr. Gardiner's bungalow, leaving them in the lodging. On the next morning, at about four gurries, I returned to my lodging, and when I saw Harro and Cally Khan, Harro was asking for water, whilst laying on his back. He appeared to be very sick. He vomited twice in my presence, and stooled once, and soiled the place; I went and informed the Dewan Sree Harry Bose of the circumstance; and stated to him, we were not able to take our victuals, owing to Harro's having dirted the room. The Dewan desired me to represent it to the gentleman, as they refused to go away until their wages were paid to them. The gentleman at this time was at Jadoolepore factory; I mentioned the circumstance to Mr. Gardiner, and the gentleman said he would come in the next day and settle the business; and in the mean time he desired me to tell Harro to go home. About two prohor and a half I returned to my lodging, where I found Harro and Damoo; Harro seemed in the same state I had left him, and Damoo was giving him some water from beaten rice. I went and took my victuals, and then I proceeded to watch the bungalow. About a prohor of the night remaining, Hessandy, peada, came and informed me that Harro would not live, and he requested of me to go and see him. I went, and felt his pulse, and found him dead; Cally Khawn and Damoo went away to their houses. I put some oil in the lamp, and fastened the door of the room, and returned back to my post. On the next morning, Friday, a little after sunrise, Mr. Gardiner came to the factory, whence we informed him of the death of Harro; the gentleman seemed very much surprised at it. He went and looked at the corpse; about four or six dondo in the morning, the buxey, or mohorir of the thannah, came, accompanied by a number of others, and surrounded the bungalow, seized me, and kept me at a distance. The gentleman was deprived of his breakfast on that morning. Some time after the thannah Jemadar came, and proceeded to take a view of the corpse. The gentleman requested of the buxey to take down the soorotehaul in the room; the buxey refused, and ordered the corpse out; whereupon two persons, Shekh Lobahdy held both hands of the deceased, and Buxoy both of the legs, and dragged the corpse out into a plain, near the door of the room, and then a view of the body was taken. In the course of examination I observed six or seven strokes, as of a rattan, upon the back of the deceased. The skin of the right posterior had been rubbed off; this, I suppose, was done by the dragging of the corpse from the room to the outside, over the planks, coah, gravels, &c. The buxey then proceeded to take depositions from them. I, and the others, were taken to the thannah, from whence we were sent before the magistrate, Mr. Eliot, who took down our depositions, and sent us to Calcutta.

The mark of
×
Moozdeen Sirdar.

Sworn the day and year first above written, before me,
(Signed) *C. F. Martyn*, Magistrate.

(A true copy.)
(Signed) *A. H. Smith*, Head Clerk.

(Signed) *J. Gonsalves*, Int^r.

The Information and Deposition of Jungly, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the ninth day of June 1810; who, on his oath, saith; I am a chowkeedar, attached to the indigo factory of Mr. Kelso, situated at Juddoonotpore, in zillah Krishneegore. On a Thursday, about three months ago, I came to the above factory, from Ryjolpore factory, at dusk, and went to the lodgings allowed to me and other chowkedars, where I saw Harro, the deceased, lying down, and Callay Khawn, Damoo Harro's brother-in-law, Gobirdhone, Manick, and Harrawn Chow keedar; upon seeing them at the lodging, I asked Calley Khawn, what had brought them there? Cally Khawn replied, that they would not serve the gentleman, meaning Mr. Gardiner, any longer; while I was talking to Calley Khawn, Harro, whose face was covered with a cloth, uncovered it, and I asked him the same question as I had put to Cally Khawn. Harro replied, that he would not serve the gentleman any longer, because he beats us frequently for mere trifles. Harro frequently desired Damoo, his brother-in-law, to lift him up; and called for water to drink as often as he sat down; he was supported by Damoo. I saw, during the time I was there, that Harro vomited twice. I asked Harro, why he drank so frequently? Harro said, he could not help it, because he found himself very thirsty, and that he had vomited, and had a looseness. After this I had no further talk with Harro, but left him with his brother-in-law Damoo, who was attending upon him, and taking care of him. I went and took my victuals, and retired to my duty of guarding the store godown and the washerman's house. About two and a half prohor of the night I heard a noise proceeding from the mouth of the deceased, as if he was in convulsions. I desired Damoo to feel Harro's body, whether he had expired; Damoo felt his body, and said the body was cold. I called Hessamdy Peon to come and see what was the matter with Harro. Hessamdy came, and saw Harro, and said, he is dead. Hessamdy desired me to go the cutcherry, or office, and inform Tavildar, cash keeper, of the circumstance. I went away, leaving Harraun in my room. I went and brought the cash-keeper, who saw Harro from a distance; before whom Hessamdy said, Harro is gone, or dead; when I returned with the cash-keeper, I did not find Harrawn. I got alarmed, being alone in the room where the corpse was; I therefore went to the gentleman's bungalow, and remained there. At day-light, I went into the village to make some tobacco, and shortly after returned, and went to Moozdeen, chowkeedar of the bungalow, and told him

him that I was going to my own house at Carnyado; Moozdeen said, go; and I went to my house, and saw nothing further. I was not present at the investigation, nor have I seen the corpse of the deceased, either before or after his death, consequently I am not able to say in what state it was.

The mark of
Sworn the day and year first above written, before me, ✕
(Signed) *C. F. Martyn*, Magistrate. *Jungley.*

(A true copy) (Signed) *J. Gonsalves*, Int^r.
(Signed) *A. H. Smith*, Head Clerk.

The Information and Deposition of Harrawn, taken before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace, in and for the town of Calcutta, at Fort William in Bengal, the ninth day of June 1810; who, on his oath, saith; I am a chowkeedar, in the service of Mr. Kelso. On a Friday, about three months ago, I came to Juddoonotpore factory, from another factory, upon my master's business; I reached this factory at about two gurries at night; I went to the lodgings allotted to the chowkedars in the said factory, and there I saw Callay Khawn, Harro the deceased, Damoo, Gobordhone, Cayborto, and Manick; I asked Callay Khawn what was the matter with him, and the others; Callay Khawn replied, that the gentleman, Mr. Gaidiner, beat him; I then took my victuals and went to shop; about twelve o'clock at night, Jungley, another chowkeedar, awoke me, and directed me to keep chowkee or watch, at the lodging and cutcherry or sircar's office; I got up, and proceeded to do my duty; six dondo of the night remaining, I heard from some one in the lodging, that Harro was dead; I went into the room where the corpse lay, and saw him dead and laying upon a mat: the moment that Harro was dead, the dewan, whose name I do not know, gave me a letter, and ordered me to go to another factory, and to give it to Mr. Gaidiner. I went and delivered the letter to Mr. Gardiner at the factory; and I took leave of the dewan of this factory, and went to my own house at Bomny. At the time I mounted guard, I did not consider Harro, the deceased, as my prisoner, nor had I any instruction by my predecessor, about him; I did not even see what kind of beating Callay and Harro had received, nor did Callay Khawn describe it to me; I had no conversation with Harro, but before I had taken my meal, I saw Harro very uneasy and restless: Damoo, a brother-in-law, attended upon him; he frequently called for water; I likewise saw him vomiting three times; I did not see him taken out of the room; I was much fatigued myself, and took my victuals and went to sleep; I was not present when tannah people went there to make investigation. This is all I know.

The mark of
Sworn the day and year first above written, before me, ✕
(Signed) *C. F. Martyn*, Magistrate. *Harrawn.*

(A true copy.)
(Signed) *A. H. Smith*, Head Clerk. (Signed) *J. Gonsalves*, Int^r.

The Information and Deposition of Thomas Paye, taken before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the twelfth day of June 1810; who, on his oath, saith; I am an assistant at Mr. Farrel's academy; I have known Mr. Gardiner nearly six years: he was formerly a midshipman and master's mate on board of His Majesty's ship Trident; since my acquaintance with him, he has frequently spoke to me of his family and connections in the United Kingdom, and that he himself was born in Ireland, though I do not know of what county he is.

(Signed) *Thos. Paye.*

Sworn the day and year first above written, before me,
(Signed) *C. F. Martyn*, Magistrate.

(A true copy.)
(Signed) *A. H. Smith*, Head Clerk.

The Examination of Thomas Gardiner, taken before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the 12th day of June 1810.

THE said Examinant being charged on the oaths of Tucktee Beeva, Callay Khawn, Nobye Haneef, Damo Gawzy, Manick Gawzy, Moozdeen Sirdar Jungley, and Hurraun, with the wilful murder of Harro; and the said Examinant being duly interrogated, says, I am not guilty of the aboye charge.

(Signed) *Thos. Gardiner.*

Taken the day and year first above written, before me,
(Signed) *C. F. Martyn*, Magistrate.

(A true copy)
(Signed) *A. H. Smith*, Head Clerk.

No. 5.
Further Extracts from Bengal Judicial Cons. 20 July 1810 — Offences committed in the interior of the Country.

DEPOSITIONS in the Case of Mr. THOMAS CLARKE.

THE Information and Deposition of Hoolaus Mundle, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the twelfth day of June 1809; who on his oath, saith; I am the son of Mooncoor Bismas, late of Nundenpore, in zillah Purneah; I am also an inhabitant of the aforesaid place. On Saturday, on the day of the full moon, in the month of Poos last, the date I cannot recollect, my father came home on foot, as usual, from his duty as a teshildar, in the service of Sundharam Cayet, a talookdaur, of Mirpore, in the district of Purneah, at about a phurr of the day remaining, and told me, that he had been very much beaten by Mr. Clarke, because he had refused to receive advance for indigo plants. I know Mr. Clarke, and have seen him often at Cawhyah, in the district of Purneah, at his indigo factory; the European here present is the same Clarke; when my father mentioned to me his having been beaten, I immediately examined him with my hands, and both felt and observed swellings and contusions about one of his temples, his neck, breast, and both of his thighs, and a bruise below one of the calf of his legs; the situation he was in, and the pains in consequence felt, arose, as he said, from the treatment of Mr. Clarke; my father also said, that Dhroop Sing, Mr. Clarke's dewan, gave him four rupees in cash, and two cows valued at nine rupees, as an advance for indigo plants; my father desired me to take the four rupees, and to go before the magistrate of the district, and prefer a complaint in the fouzdairy court against Mr. Clark, in a regular way; and if he should get better, that he would hire a horse and go to Purneah himself; I begged my father to eat something; he said he could not swallow any thing, nor sit up, and besides which, he found himself very restless; upon his expressing himself to be so very unwell, I did not leave him, but continued sitting alongside of him until about the hour of midnight, when he became speechless and fell into convulsions, and began to throw out blood from the mouth and nose; at about two gurries of the night remaining my father died; one gurrey before my father died, I sent Atma and Onoop to inform Mr. Clarke that my father could not live; when Atma and Onoop returned, they informed me that they met Mr. Clarke coming to see my father, and that when they gave him the information of my father's death, Mr. Clarke said, "my going is of no use," and he returned home; No sooner I found my father had expired, than I sent Nunnoo, another person, to inform Mr. Clarke that my father was dead; on the next morning at sunrise, I, with the assistance of fifteen or sixteen other persons, took up the dead body of my father and carried it to Purneah, in order to make a complaint against Mr. Clarke, but in the way I took the dead body of my father into the factory of Mr. Clarke, at Cawbyah, and represented the circumstances, and at the same time I observed, that my father had died in consequence of the beating he had received from him; Mr. Clarke paid no attention to my statement; he got into a buggy, and went to another factory at Phurkyee, which is at the distance of one full coss, upon seeing no kind of regard paid to us, I and my comrades took up the body, and followed him to Phurkya factory, and preserving a due distance from the factory, lodged the dead body on the ground, and waited for Mr. Clark, as I observed his buggy standing on the road, shortly afterwards, Mr. Clarke came out of the Phurkya factory and got into his buggy, and was proceeding towards Purneah; at a short distance from the last-mentioned factory, I laid hold of the bridle of the horse and expostulated with him, when, instead of his hearing me, he gave me a cut with his buggy whip; I did not for all that quit my hold of the bridle of the horse, but secured the bridle with my cloth, and, with the assistance of some of my comrades, I began to lead the horse towards Purneah; while Mr. Clarke continued in the buggy, at the distance of about a coss he dismounted from the buggy, and endeavoured to make his escape; I, with the assistance of my comrades, secured Mr. Clarke with our hands, and I requested him to get into the buggy; Mr. Clarke heard us, and got into the buggy, and on the next morning after sunrise we reached Purneah, and Mr. Clarke wrote a note and dispatched it to Mr. Cornish, the magistrate; shortly after, the magistrate sent some peons to conduct Mr. Clarke before him; I and my comrades, with the body, proceeded to the cutcherry, as directed by the magistrate's peons; sometime afterwards, the magistrate and Mr. Clarke came to the cutcherry, when the magistrate, with his darogah, examined the corpse, in the presence of several other European gentlemen, and on the same day the magistrate took down my deposition, and allowed me to put the corpse into the Ganges; before this was done, the magistrate proposed to me to cut open the corpse, to see what cause led to the death of my father; I remonstrated against it, saying I should lose my cast if it was done; I do not know if Mr. Clarke was put into confinement, because I did not see any person over him; on the eighth day of my arrival at Purneah, I was ordered by the magistrate to go to my house; I went and performed my father's sraud, or funeral obsequies, and after some days I was sent for again, and further examined; about a month and a half ago, I and the other witnesses were sent for, and ordered to proceed to Calcutta, under charge of two peons; Munkhondee, Mr. Clarke's dewan, in the presence of two witnesses, offered me a sum of money to settle the matter, with several other promises, such as making a rich man and his dewan, all of which I refused, and now only seek for justice.

Sworn the day and year first above written, before me,

(Signed) *C. F. Martyn*, Magistrate.

(A true copy.)

(Signed) *A. H. Smith*, Head Clerk.

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The Information and Deposition of Almah Mundle, taken upon oath before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the twelfth day of June 1809; who on his oath, saith, I am a peasant, and an inhabitant of Nimdenpore in zillah Purneah. One day of the full moon remaining, in the month of Poose last, on a Saturday morning, I went to receive advances from Mr. Clark, at his factory in Cabyah in zillah Purneah, and where I saw Monpoor the deceased. A dispute arose between Dhroop Sing and Mr. Clark's sircars, about the price of a pair of bullocks, and for which reason Monpoor refused to receive any advance himself, until he had consulted with Surdoe his employer and others, and rose up to go away. Dhroop Sing sent for him, and told him that he must receive advance, and desired him to set down until he had mentioned it to Mr. Clark. Dhroop Sing went and spoke something to Mr. Clark. Mr. Clark came out of his bungalow, and gave five or seven blows with his clenched fist, upon Monpoor's temple, neck, face, and other parts of his body, when Monpoor fell down on the ground; and then I saw Mr. Clark give Monpoor two or three kicks with the fore part of his foot. Mr. Clark had shoes on at the time, similar to those generally worn by gentlemen. I observed the kicks to strike about the thighs and private parts of Monpoor. I picked up Monpoor's turban when he fell down, and I gave it to him afterwards. Caroo Mundle began to call out "Doal, Doal;" and Mr. Clark ordered his servants to seize him, when Mr. Clark went into his bungalow and brought out a whip in order to beat Caroo Mundle; but when Caroo Mundle was brought before him he did not beat him, because Carroo Mundle promised to receive advance. During this time Monpoor got up, and was going towards his house, I saw Munkhondee, Mr. Clark's duwan, go up to Monpoor, and brought him back with some flattering words, and made him receive advance. Moonpoor received four rupees in cash, and two bullocks valued at nine, in the whole thirteen rupees. Monpoor requested of me to conduct the bullocks he had taken to his house; I consented, and he went away. Shortly after, I went and conducted the bullocks, and in the way I met with his children, and told them to take the bullocks to Monpoor's, as they were brought by him; they took the bullocks away, and I went home. Before daybreak in the next morning, some of Monpoor's relations came to my house, and requested of me to go and acquaint Mr. Clark, that Monpoor could not live. I accordingly got myself ready, and almost instantly proceeded, and went to the factory at Phuikger, and informed Mr. Clark of the situation in which Monpoor was. Mr. Clark said he would go and see Monpoor, and got his buggy ready, and he proceeded in it; and I told him, that I could not run by the side of his buggy. Mr. Clark desired me to remain, and follow him. In the way, I met with Nunnoo, who informed me that Monpoor was dead. I observed Mr. Clark had gone into Cabyah factory; I went and informed him, that Monpoor was dead. Mr Clark said, he could not help it. I went to Monpoor's house, and saw him lying dead. Shortly afterwards, I and the deceased's son, and several others, took up the corpse, with a resolution to take it to Purneah, and prefer a complaint against Mr. Clark. In the way, at a place called Khurentta we met with Mr. Clark, when Hollan's, the deceased's son, and some others, secured him; and the son said, "Sir, you have killed my father, and I shall not suffer you to run "away, but will deliver you over to the magistrate; and likewise, I will produce the corpse "of my deceased father before that gentleman." Mr. Clark once dismounted from the buggy, and attempted to run away, when the son of the deceased secured him, and repeated what I have already stated, that he would not suffer him to escape. Mr. Clark seeing no alternative, went into the buggy, and suffered himself to be conducted until he was taken charge of by the magistrate, Mr. Cornish, at Purneah, who examined the corpse of the deceased, and took down my deposition; and after some time I was sent down to Calcutta with others. The European now here present, Mr. Clark, is the very person who beat Monpoor in the manner I have described. I saw Monpoor a day before this occurrence took place, when he appeared to be in perfect good health.

The mark of
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Almah Mundle.

Sworn the day and year first above written, before me,
(Signed) *C. F. Martyn*, Magistrate.
(A true Copy.) (Signed) *A. H. Smith*, Head Clerk.

The Information and Deposition of Caurroo Mundle, taken upon oath, before me Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the twelfth day of June 1809; who on his oath saith; I am a peasant, and live at Nundinpore in zillah Purneah. One day of the full moon remaining, in the month of Poose last, on a Saturday, in the morning, I accompanied Monpoor Biswas to Mr. Clark's factory, situated at Cunbyah in the above zillah, in order to receive advance for indigo plants. I, and Monpoor, on our arrival at the factory, went to Dhroop Sing, Mr. Clark's sircar, who requested us to receive fresh advances; upon which Monpoor Biswas said he had no bullocks to plough his ground, and therefore he could not receive fresh advance. Dhroop Sing sircar said, take bullocks from the sircar, meaning from Mr. Clark. Dhroop Sing sircar desired me to go and bring two bullocks from a number that were grazing in a field near to the factory. I accordingly went and brought two bullocks before Dhroop Sing sircar, who said the value of them was ten rupees; upon which Monpoor replied, that they were not worth more than seven, or at the most eight rupees. Dhroop Sing sircar said he would not take less than ten rupees. Monpoor refused taking the bullocks. Dhroop Sing sircar then offered Monpoor money. Monpoor said he could not take money, until he had consulted his son and Surdharam Cayet his employer. Dhroop Sing sircar told Monpoor, "You shall not be allowed to go away from here until you receive advance." In

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this interval, Mr. Clark came out of his bungalow, and went near Dhroop Sing sircar, and asked him the reason of the people's making a noise; upon which Dhroop Sing sircar told Mr. Clark, "Sir, Monpoor does not wish to receive advance." Mr. Clark also asked Monpoor the reason of his refusing to take advance; Monpoor said he could not receive any until he had consulted his son. Monpoor was then standing very near Mr. Clark, who upon hearing Monpoor's refusing to receive the advance, he, Mr. Clark, began to beat him with his clenched fist, about Monpoor's face, neck, and head, and Mr. Clark also kicked him about Monpoor's legs and private parts, which brought Monpoor instantly flat on his back to the ground; and while he was lying in this condition, I saw Mr. Clark give him a kick, which struck him on the private parts. Monpoor, upon receiving the kick, began to cry out "Father, Father." I began to cry out, "Daac Company, Daac Company," and ran at a distance. Mr. Clark gave orders to his servants to lay hold of him, when about seven or eight of them came and seized and carried me before Mr. Clark; and Mr. Clark brought out a whip to strike me with, but he did not do so, and he asked the reason for my making a noise. Mr. Clark after this, went into the bungalow, and I went away to my house, leaving Monpoor in the aforesaid factory. On the same evening, about one pohore, or eight o'clock, I went to the house of Monpoor, in order to see him; when I got into the house, I saw Monpoor laying down on a mat, and I told him to take his victuals. Monpoor said he could not, because he was not able to swallow any thing, and that he found his liver bursting. On Friday, the day before he was beaten, I saw him take his victuals as usual, twice, once in the morning and once in the evening; and besides which, he appeared to me to be in very good health. I left him and went to my own mansion, which is situated very near to that of Monpoor; very early, before daylight, I heard Monpoor's sons, Hoolans and Coskie, crying; I went and saw Monpoor in convulsions and bleeding much from his nose and mouth, and he expired at daybreak. On the following morning, I accompanied Monpoor's corpse, with several others, and carried it to Purneah; and in the way, at Khurentta, we saw Mr. Clark going in a buggy towards Purneah. Hoolans, the eldest son of the deceased, upon seeing him, secured him, by laying hold of the bridle of the horse, when I saw Mr. Clark give Hoolans a cut with the buggy whip he had in his hand at the time; nevertheless, Hoolans and Coskie, another person that was with us, secured the horse with their cloaths, by tying their cloaths with the bridle, and in this manner they led the horse, while Mr. Clark continued in the buggy. On the Monday following, in the morning, we arrived at Purneah, Mr. Clark in the way, once dismounted from the buggy, and attempted to run away, but the sons of the deceased and some others prevented his escaping; and when he saw no alternative he got into the buggy, and suffered it to be led until we arrived at Purneah, and delivered him over to the magistrate. Mr. Cornish, who examined the corpse, and took my deposition, and some time afterwards sent us to Calcutta. The European here present is Mr. Clark; and he is the same person that beat Monpoor at his factory at Cunbyah, as I have before described. I have every reason to suppose Monpoor died in consequence of the beating he had received from Mr. Clark; because I saw him throw up much blood from his mouth and nose; and besides, the deceased complained to me that he could not swallow any thing, and that he felt pains about his neck, breast, and other parts of his body.

Sworn the day and year first above written, before me.

(Signed) *C. F. Martyn*, Magistrate.

(A true copy.) (Signed) *A. H. Smith*, Head Clerk.

The Information and Deposition of Tillokee Mundle, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the fifth day of June 1809; who, on his oath saith; I am an inhabitant of Nundunpore, in zillah Purneah, and following the occupation of a peasant: One Saturday morning in the month of Poose last, the date I cannot recollect, in consequence of a message which I received from Mr. Clark's servant, to come and take advance, I, Atma Monpoor Mundul, and Cawroo Mundul, went to Mr. Clark's indigo factory, situated at Cawbyah in the above zillah; we went to Dhroop Sing, Mr. Clark's sirkar, who desired us to wait a little, that he would give us our advances. One ghurry after we went to Munkhurdhe Mundul, a person in the service of Mr. Clark, who also desired us to wait for one ghurry, and that he would see our advances given to us. About half a ghurry after this conversation, Monpoor Mundle went to Dhroop Sing sirkar, who desired Monpoor to choose two bullocks, and take them to him; Monpoor and Atma remained by the sircar, I and Cawroo Mundle went to the place where a number of bullocks belonging to Mr Clark commonly graze in a field, and brought three into the factory, two for Monpoor, and one for myself. In the way I met Munkhurdhe Mundul, who asked me the reason and by whose order I was taking the bullocks away; I answered, that the sirkar had desired me to take two bullocks before him; upon which I left the one, and carried two before the sircar, who said to Monpoor, the price of them is ten rupees. Monpoor offered to give eight rupees for them; the sircar refused to let him have them for that price; upon which I and the other person before mentioned, took our leave of the sircar, and said, we were going to our houses. The sircar said he would not suffer us to go away, unless we received advances and executed bonds for the same; Monpoor observed to the sircar, that he used to receive advances in the month of Assum (September) why now in Poose (December) and he refused to receive the advance, until he had seen his ground. The sirear went and informed Mr. Clark, who said to Monpoor, "you must take your advance to-day." Monpoor refused, as before; upon which Mr. Clark gave Monpoor five or six blows with his

his clinched fist about Monpoor's face and neck. On receiving the blows, Monpoor fell down on the ground, when I saw Mr. Clark likewise give to Monpoor two or three kicks with the fore part of his foot; he then had on shoes. I and my comrades that went with me on seeing Mr. Clark beating Monpoor, began to cry out, "Doie sahebka, doie sahebka;" when Mr. Clark asked the sircar who we were. The sircar said, that we were Monpoor's brother's; then Mr. Clark gave orders to some of his peons to lay hold of Cawroo Mundul, and bring him before him, Mr. Clark; Cawroo Mundul was seized and taken before Mr. Clarke; I likewise followed him, and assigned the reasons of our crying out for mercy, that is, because he had beat Monpoor Mundul. Monpoor Mundul was going away, when Munkhundhee, Mr. Clark's mundul, went up to him, and entreated of him very much with flattering words, to receive his advances; whereupon Monpoor Mundul came and received four rupees in cash, and two bullocks which had been valued at nine rupees, in all making thirteen rupees; and on the receipt of them he executed a Bengal bond, as usual. Monpoor and Atma went away from the factory, and I remained for one ghurry, and went away to my house after dusk. On the same night, after I had taken my victuals, I went to the house of Monpoor, which is at a short distance from mine. I found Monpoor lying on a mat, and his victuals ready; I requested of him to take his victuals, when he mentioned to me, that he found himself unwell, and his throat so swollen, that he could not swallow any thing; this, he said, was in consequence of the beating he has received from the sahib, meaning Mr. Clark. I remained with Monpoor for a short time, and went to my house. On the third day I was informed of Monpoor's death. I was afterwards taken to Purneah, before the magistrate, where I gave my deposition. I did not see the corpse of Monpoor. The European here present is called Mr. Clark, and he is the person that beat and kicked Monpoor in the manner I have before described.

The mark of ⋈
Tillokee Mundle.

Sworn the day and year before written, before me,
(Signed) *C. F. Martyn*, Magistrate.

(A true copy.)
(Signed) *A. H. Smith*, Head Clerk.

DEPOSITIONS in the Case of JAMES TICHBORNE.

THE Information and Deposition of Ram Golaum, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the fourteenth day of June 1809; who on his oath, saith; I have been in the service of Mr. Tichborne for five years past, as a gomastah, and continued in this capacity until the month of Assim, or September 1808, when, one day in that month, which I do not recollect, I was put under the charge of a peon of Mr. Tichborne's, and kept in his house until the next day, when Mr. Tichborne sent me, under charge of a peon, named Seetoram, belonging to the court of the magistrate Mr. Ahmuty, under an accusation of having made away with four thousand five hundred and seventy-two rupees. The magistrate called upon me to give an answer to Mr. Tichborne's complaint. I presented a petition to the Court, that an aumeen might be deputed to examine my accounts. The magistrate did not comply with my request, but sent two office-peons with me back to Mr. Tichborne's house, to prepare my accounts, and then bring them to him, I accordingly returned to Mr. Tichborne's house, and desired his sircar, Raghoobunse Lall to make out the accounts. Mr. Tichborne would not permit him to do so, but beat him with his fist, and kicked him. In consequence of this treatment, the nephew of Raghoobunse Lall presented a dhurkhaust to Mr. Ahmuty, and another chuprasy was sent from the Court to prevent Mr. Tichborne from beating the persons who were preparing the accounts. During the time the accounts were preparing (about a month) I was kept under constraint in the bungalow of Mr. Tichborne, with the peons over me by day, and Mr. Tichborne's people by night. At last the accounts were got ready, and on Mr. Tichborne seeing that there was a balance in my favour, he ordered a number of his people, consisting of sepoys and others, to take charge of me, and to conduct me into his boat, which lay at Dum Duma ghaut, at Chomckpore, about a coss distant from his bungalow. I remonstrated with Mr. Tichborne, and represented, that as I had given security to the Court, and the accounts were ready, I was desirous to go before the Court. He said, "Do you wish to have your employment? I will not discharge you at present, and will expend two thousand rupees to take away your life." This was in the presence of Scetaram, chuprasy, Emaum Ally, or Emaumbaux, chuprasy, Basout Lall, Roghooburse Lall, Jaddoopersaud, and Kullot. The chuprasies said to Mr. Tichborne, "you are taking Ram Gholaum to Rajpore, what orders do you give to us?" Mr. Tichborne replied, I am taking him to Rajpore, do you go also. The chuprasies replied, we cannot go without the Judge's order. Mr. Tichborne then said, "what, are you talking about the Judge's order? You may go away." This was about the middle of Cartick, I do not recollect the particular date. Mr. Tichborne ordered me to be taken from the bungalow to Dhoom Dhooma ghaut, at Gorruckpore, where I was put on board an oulac. He himself came there shortly afterwards, and got into the boat, and we proceeded to Rajpore; four days after leaving Dhoom Dhooma ghaut, we reached Rajpore, the distance being about twenty coss. At Rajpore, Mr. Tichborne desired me to procure him some dandies. I answered, that being in confinement, I could not procure any; whereupon Mr. Tichborne gave me several blows with his fists, and kicked me, and threw me

No. 5. Further Extracts from Bengal Judicial Cons. 20 July 1810:— Offences committed in the interior of the Country.

me down; afterwards he tied me up by the hands to one of the bamboos which supported a pal or sail. as a cover which he had pitched on the bank of the river near the ghaut, at Rajpore. When I was tied up to the bamboo, Mr. Tichborne pulled my mustachios violently; then took a walking cane and threatened to poke into my face, but did not strike me with it. I remained tied up to the bamboo, as I have described, for about four gurries, or about an hour and a half. He then untied me, and sent me on board the boat which lay at the ghaut. On the following day, the boats set off from Rajpore, and were proceeding to Calcutta; when we had proceeded about two coss, one of Mr. Tichborne's boats sunk. There were sixty boats laden with timbers, which Mr. Tichborne then desired to be anchored for the night. He then sent for me, and desired that I would pull the tow rope of his budgerow along with the dandies Ojoodya Persand, and Raghoobunse Lall, were also desired to pull the tow rope of the budgerow; and Mr. Tichborne said to us, it is through the fault of you three that the boat has sunk; when Mr. Tichborne's budgerow arrived in the evening, at the place where the boat had sunk, Mr. Tichborne had sent me, Ojaadya Pursand, and Raghoobunse Lall, to drag the boat which had sunk; and we went into the water up to the middle, and endeavoured to drag the boat on shore, but were not able; night coming on, she was left there, and Mr. Tichborne kept us three in the same boat, with our wet clothes on, under charge of chuprasies; we remained sitting upon one of the four beams which were laid across the boat for the purpose of fastening the timbers to, all three wrapt in one blanket. It was very cold, and we continued there without victuals, and under charge of a chowkedar named Cutloot, who was sent in a dingy to watch us, that we might not make our escape. We were landed on the next morning, and after changing our clothes and taking some refreshment, we proceeded to Bhagulpore, where another boat sunk, and Mr. Tichborne again sent for me, and desired me to bring a boat in the room of the second boat which had sunk. I represented to him that I was in confinement on board the boat, and had no charge of any thing, how could I bring a boat? He then gave me one blow with his clenched fist in the cheek, and put me in charge of one of his sepoys. Two or three days afterwards, we arrived at Darraly, where Mr. Tichborne forcibly took possession of all my papers and accounts, and then he beat me with a rope. Mr. Tichborne went away, leaving me in charge of Mr. Robinson and Ram Sing, chuprasy, who conducted me from village to village; and when we arrived at Revel Gunge, a chuprasy of Mr. Ferguson, the magistrate of Chupra, and Mr. Tichborne, came on board of the boat where I was detained, and Mr. Tichborne delivered me over to the chuprasy of Mr. Ferguson, who took me before that gentleman on the third day, where I was maintained at the expense of that gentleman, and he took down my deposition, and sent me to Benares; Cuttoah, one of Mr. Tichborne's chuprasies, was placed over me at the time of leaving Goruckpore, and in whose custody I remained until I was brought to Durraly. I was put into the charge of Ram Sing, another peon of Mr. Tichborne, who brought me from thence to Revil Gunge, from whence I was taken, by the magistrate's peon, to Chupra.

Signed by *Ram Gholaum.*

Sworn the day and year first above written, before me,
(Signed) *Chas F. Martyn,* Magistrate.

(A true copy)
(Signed) *A. H. Smith,* Head Clerk.

The Information and Deposition of Sookhloll Sookul, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the Town of Calcutta, at Fort William in Bengal, the fourteenth day of July 1809; who, on his oath, saith; That I am an hurcara, a Brahmin by cast, and native of Jillalpore, in zillah Mozufferpore, within Soobha Behar. I have been little more than a year in the employ of Mr. James Tichborne, timber merchant, at Billeher in sircar Sarun, under the Sooba Behar, in the capacity of a hurcara. I know Ramgolam; he is Mr. Tichborne's gomastah. In Cartick (October) last, Mr. Tichborne went to Goruckpore in zillah Goruckpore, in Soola Oude, under the English dominions, in order to institute a suit against his gomastah Ramgolaum, who lived at Gorruckpore aforesaid, and I accompanied Mr. Tichborne. He instituted a suit in Cartick (October) last, for five thousand five hundred and seventy-two rupees, against Ramgolum, before the Judge at Goruckpore, charging Ramgolaum with having made away with this sum, and Ramgolum being sent for, while the Court moonshee was interpreting to Ramgolam, I understood that Mr. Tichborne wanted of the Judge either to cause Ramgolum to pay the money, or to put him in confinement; and that the Judge replied, that he could do neither, unless an investigation was made; and Ramgolum entered into particulars of the purchases he made for Mr. Tichborne, in his defence; whereupon the Judge directed a chuprassy, named Sitarum, to go with Ramgolum and see that the accounts of the mootsuddies of both the parties were compared, and to bring them to the Court; eight days after this, when the accounts were got ready, Mr. Tichborne directed his chuprassy, Catlay Khan, to carry Ramgolum to a budgerow on the Raplee, the Goruckpore river; upon which Sitarum, the Judge's chuprassy, said to Mr. Tichborne, I was deputed to have the accounts compared and closed; they are done so; you have directed that Ramgolum be carried to the budgerow. What do you direct me to do? Mr. Tichborne said, you will also go with me, I am going to Rajpore; the chuprassy said, get me orders from the Judge to go with you, and I will do so; upon which Mr. Tichborne said, I do not know intricate words (oolta poolta lat) about the Judge, go away; and Sitarum went away; and the same day Mr. Tichborne set off for Rajpore in the above Goruckpore zillah, and Ramgolum likewise proceeded in another boat; we arrived at

Rajpore

Rajpore in about eight days, and, on the day following our arrival at Mulla (a-dúndee) of a boat laden with timbers ran away, upon which Mr. Tichborne sent for Ramgolum, and required him to produce the mulla; he replied, you have confined me, from whence can I bring the mulla? upon which Mr. Tichborne struck Ramgolum with his clenched fist, kicked him, and pulled him by his whiskers, and bound him to the post of a temporary shed, which had been erected to keep off the sun for Mr Tichborne's convenience, and Ramgolum continued bound to the post for about two gunnies; after which I was directed to untie him, and Kulloot hircara to watch over him on board the oolack; on the morning following, I was directed to go with the boats under my charge, and advance before the rest, and arrived at Bhaugalpore in the above zillah Gorruckpore, after two days. After my arrival, Mr. Tichborne also arrived with the other boats. A boat had sunk one day before Mr. Tichborne's arrival, and he came and sent for Ramgolum, and required him to give a boat, instead of the one which had sunk; Ramgolum replied, he could not, as he had been all along in confinement; upon which Mr. Tichborne flew into a passion, and beat Ramgolum with his double fist. After this circumstance I went on the boats of which I had the charge, and thence proceeded to Dairowly in Sircar Sarim, within Soola Behar, from whence I came to Revil Gunge, in the above Soola Behar. I did not see any further ill-treatment received by Ramgolum, than what I have already related.

(Signed in the Nagree character, by the witness.)

Sworn the day and year before written, before me,

(Signed) *Charles F. Martyn*, Magistrate.

(A true copy.)

(Signed) *A. H. Smith*, Head Clerk.

The Information and Deposition of Kulloot, taken upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace, in and for the town of Calcutta, at Fort William in Bengal, the 13th day of June 1809; who, on his oath saith; I am an hircara, and a native of Hansoopore, in the town of Gorruckpore, in zillah Gorruckpore, in Sooba Oude, in the English dominions. In October last I entered into the service of Mr. James Tichborne, in the capacity of a hircara, at Gorruckpore aforesaid, where Mr. Tichborne had come upon some business; about twenty days after I had been in his employment he directed, one day, his hircara, Giridharee, and a sepoy in his service, named Bhowanee, in my presence, to take Ramgolaum, his gomasta, into custody, and carry him on board a boat which was on the Gorruckpore river, called the Ruptee, upon which Ramgolaum said to Mr. Tichborne, you have had my accounts and papers explained to you, why will you ruin you? to which Mr. Tichborne replied, you want to get released; I will spend two thousand rupees, and take your life away, by dissolving you (gullae kemarda lega); after these words, Ramgolaum was taken to the boat by the two above-mentioned persons; I continued standing at the door of Mr. Tichborne's bungalow at Gorruckpore aforesaid, when Sitaram, a chuprassy in the employment of the Judge of Gorruckpore, said to Mr. Tichborne, "What are your orders as to me?" Mr. Tichborne said, I am going to Rajpore, do you also come along with me; the chuprassy Sitaram said, if you get the Judge's order I will go; to which Mr. Tichborne said, go away; I do not know the Judge, and the chuprassy went away; on the day following, Mr. Tichborne got on board of another boat, and went to Rajpore, for which place I also set off by land the same day, and arrived at Rajpore, which is about twenty coss from Gorruckpore, in the above zillah of Gorruckpore, after two days, and staid there for two days more, waiting Mr. Tichborne's arrival; and four days after his coming there, a mulla of a boat laden with timbers, belonging to Mr. Tichborne, ran away; upon which Mr. Tichborne sent for Ramgolaum aforesaid, from the boat where he was in custody, and required Ram Gholam to produce the mulla, Ram Gholam said, I have been in confinement; where can I bring the mulla from? whereupon Mr. Tichborne knocked Ram Gholam down, bound him to the post of a temporary shed, which had been made with boat sails to keep off the sun for Mr. Tichborne's use, and began pulling his whiskers, and menaced him with a rattan which Mr. Tichborne held in his hand, but did not strike him with it; some few days after this, I cannot say how many, Mr. Tichborne and all of us set off from Rajpore, and proceeded to the distance of about two coss in the Gorrukpore zillah, when a boat laden with timbers grounded on a shoal; Mr. Tichborne made all his people, as also the said Ram Gholam, and one Ojaadea Persaud, and one Raghoo Bungsee Lall, pull the boat the whole day, in order to extricate it, but which not being effected, Mr. Tichborne directed me to keep the above-named three persons, Ram Gholam, Ojaadea Persaud, and Raghoo Bungsee Lall in custody, on a dingy, and I, as likewise one Callay Khan, hircara of Mr. Tichborne, kept them under watch the whole night in the dingy, and on the morning following they were put on a large boat under mine and the above Callay Khan's custody, and we proceeded for Bhagulpore, in the above zillah of Gorruckpore, where on our arrival a boat sunk, and Mr. Tichborne had Ram Gholam taken to him, and he beat Ram Gholam with his clenched fist, saying, that the boat had sunk by his means; he then desired Bhowany, sepoy, to take Ram Gholam to the thanna, but the thannadar would not confine him; Chooly Lall, Mr. Tichborne's mutsuddy, went about four gurries afterwards and brought him away; some few days after this, I cannot say how many, but suppose less than a month, we arrived at Durraly, under the chupra jurisdiction in zillah Sarun, within Sooba Behar, and in the evening Mr. Tichborne forcibly took all the papers and accounts from Ram Gholam's mutsuddies, Ojaadea Persaud and Roghoo Bunsee Lall, and also from Choony Lall, Mr. Tichborne's mutsuddy; and the next morning Mr. Tichborne sent for Ram Gholam and his two mutsuddies, and

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asked them for some paper; I do not know what paper; I do not know what answer was given; but Mr. Tichborne beat Ram Gholam and Raghoo Bunsee Lall with a rope, after which I was relieved by Ram Sing, chuprassy, and Mr. Tichborne sent me to Patna, on a boat laden with timbers.

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Sworn the day and year first above written, before me,
(Signed) *C. F. Martyn,* Magistrate.

(A true copy.)
(Signed) *A. H. Smith,* Head Clerk.

The Information and Deposition of Bheekook, taken, upon oath, before me, Charles Fuller Martyn, one of His Majesty's Justices of the Peace in and for the town of Calcutta, at Fort William in Bengal, the 14th day of June 1809; who, on his oath, saith; I have been four years in the employment of Mr. Ja[s] Tichborne, timber merchant at Bellihor, in Surcar Sarun, within Sooba Behar, in the capacity of a bullock driver; and, before that time, I used to be employed in tillage, and other rural business. I am an Aheer by cast, and native of Cuttar, in zillah Gorruckpore. In Cartick last, when I went for my salary to Gorruckpore, in zillah Gorruckpore, in Sooba Oude, under the English dominions, where Mr. Tichborne had gone, Mr. Tichborne told me, that he could not pay it to me, because Ram Golaum, his gomastah, and Rugbunselall, his mootsuddy, were not at Gorruckpore, but at Rajpore. Two days after this I went to Rajpore; and while I was there, I saw, one day, Mr. Tichborne beat Ram Golaum; when he first kicked, then knocked him down by shoveing him in the neck, and bound him to a post belonging to a shed, which had been erected by Mr. Tichborne; and Ram Golaum continued thus bound for about two ghurries, after which he was untied. Some days after this, I do not know the length of time that had elapsed, we arrived at Derrawly, in Surcar Sarun, within Sooba Behar, where I saw, upon one day, while standing on shore, Mr. Tichborne hold a small written paper in his hand, on board the budgerow, which was at the distance of about twenty or twenty-five cubits from me, and say to Ramgolaum and Rug Cunselott, who were also in the same budgerow, what sort of paper is this? (i.e. Keysa Kajeezhey) shewing the paper to them, and beating them at the same time with a rope; whereupon Ramgolawin said, "I do not know how to read and write; if one was to read it over to me, I could then say what paper it is." Seeing and hearing this, I went away from thence, and did not see any further violence used by Mr. Tichborne on Ramgolaum. Ramgolaum was under confinement, as I saw him at Rajpore aforesaid, and Bhaugulpore in Gorruckpore above mentioned, and at the said Derrowly, always under charge of peons, who watched him at his bathing time, and at other avocations, and necessary calls.

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Buhkoopk.

Sworn, the day and year first above written, before me,
(Signed) *Cha. F. Martyn,* Magistrate.

(A true copy.)
(Signed) *A. H. Smith,* Head Clerk.

THE Governor General in Council having taken the foregoing cases into mature consideration, resolves, that the licences for residing in the interior of the country, held by the following persons, be withdrawn:

Mr. J. L. Turner.
R. S. Douglas,
T. Gardiner.
T. Clark.

Ordered, That the necessary information be transmitted to the Magistrates of Tirhoot, Sarum, Nuddiah, and Puneah respectively.

Ordered, That the Company's attorney be directed to report, whenever the period of imprisonment to which Mr. Tichborne has been sentenced, may expire. His Lordship in council will then pass such further orders respecting that person as may appear to Government to be proper.

Ordered, That a copy of such parts of the above Depositions, in the case of Mr. Douglas, as relate to the establishment of a haut by Mr. Moran, be transmitted to the Board of Revenue, with directions to make the necessary enquiries on the subject, and report to Government the result.

No. 5.
Further Extracts from Bengal Judicial Cons. 20 July 1810 — Offences committed in the interior of the Country.

The following Circular Order was transmitted to the several Magistrates throughout the provinces, on the 13th instant:

(Circular.) To the Magistrates.

Sir,

THE attention of Government has recently been attracted in a particular manner to abuses and oppressions committed by Europeans, who are established as indigo planters in different parts of the country. Numerous as those abuses and oppressions have latterly been, the Right Honourable the Governor General in Council is still willing to hope, that this imputation does not attach to the character of the indigo planters generally, considered as a body or class of people. The facts, however, which have recently been established against some individuals of that class, before the Magistrates and the Supreme Court of Judicature, are of so flagrant a nature, that the Governor General in Council considers it an act of indispensable public duty, to adopt such measures as appear to him, under existing circumstances, best calculated to prevent the repetition of offences, equally injurious to the English character and to the peace and happiness of our native subjects.

The offences to which the following remarks refer, and which have been established beyond all doubt or dispute against individual indigo planters, may be reduced to the following heads:

1st. Acts of violence, which, although they amount not in the legal sense of the word to murder, have occasioned the death of natives.

2d. The illegal detention of the natives in confinement, especially in stocks, with a view to the recovery of balances alleged to be due from them, or for other causes.

3d. Assembling in a tumultuary manner the people attached to their respective factories and others, and engaging in violent affrays with other indigo planters.

4th. Illicit infliction of punishment, by means of a rattan or otherwise, on the cultivators or other natives.

You must, of course, be sensible, that it is your bounden duty to bring every act of violence of the above nature to the knowledge of Government, and under the cognizance of the Supreme Court of Judicature. In order, however, to prevent, as far as depends on the Executive Government, the repetition of any offence of that nature, the Governor General in Council desires, that you will particularly attend to the following instructions:

First. You will take the necessary measures to ascertain without loss of time, whether any of the indigo planters, resident in the district under your charge, keep stocks at their factories; and, if so, you will require them immediately to destroy the stocks. Should any hesitation occur on the part of the indigo planters, in complying with this requisition, you will report the circumstance to Government, when the Governor General in Council will order such person to quit the district, and repair to the Presidency.

Second—Without encouraging vexatious and litigious complaints, you will exert yourself to prevent the practice Government has reason to believe is too prevalent on the part of the indigo planters, of inflicting illegal corporal punishment on the ryots and others. Whenever cases of this nature may occur, which may not appear to be of so aggravated a nature as to form the ground of a criminal prosecution in the Supreme Court of Judicature, you will report the facts to Government, in order that his Lordship in Council may take into his consideration the propriety of withdrawing the licence which the offender may have obtained, for residing in the interior of the country.

Third—As opportunities may arise of personal communication with the indigo planters, you will endeavour to impress on their minds, the firm determination which the Governor General in Council has adopted, not only uniformly to prosecute all offences of the above description, which can properly be brought under the cognizance of the Supreme Court, but likewise to exercise to the utmost extent, the powers possessed by the Governor General in Council, of preventing the residence of any European in the interior of the country, who shall not conform to the spirit of the present resolutions of Government.

Fourth.—Should it occur to you that any other measures can be adopted, calculated for the attainment of the important objects above noticed, you are desired to submit your sentiments on the subject to Government.

I am, &c.

Council Chamber, the 13th July 1810.

(Signed) *Geo. Dowdeswell.*
Secretary to Government, Judicial Department.

On the 13th instant, Copies of the above Order were transmitted to the Nizamut Adawlut, and to the several Provincial Courts, with directions to afford their aid to the full extent of the legal powers vested in those Courts, in giving effect to the resolutions of Government contained therein.

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No. 5. Further Extracts from Bengal Judicial Cons. 20 July 1810:— Offences committed in the interior of the Country.

There being grounds to apprehend, that many of the manufacturers of indigo are in the habit of compelling the ryots to receive advances for the cultivation of the indigo plant;

Ordered, That the following Supplementary Orders be transmitted to the several Magistrates throughout the Provinces:

(Circular.) To the Magistrates.

Sirs,

In continuation of the Orders of Government of the 13th instant, I am directed to acquaint you, that the Right Honourable the Governor General in Council has reason to believe, that European indigo planters are in the habit of obliging the ryots who reside in the vicinity of their respective factories, to receive advances, and of adopting other illicit and improper means to compel them to cultivate indigo. You are accordingly directed to report all instances of that nature which may come to your knowledge, and which you may consider to be founded in fact, to the Governor General in Council, in order that Government may take into its consideration the expediency of withdrawing the offender's licence to reside in the interior of the country, and at the same time adopt such other measures as the circumstances of the case may appear to require.

I am, &c.

Council Chamber, the 20th July 1810.

(Signed) *Geo. Dowdeswell*,
Secretary to Government, Judicial Department.

Ordered, That Copies of the above Supplementary Orders be transmitted to the Nizamut Adawlut, and the several provincial Courts, in continuation of the Orders of the 13th instant.

—No. 6.—

Copy of a LETTER from the Governor General in Council, to the Secret Committee of the Court of Directors, dated 2 November 1807; relating to THE MISSIONARIES.

To the Honourable the SECRET COMMITTEE of the Honourable the Court of Directors.

HONOURABLE SIRS,

WE deem it proper to avail ourselves of the dispatch of the honourable Company's extra ship the General Stuart, to report to your honourable Committee, our Proceedings on the subject of a Pamphlet, printed in the Persian language at the press of the Society of Missionaries established at Serampore; purporting to be an address to all persons professing the Mahomedan religion; which we had reason to apprehend had obtained circulation in the city of Calcutta; and which contained the most direct and unqualified abuse of the principles and tenets of that religion, and of its Founder. After having regularly related the whole course of our proceedings on this occasion, we shall submit to the consideration of your honourable Committee, such remarks in addition to those recorded on our proceedings, as the subject appears to us to render necessary.

2. The pamphlet in question was delivered to the secretary in the secret, political, and foreign departments, by the professor of Arabic and Persian in the College of Fort William, who received it from the chief native preceptor in that department; who stated, that it was put into his hands by the son of a Mogul merchant residing at Calcutta, with a request that he would prepare an Answer to it, with a view to vindicate the credit of their common religion.

3. Enclosed we have the honour to transmit a translation of such parts of the pamphlet, as relate to the character of the Mahomedan religion, and of its Founder. (No. 1.) see page 47, infra.

4. On a perusal of the above-mentioned document, we recorded the following Observations and Resolutions —That the language of that extract was in the highest degree injudicious and improper; and exclusively calculated to irritate the minds, and inflame the religious zeal of the class of musselmen to whom it is addressed. That the public safety, therefore, might seriously be endangered by the diffusion of this pamphlet. That the public faith had repeatedly been pledged, under the express injunctions of the Legislature, to leave the inhabitants of these dominions in the full, free and undisturbed exercise of their respective religions. That to permit the issue and diffusion of a publication containing the most direct and unqualified abuse of the principles and tenets of the religion of the country, proscribing its ordinances, and vilifying its founder and professors, would be a departure from that principle of toleration which the Legislature had prescribed, which this Government had uniformly professed, and to which its faith was solemnly pledged.

5. That it was the duty of Government, therefore, with a view both to the public safety and to the maintenance of public faith, to oppose the circulation and prevent the revival of such inflammatory publications. That the full extent of the measures which it might be necessary to adopt for this purpose, must depend upon the receipt of further information with regard to the manner and the degree in which the pamphlet had been circulated; but that the object of immediate urgency was to suppress the further diffusion of it. That with this view, it would be proper immediately to apply to the authority of the Governor of Serampore (the press of the Missionaries being established under the license and protection of the Danish government) requesting his Excellency to prohibit the issue of any more copies of the pamphlet in question, or of any other publication of a similar description; to require the Missionaries to deliver up all the remaining copies of it; and to ascertain from the Missionaries to what extent, and in what manner, the pamphlet had been circulated, with a view to enable this Government to counteract its dangerous effects in those places within the limits of the British authority or influence to which it might have been conveyed.

6. In conformity to the preceding resolutions, we addressed a Letter to his Excellency the Governor of Serampore, of which a copy is enclosed for your honourable Committee's information. (No. 2.)

7. We at the same time directed the secretary to send for the Rev. Mr. Carey (the principal member of the Society of Missionaries, and at present holding the situation of Professor of the Sanskrit and Bengallee languages in the College of Fort William) to interrogate him on the subject of the pamphlet, and to require him to employ every means in his power for the purpose of preventing the further diffusion of the pamphlet, and of withdrawing it from circulation.

8. We have the honour to transmit, enclosed, a copy of the Secretary's Report of his consequent conference with Mr. Carey. (No. 3.)

No. 6. Letter from Gov^r Gen^l 2 Nov. 1807; relating to Missionaries.

9. Your honourable Committee will observe, that Mr. Cary disclaimed all knowledge of the pamphlet in question, stating, that although the Society of Missionaries was in the habit of issuing publications on the subject of the religion of the Hindoos, calculated to convince them of its errors and to convert them to Christianity, the society systematically avoided the language of irritation and abuse, of which he admitted the impropriety and inutility. That he was convinced, that although the pamphlet in question had certainly issued from the press of Serampore, and must consequently be supposed to have undergone the revision of one or more of the Society of Missionaries, none of the society were apprized of the improper language which was introduced into it; observing, that none of them being conversant in the Persian language, they might not have been aware of the force of the expressions which it contained; and that the pamphlet might probably be the composition of one of their proselytes, among whom were a few originally of the Mahomedan faith. Your honourable Committee will further observe, that Mr. Carey was ready to engage (if such should be the pleasure of Government) that no publications should issue from the press of Serampore, without being previously approved by Government; observing, that the Missionaries were disposed to conform, in all respects, to the wishes of Government; and expressing at the same time a hope that it was not our intention to prohibit them from endeavouring to convert the natives by the only means which they were disposed to employ—fair argument and persuasion.

(No. 4.) 10. From a Letter received from Mr. Carey, subsequently to this conference, (a copy of which Letter is also enclosed) it appeared that the pamphlet had been printed about two months, that about 300 copies had been distributed in the vicinity of Calcutta, and that no copy had been sent to any part of the country.

(No. 5.) 11. We have further the honour to transmit, enclosed, a copy of the Reply of his Excellency the Governor of Serampore to our Address above referred to; from which your honourable Committee will observe, that his Excellency engaged that the remaining copies of the pamphlet should be delivered up, and that similar publications should not be permitted to issue from the press of Serampore.

12. At our consultation in the secret department of the 8th of September, the Secretary reported to us, that having desired Mr. Blaquiere, one of the magistrates of the town of Calcutta, to adopt measures with a view to ascertain the proceedings of the Missionaries in disseminating pamphlets of the nature of that which was submitted to Government at the last meeting of council and in meetings stated to be held within the town of Calcutta, for the purpose of exposing to the native inhabitants the errors of their religion, and of persuading them to adopt the Christian faith, Mr. Blaquiere had attended the Secretary's office, and informed him, that being apprized of the practice adopted by the Missionaries, or their converts, of preaching to the multitude every Sunday at a house in the city engaged for that purpose, he had directed a person in his employ to attend one of those meetings, and that Mr. Blaquiere had delivered to the Secretary a Memorandum of what passed at that meeting, drawn up (No. 6.) by the person who attended it. A copy of that Memorandum, we deem it proper to enclose; the Secretary proceeded to state from Mr. Blaquiere's verbal report, that Mr Blaquiere had at the same time directed a Brahmin in his service to attend the Missionaries, and under a pretended desire to become a convert, to obtain copies of any publications which had been issued under the authority of the Missionaries; that the Brahmin accordingly waited on the Reverend Mr. Ward, one of the society, residing principally at Calcutta, and that Mr. Blaquiere had delivered to the Secretary eleven pamphlets written some in the Bengallee, some in the Hindostanny language, which, on that occasion, the Reverend Mr. Ward had delivered to the Brahmin.

13. The Secretary reported, that those pamphlets for the most part consisted of strictures upon the characters of the Hindoo deities, tending to place them in a hateful or disgusting light, and to deduce from those strictures the fallacy of the Hindoo mythology; of exhortations to the Hindoos, to abandon their idolatrous worship and embrace the doctrines of Christianity, of the translations of the Psalms of David and other parts of Scripture. That two of those pamphlets, however, one in the Bengallee, the other in the Hindostanny language and character, were addressed exclusively to the class of Mahomedans, and contained the same or similar abuse of the doctrines, books, and founder of the Mahomedan religion, as was contained in the Persian Pamphlet laid before the Board at the last meeting of council, and that these two pamphlets were stated to have been printed at Serampore in the year 1806.

14. Having taken into consideration the preceding communications, we recorded the following Observations and Resolutions: That the publications in question, and the practice of preaching to the multitude, described by Mr. Blaquiere, were evidently calculated to excite among the native subjects of the Company a spirit of religious jealousy and alarm, which might eventually be productive of the most serious evils: That the distribution of such publications, and the public preachings of the Missionaries and their proselytes at the very seat of Government, were acts tending to indicate that the proceedings of the Missionaries, in vilifying the religions of the country, were sanctioned and approved by the supreme authority; that the prevalence of such an impression would both augment the danger, and render more difficult the application of a remedy; that if these proceedings should be suffered to continue, until their effects should be manifested in the clamour and discontent of the people, any measure then adopted to arrest the progress of the evil, would necessarily appear to be the result of apprehension. That it was of the highest importance, therefore, to adopt, without delay, such measures as were calculated to

preclude a conjuncture so injurious to the authority and dignity of Government, and so hazardous to the prosperity and even the security of these dominions; and finally, that the obligation to suppress within the limits of the Company's authority in India, treatises and public preachings offensive to the religious persuasions of the people, was founded on considerations of necessary caution, of general safety, and national faith and honour.

No. 6. Letter from Gov^r Gen^l 2 Nov 1807; relating to Missionaries.

That with this view we deemed it necessary to direct that the practice of public preachings at the house employed for that purpose by the Missionaries in the town of Calcutta, should be immediately discontinued, and to prohibit the issue of any publications from the press superintended by the Society of Missionaries, of a nature offensive to the religious prejudices of the natives, or directed to the object of converting them to Christianity, observing, that whatever might be the propriety of exposing the errors of the Hindoo or Musselman religion, to persons of those persuasions, who should solicit instruction in the doctrines of the Christian faith, it was contrary to the system of protection which Government was pledged to afford to the undisturbed exercise of the religions of the country, and calculated to produce very dangerous effects,—to obtrude upon the general body of the people, by means of printed works, exhortations, necessarily involving an interference with those religious tenets, which they considered to be sacred and inviolable.

16. That the press established at Serampore, being intended for the promulgation of works within the limits of the Company's dominions, it became indispensably necessary that its productions should be subject to the immediate controul of the officers of Government; that with this view the Missionaries should be required to remove their press to the Presidency, where the same controul that is established over presses sanctioned by the Government, could be most effectually exercised.

17. That it was, moreover, advisable to obtain from the Reverend Mr. Carey information with regard to the manner and places in which the pamphlets and treatises above mentioned, or any others of a similar description, which might not yet have come under the observation of Government, had been distributed; and also to require the Missionaries to employ every effort in their power to withdraw them from circulation.

18. In conformity to the preceding Observations and Resolutions, a Letter, of which the enclosed is a Copy, was addressed to the Reverend Mr. Carey, for the notice and guidance of the Society of Missionaries. A Letter, (of which a Copy is also enclosed) was at the same time addressed by our direction to the magistrates of Calcutta, apprising them of our determination to prohibit the practice of public preaching in the town of Calcutta by the Missionaries or their converts, and of the grounds of that determination. (No. 7) (No 8)

19. Subsequently to these proceedings we received from his Excellency the Governor of Serampore, a further Report of the measures which his Excellency had adopted in consequence of the representations contained in our Address of the 1st of September. His Excellency at the same time transmitted a copy of a Memorial addressed to him by the Society of Missionaries, in reply to his Excellency's communication to the Society, on the subject of the Persian Pamphlet. Copies of both those documents, form enclosures in this dispatch. (No. 9) (No. 10.)

20. Your honourable Committee will observe, that agreeably to our request, his Excellency required the Missionaries to deliver up all the remaining copies of the Persian Pamphlets, a requisition with which the Missionaries readily complied.

21. Your honourable Committee will observe in the Memorial of the Missionaries, a becoming acknowledgment of regret at the unintended introduction into the pamphlet in question, of expressions calculated to irritate the minds of the persons to whom it is addressed, and a statement of the circumstances which occasioned the publication of that objectionable pamphlet.

22. In our reply to the Letters of his Excellency the Governor of Serampore, after expressing the sense which we entertained of the attention to our application manifested by his Excellency, and of the disposition of the government of Serampore to meet the wishes of this Government, we noticed the additional information, which, subsequently to the date of our first Address to his Excellency, we had received relative to the diffusion of printed pamphlets in the Bengallee and Hindostanny languages, similar to the Persian Pamphlet, and to the practice of public preaching in the town of Calcutta, on the topics which formed the subject of those pamphlets, and communicated to his Excellency the measures which in consequence we had deemed it our duty to adopt. We observed to his Excellency, that the works printed at the press of the Missionaries, were expressly intended for promulgation within the limits of the British dominions, and that even the operations of the press were principally supported by the aid and encouragement afforded by the Asiatic Society and the College of Fort William: That the establishment of it at Serampore had no reference to the circulation of its productions within the limits of that colony, but that the press was exclusively directed to the same purposes to which it would be applied, if established at this Presidency; that under these circumstances, therefore, it appeared to us to be obviously regular, as well as highly expedient, that the press of the Missionaries should be placed under the immediate controul of this Government, in the same manner as the presses established at Calcutta; and that with this view we had signified to the Missionaries our expectation that the press should be brought within the sphere of our direct authority, by being transferred to this Presidency; we remarked at the same time, that this arrangement was entirely unconnected with the slightest doubt of his Excellency's disposition to exert his authority in

preventing

No. 6. * Letter from Gov^r Gen^l 8 Nov. 1807; relating to Missionaries.

preventing the issue of improper publications; that it was founded exclusively on those general principles which rendered it the duty of every government to reserve to itself the power of restraining irregularities within the limits of its own dominion.

23. For your honourable Committee's more detailed information, we have the honour to transmit, enclosed, a copy of our Address to the Governor of Serampore, of which the substance is above stated. (No

(No. 12.) 24. A copy of the Rev. Mr. Carey's Reply to the Letter addressed to him by our authority, is also enclosed.

25. In consequence of the measures which, on this occasion, the obligations of our public duty had compelled us to adopt, the Society of Missionaries addressed to the Governor General a Memorial, containing a detailed statement of their situation, circumstances, views and proceedings, since the period of their establishment in this country, and soliciting the revocation of the order for the removal of the press from Serampore to this Presidency, on the ground of the serious injury which the society would sustain from the execution of that order.

26. We shall have the honour of stating to your honourable Committee, in a subsequent part of this despatch, such observations on this Memorial, as the tenor of it appears to render necessary; in the meantime we beg leave to refer your honourable Committee to the enclosed Copy of it, and also to a copy of his Excellency the Governor of Serampore's Reply to our Letter of the 15th September, (of which the substance has been stated in a preceding part of this despatch) soliciting the revocation of the order for the transfer of the press to Calcutta.

(No. 13.) (No. 14.)

27. Your honourable Committee will observe, that the Governor of Serampore refers in his Letter to an enclosed English version of the pamphlet in the Bengallee language, of which the Persian Pamphlet was intended (as appears by the Memorial of the Missionaries addressed to his Excellency) to have been a translation, although, as observed by the Missionaries, the person employed in translating it, had materially departed from the original text.

28. His Excellency has observed, that on a perusal of the English version of the Bengallee Pamphlet, it did not appear to him that the expressions contained in it were so offensive to the religious prejudices of the natives as those contained in the Persian translation, and that the former had been in circulation since the latter end of the year 1804, or the beginning of the year 1805. His Excellency has further observed, that the Missionaries had been in the habit of preaching publicly in the town of Calcutta for nearly five years past, in which time no notice had been taken of their proceedings, nor, to his Excellency's knowledge, had any disturbance been the consequence of it.

29. With respect to this particular publication in the Bengallee language, although several of the most offensive epithets and expressions applied to Mahommud, to the religion, and to the Koran, which appear in the Persian Pamphlet, are omitted in the former, yet the general substance of the language is the same in both, and is certainly of a nature to excite the indignation and fanaticism of the bigoted class of Mussulmans; that it has not attracted the same notice as the Persian Pamphlet, may be ascribed to the language in which it is written; the oral language of Bengal being familiar only to a few of the lower class of Mussulmans, who are natives of the province, and of them a very small proportion are capable of reading that language.

30. The Persian language however being the general medium of correspondence throughout India, a work printed in that language, is open to the perusal of all ranks of people, and we deem it highly fortunate that the circulation of it has been limited to the town of Calcutta and its vicinity, and that means were afforded to us of seasonably restraining a more extensive diffusion of it.

31. With reference to the observation of the Governor of Serampore, regarding the practice of public preaching, it may be proper to state, that the late Governor General Sir George Barlow, having received information that one of the Society of Missionaries, was in the habit of preaching publicly in the streets of Calcutta, in terms abusive of the Hindoo religion; and that on several occasions the populace had manifested signs of irritation, and on one occasion especially, had proceeded to acts of violence, deemed it his duty to prohibit the Missionary from the prosecution of that practice.

32. We suspend the further remarks, which we deem it necessary to state to your honourable Committee, regarding the tendency of publications such as have been described, and of the practice of preaching publicly in the city of Calcutta, on subjects offensive to the religious persuasions of the natives, for the purpose of concluding the narrative of our proceedings on the present.

33. On a consideration of the circumstances stated by the Society of Missionaries, in their Memorial addressed to the Governor General, relative to the injury to which that Society would be exposed by transferring the press from Serampore to Calcutta, and under the influence of a desire to conform to the wishes of the Danish government, we resolved to revoke our requisition for the removal of the press. Adverting, however, to the obvious necessity of establishing a controul over the publication of works intended for circulation within the territories subject to the British authority, we still deemed it proper to require the Missionaries to submit to the inspection of the officers of Government, works of the above description previously to their publication.

34. In

No. 6. Letter from Gov^r Gen^l 2 Nov. 1807; relating to Missionaries

34. In communicating this resolution to his Excellency the Governor of Serampore, we expressed our conviction that the Missionaries would be disposed to observe the restrictions imposed upon them by his Excellency, and by this Government, relative to the publication of works offensive to the religious prejudices of the natives; observing, however, that as the judgment of the Missionaries respecting the tendency of works which they might desire to publish, and which were intended for circulation within the territory subject to the British authority, might possibly differ from our own, we were satisfied that his Excellency would concur in the propriety of subjecting publications of that description to the controul of the British Government

35. We further stated to his Excellency, that we were fully convinced of the rectitude of the intentions of the Society of Missionaries, and that the precautions which we had deemed it necessary to adopt against the unlimited employment of the press, proceeded exclusively from the duty imposed upon Government, of reserving to itself the authority to determine what publications might or might not expose the public tranquillity to hazard, or involve a violation of public faith, instead of leaving the decision of such important questions to the judgment of others.

36. A copy of the letter which we addressed to his Excellency on that occasion, and also a copy of the corresponding communication to the Reverend Mr Carey, as the chief member of the Society of Missionaries, are enclosed for your honourable Committee's more detailed information. (No. 15) (No. 16.)

37. We have since received a letter from the Reverend Mr. Carey, of which a copy is enclosed, expressing the gratitude of the Society of Missionaries for the revocation of the order for the removal of the press, and communicating the ready acquiescence of the Missionaries in the requisition to submit to the inspection of Government, works intended for circulation within the British territories, previously to their publication. (No. 17.)

38. We now proceed to state to your honourable Committee such further observations as appear to be necessary, with reference to the general subject of this despatch, and especially to the contents of the Memorial addressed to the Governor General by the respectable Society of Missionaries.

39. We have great satisfaction in acknowledging the temperate and respectful spirit of that Memorial, and in expressing our entire conviction of the correctness of the statement which it contains, relative to the motives and objects of the zeal of the Missionaries for the propagation of the sacred doctrines of Christianity; and our duty as guardians of the public welfare, and a consentaneous solicitude for the diffusion of the blessing of Christianity, merely require us to restrain the efforts of that commendable zeal within those limits, the transgression of which, would in our decided judgment expose to hazard the public safety and tranquillity, without promoting its intended object, and would be incompatible with a just adherence to the obligations of political interest and of public faith, in the degree in which both are involved in the unequivocal toleration of every religious sect among the inhabitants of these dominions.

40. The Missionaries have related the progress and result of labours similar to their own, during a long course of years, and from the negative fact, that the zeal of the propagandists has not on any occasion produced the dangers which we apprehend, have inferred, that neither the publication of the works which have attracted our attention, nor the practice of public preaching, is calculated to produce them. But two material circumstances, which have escaped the observation of the Missionaries, appear to invalidate the force of this conclusion.

41. While the British Government in India continued to be a subordinate power, the efforts of the Missionaries in the work of conversion, were not likely to excite among the natives of India any apprehension either of the disposition or the power of the British Government to impair the stability of the prevailing systems of religion possessing under the general system, and even under the specific laws of the British Administration, every degree of security for the free and undisturbed exercise of their religious ceremonies and devotions, they had no cause to connect the proceedings of the Missionaries with the acts of the Government; and, deprived of that connection, the mere personal labours of the former in the work of conversion, were inadequate to produce a general sentiment of religious jealousy and alarm, more especially because the efforts of the Missionaries, were almost exclusively directed to the conversion of the class of Hindoos, who are free from that spirit of bigotry and fanaticism which distinguishes the class of Mahomedans.

42. In the present ascendency of the British power in India, however, the natives may naturally be led to apprehend that the augmented efforts of the Missionaries exercised under the immediate protection of the Government, are supported and encouraged by its authority. They may be induced to imagine that the possession of unrivalled power, of a dominion extending over a great proportion of the continent of Hindoostan, and of an ascendant influence or controul over all the primary states of India, may suggest the accomplishment of an object, which the comparative inferiority of our power and influence had hitherto excluded from the contemplation of Government,—the gradual substitution of its religion for the actual religions of its subjects. Under these circumstances, therefore, the labours of the Missionaries are calculated in a far greater degree to excite alarm among our native subjects than they were at any former period of time.

No. 6. Letter from Gov[r] Gen[l] 2 Nov. 1807; relating to Missionaries.

43. The second point to which we have alluded, is the prosecution of the labour of conversion by the means of the press. Until works on religious topics addressed to the natives of India, were published in their vernacular language, the proceedings of the Missionaries were not of a nature to attract notice beyond the limits of their personal communication; but when works, expressly directed to the object of subverting the religions of the country, are published in languages intelligible to the natives, the proceedings of the Missionaries must attract attention in proportion to the promulgation of these printed works, and there is just reason to apprehend that a general spirit of irritation and alarm may consequently be excited in the minds of the native inhabitants of India.

44. We have already stated the cause which, in our judgment, has prevented such a consequence of the publications issued in the language of Bengal, and addressed to the class of Mahomedans. It is from the bigotry of that class, that the danger which we have described is principally to be apprehended; but even the jealousy and alarm of the Hindoos may be excited by a more general diffusion of publications calculated to subvert the foundation of their religious persuasions; and works of the latter description, combined with similar attacks upon the credit of the Mahomedan faith, may reasonably be expected to create in the minds of both classes, but especially of the Mussulmans, an apprehension of a systematic design to eradicate both the Hindoo and Mahomedan religion. These publications issuing from a press considered to be established under the protection and authority of the British Government, may readily be supposed to have been sanctioned by that authority, and the project of subverting the religions of the country would consequently be ascribed to the Government itself; and it will not escape the observation of your honourable Committee, that publications of this nature would afford a powerful instrument, in the hands of the disaffected or ambitious, to excite that religious jealousy in the minds of our native subjects, even if that effect should not be produced without the aid of exterior agency.

45. Of the disposition of the natives of this country, especially of the class of Mahomedans; to receive impressions of this nature, even on grounds much less forcible than those which the publications in question would afford, and of the fatal consequences of an excited spirit of religious fury, we have experienced a dreadful example in the massacre of Vellore, of which the industrious propagation of a belief that the British Government entertained the design of converting its native subjects to Christianity, was rendered the efficient instrument.

A. B. C. See pages 65 & 72.

46. Of the nature of the publication which forms the subject of this despatch, your honourable Committee will judge from the enclosed translations of the most material among them. We beg leave especially to draw the attention of your honourable Committee to the translation marked (C.) the original of which is entitled "The Rise of Wisdom," and is addressed to the Hindoos generally, but particularly to the class of Brahmins.

47. Your honourable Committee will observe that this work, far from being composed in the language of persuasion and conciliation, contains no trace of argument or dispassionate discussion, but consists almost exclusively of denunciation, and reproach directed against that class which is revered as sacred by the whole body of the Hindoos; that its tendency is to set one part of our native subjects at variance with another; to excite the enmity of the Brahmins especially against the British nation, and to irritate the minds of all the other classes of Hindoos.

48. Although the limited circulation which this work may hitherto have obtained, its being excluded from general perusal by the abstruseness of metrical composition or the natural apathy of the Hindoos, has prevented a manifestation of the effects above described, yet it cannot be supposed that a work of this nature is calculated to convince the persons to whom it is addressed of the errors of their persuasion. The good sense of the Missionaries indeed has led them to admit that the language of opprobrium and abuse is calculated rather to create resistance than to promote conviction, and have professed to regulate their proceedings according to the impression of this truth. The error of their judgment therefore, so strongly manifested in the publications to which we have adverted, evidently points out the necessity of that controul which we have deemed it our duty to establish over the operations of the press of Serampore.

49. Your honourable Committee will be satisfied by the observations stated in this despatch, that the publications in question having hitherto failed to produce among our native subjects a sensation of alarm, by no means warrants a conclusion that a more extended circulation of such works in a form which would render their contents accessible to all ranks of our native subjects, would not create the danger against which we have deemed it our duty to guard, by the suppression of them.

50. On a view of all the circumstances stated in this despatch, your honourable Committee may be disposed to admit the expediency of adopting such measures as your wisdom will suggest, for the purpose of discouraging any accession to the number of Missionaries actually employed under the protection of the British Government in India in the work of conversion.

51. That meritorious spirit of religious zeal which animates those respectable persons who deem it their duty to exert their endeavours to diffuse among the misguided natives of India the truths and blessings of the Christian Faith, can seldom be restrained by those maxims of prudence and caution which local knowledge and experience can alone inspire,

and without which, the labours of the Missionaries become a source of danger, and tend to frustrate, rather than promote, the benevolent object of their attention.

No. 6. Letter from Gov^r Gen^l 2 Nov. 1807; relating to Missionaries.

We have the honour to be, with the greatest respect,
Honourable Sirs,
Your most faithful humble servants,

Fort William,
2d November, 1807.

(Signed) MINTO,
G. HEWETT,
G. H. BARLOW,
J. LUMSDEN.

—No. 7.—

Copies of all DOCUMENTS enclosed in a Letter from the Governor General of *India* to the Secret Committee of the Court of Directors, dated the 2d November 1807; in so far as the said Documents relate to The MISSIONARIES;—And, Copy of the ANSWER from the Court of Directors to the said Letter, so far as relates to the said subject of The MISSIONARIES.

TRANSLATION of an ADDRESS from the Missionaries at Serampore.

To all Persons professing the Moohummudan *Religion.*

JOYFUL TIDINGS!

Behold, O brethren! We are come to convert you from a distant country.—You have many well-wishers in England, who are continually anxious for your welfare, and are constantly enquiring about the state of your religion, of which they have received much information. The intelligence which they have received, has been to them a source of sorrow, and they have seen with pain, that nothing but the affairs of this world is able to engage the smallest portion of your attention, which is never occupied by good and virtuous objects.

For this reason they earnestly urge you to consider, that the only object of this life is to prepare us for a better; according to the Arabic proverb,—"This world is the field to be sown, the harvest is to be reaped in a future state." Until you shall reflect seriously on this subject, you will never so live in this world, as to deserve happiness hereafter. It is in your creed, that there is only one God the Creator of all things, and that He has not given equal understandings to all; that is to say, that there are many beings in nature, who are incapable of comprehending the attributes of God. The beasts and birds, for example, cannot distinguish good from evil, but you are capable of that distinction, and therefore an account will be demanded at your hands. The Creator hears and observes all that you say, and all that you do; He knows all your thoughts; and in the last day, when He shall sit in judgment, you will know how you can obtain His approbation. Have you ever reflected that all created beings owe their lives and happiness to Him, and that it is your most important duty to give praise and thanksgiving to Him?

If you have not considered this subject before, reflect on it now, lest (which God avert) the Creator of life should say, after your death, "I have fed and preserved these men from all misfortunes, and they have not paid the smallest attention to my commands, let them be condemned for ever to the torments of Hell."

You say that God, who communicated the Old Testament through the means of the prophet Moses, has there commanded all men to reverence their Creator, and to love their neighbours as themselves. This is the most excellent of all commands, for He is the most bountiful and the most merciful, and on Him only depends the happiness of mankind. All men are descended from the same common parent (Adam), and to indulge mutual enmity is to disobey the commands of God himself. It is indeed the source of the greatest evils, and of the displeasure of God himself.

The evils and misfortunes of life belong to God, who has said, that He will burn all sinners for ever in Hell fire. In the inspired books of Moses it was written, that those who should not obey the commands recorded there, should suffer the pains of Hell. Alas! alas! for your miserable state, O you Mohummudans! who have perverted his commands, and thereby incurred the wrath of God, reflect seriously how deserving of punishment are those who do evil with their eyes open.

How will you ward off the torments of Hell, or how will you be able to bear those torments? How will you wipe off the stain of your evil actions, or how will concealment or deceit avail

you,

No. 7. Enclosures in Gov^r Gen^l's Letter, 2 Nov. 1807; relating to Missionaries.

you, when called to judgment before God? Since you cannot move the ocean or the stars, which are among the least of His works, it is clear that you will fail in the accomplishment of these more arduous undertakings.

O brethren! we bring you the joyful tidings, that though you and we are great sinners, and have both of us incurred the displeasure of our God, yet He in his endless bounty and mercy has appointed an all-powerful Saviour and Intercessor to effect the salvation of you and of us. Through Him only we can be saved; and that happiness which we have lost, we may again recover through His means. On our death we must look for consolation to Him alone, &c. &c.

[It is conceived that the remainder of this Address may be omitted, as it contains no observations particularly insulting to the Moohummudan religion, or any expressions tending to inflame the religious prejudices and jealousy of the natives for the freedom of conscience which they have hitherto enjoyed.——I proceed to the next Address, which professes to give an account of the Life of Moohummud, who is described under the term (Zanlim) or, the Tyrant.]

An Account of a certain TYRANT, from his Birth to his Death:

His father Abdoolla died young and left his son an orphan. His son inherited nothing but five camels and a female slave, and he was born of the tribe of Koorcish, in the city of Mecca, 572 years after the birth of Christ: his father died when he was about 13 years old, at which period his uncle took upon himself the care of his education, and appointed a widow to attend him. after some time he married the widow, whose great wealth enabled him to obtain distinction among his countrymen, and subsequently he conceived the desire of setting up for a prophet. From motives of policy he frequented a certain hill every year, and after some years he conducted his tribe and dependents thither, and told them that he had been visited by an angel from Heaven, who informed him that God had made him a prophet. His wife and his cousin (Allee) believed him, and were converted. These were the absurdities and lies which he preached. When he attained his fortieth year, being three years after the promulgation of his infamous mission, certain persons (the lamp of whose judgment was extinguished) embraced his creed, and in the progress of time many others were induced to follow this example. At the age of 52 he told his followers, that one night during his abode in Mecca, he ascended into Heaven, accompanied by an angel, and having passed through Eer and Sulum, was admitted into the presence of God himself, with whom he even pretended to have held a conversation. Many of his followers quitted him on the instant of their hearing of this boastful conversation.

In this manner he continued to flatter and mislead men until he attained the age of 53 years; he then directed his counsellors to slay those who should refuse to embrace his faith, pretending that he had received the good news (of this permission to slay his enemies) from the Deity himself.

According to his desire, they began to practise evil, and all the inhabitants of Mecca having obtained intelligence of their tyranny and violence, prepared to put him to death. The origin and source of all this mischief being thus reduced to extremities, fled to Medeena with his friends and followers. After a short time he began a war on the inhabitants of Medeena, in which he was sometimes victorious and sometimes defeated. At last, however, he got possession of many cities, such as Mecca, &c. which he plundered with the hand of violence and tyranny, having converted the inhabitants to his own false religion.

Eleven years after his flight to Medeena, he quitted this world, and his followers subsequently took forcible and violent possession of many cities. During his lifetime he had composed some pages in Arabic (the Kooran) which he locked up in a chest; after his death the chest was opened by one of his followers, and these leaves were collected into a volume, which is still extant. His lost followers, under the influence of ignorance, consider the reading of this book as a means of salvation; but during his lifetime—[the Persian is here utterly unintelligible]—he sacrificed the lives of thousands to his reputation; and under all these circumstances of injustice, it is clear that no wise man will believe in his creed, which is only the source of mental darkness. He has borrowed in the Kooran much matter from many books, and thus the charge of theft [plagiarism] is proved against him. Moreover, the plainest atrocities are inculcated as necessary or expedient, according to the principles of his book; whereas every vice is prohibited in the Old and New Testament, and in the Psalms of David, nay the man who shall think evil, is there declared to incur the Divine wrath.

The book of those who are wandering in the paths of error (the Kooran) cannot in any point of view be considered as the word of God, for it is there said, that those three books (the Bible and the Psalms) were superseded by the commands of God; whereas it is declared in those divine books, that whoever shall act in a manner inconsistent with the precepts which they contain, is guilty of evil; moreover, it is stated in the Kooran, that the salvation of man is ensured by fasting and prayer, and the pilgrimage to Mecca; whereas it appears from the word of God (that is to say, from the Old and New Testament, and the Psalms of David) that good actions are not in themselves sufficient for the salvation of man, except through the means of God's goodness.

Even Adam, Noah, Abraham, Moses, David, and the other prophets, have repented of their sins, and rested their hopes of pardon on the Messiah alone. O my friends! there is

no

no hope of the salvation of man according to those three books, but only through the medium of Jesus Christ.

No. 7. Enclosures in Gov Gen's Letter, 2 Nov. 1807; relating to Missionaries.

The aforesaid tyrant Moohummud has published a law directly opposed to that which is contained in the scriptures invented by himself, and infinitely remote from the comprehension of the wise. He has affirmed that the same lustful gratifications which arise in this world from an intercourse with women, will constitute the reward of good men in Heaven; he (the tyrant aforesaid) has also commanded, that those who shall not embrace his religion, shall be put to the sword and consigned to infamy.

Think, O brethren! of these evil actions, and then say whether this tyrant, or the Messiah, the Spirit of God, will be the intercessor between God and man. It is stated in the true Scriptures that the pure in spirit shall enjoy in Heaven the same kind of happiness which arises to men from the practice of virtue in this world. It is affirmed by the aforesaid tyrant, that the good or evil which men do, is to be ascribed to the decrees of fate; and led away by this fallacy, the ignorant take no pains to ascertain the truth, believing that every thing which happens to them must be ascribed to the principle of predestination.

It appears from the Scriptures, that all the good actions of men must be ascribed to God, and that evil actions owe their origin to the Devil. It also appears that those who believe in Christ, and act according to his precepts, will be saved from the world, and obtain the reward of everlasting life. Quit, O brethren! the lying religion which you have been taught to believe, and embrace the faith of Jesus Christ, who took on himself the sins of all men, and sacrificed his life to effect their redemption. Amen.

Printed at Serampore near Calcutta, in the year 1213.

(A true Copy.) *N. B. Edmonstone*,
Secretary to Government.

(Copy.)

To his Excellency the honourable J. Krefting, Esq. &c. &c. &c.

Sir,

WE deem it necessary to bring under your Excellency's notice, the enclosed translation of an extract from a Persian Pamphlet printed at the press established at Serampore, under the superintendence of the Society of Missionaries residing at that place, and circulated, as we are informed, among the Mussulmen inhabitants of this presidency by direction of that society.

2. It is superfluous to point out to your Excellency, the dangerous tendency of language so abusive of the Mahomedan religion and of its founder, as that which is contained in the enclosed document, when circulated among a people distinguished for their devoted attachment to their faith. It must be evident to your Excellency, that the style and tenor of that document can have no other effect than to irritate the minds, and inflame the religious zeal of the class of Mussulmen to which it is addressed; our duty as guardians of the public safety, therefore, would alone require that we should employ our utmost exertions to prevent the diffusion of a publication by which that safety may so seriously be endangered: but an additional obligation to oppose the circulation, and preclude the revival of such inflammatory productions, is imposed upon us, by the necessity of maintaining the public faith repeatedly pledged under the express injunctions of the legislature in England, to leave our native subjects in India, in the full, free, and undisturbed exercise of their respective religions. To permit the issue and diffusion of a publication containing the most direct and unqualified abuse of the principles and tenets of the religion of the country, proscribing its ordinances, and vilifying its founder and professors, would be manifestly a departure from that principle of toleration which the British legislature has prescribed, which we have uniformly professed and observed, and to which the faith of Government is inviolably pledged.

3. We have not yet formed our determination with regard to every specific measure which, with a view to the preservation of the public tranquillity, and to the vindication of our public faith, it may be necessary to pursue on the present occasion. But the object of most immediate urgency, is to suppress the further diffusion of this inflammatory pamphlet; with which view, we have judged it necessary to trouble your Excellency with the present Address.

4. We are satisfied that your Excellency will duly appreciate the importance of this object, as it affects the welfare of every European Settlement in India; and our experience of your disposition to promote the wishes of this Government, and our confidence in your Excellency's wisdom and discernment, leave no room to doubt your Excellency's acquiescence in the application which we have now the honour to submit to you.

5. The press of the Missionaries being established under the licence and protection of the Danish Government, we solicit the interposition of your Excellency's authority to prohibit the issue of any more copies of the pamphlet, which is the subject of this Address, or of any other publications of a similar description; and we further beg leave to suggest the expediency of requiring the Missionaries to deliver up all the remaining copies of the pamphlet in question. We further take the liberty to propose to your Excellency the necessity of ascertaining from the Missionaries to what extent, and in what manner, the pamphlet has been circulated, with a view to enable us to counteract its dangerous effects.

No. 7. Enclosure in Gov^t Gen^l's Letter, 2 Nov. 1807, relating to Missionaries.

in those places within the limits of our authority or influence to which it may have been conveyed.

6. It is superfluous to express our entire conviction that this publication has been framed and issued without your Excellency's knowledge, and that if apprised of its nature and tendency, your Excellency's judgment and discernment would have induced you to exercise your authority for its suppression.

We have the honour to be, &c.

Fort William,
1st Sept. 1807.

(Signed) MINTO,
G. H. BARLOW,
J. LUMSDEN.

(A true Copy.)

(Signed) *N. B. Edmonstone,*
Secretary to Government.

(Copy.)

Wednesday, 2d September 1807.

In obedience to the orders of Government, the Reverend Mr. Carey was desired to attend at the Chief Secretary's chambers this morning.

Mr. Carey was first requested to state, whether he knew of a certain pamphlet printed in the Persian character and language, at the press of the Missionaries at Serampore, containing strictures on the Mahomedan religion, and circulated among the native inhabitants of this Presidency. In reply, Mr. Carey expressed his entire ignorance of any such pamphlet, observing, that neither he nor any of the society were conversant in the Persian language. He added, however, that he by no means meant to assert that no such pamphlet had issued from the press, but merely that he himself was not apprized of it, and he took occasion to advert to some tract or tracts on the subject of the religion of the Hindoos, which had been translated into the Hindoostanny language under the superintendence of the Missionaries, but disclaimed all knowledge of any such on the subject of the Mahomedan religion and in the Persian language.

The Secretary then informed Mr. Carey of the general nature of the pamphlet in question, and of the mode in which it had been brought under the notice of Government, and read to him the translation of that part of the pamphlet which immediately respects Mohummud and his religion.

Mr. Carey having observed that he did not perceive any particular impropriety in the general substance of what had been read to him, and that it appeared to him merely to contain arguments in favour of the Christian religion, opposed to that of Mohummud, the Secretary proceeded to point out to him the objectionable nature and dangerous tendency of the publication, by observations similar to those which are contained in the letter of the Right honourable the Governor General *in council* to the Governor at Serampore.

Mr. Carey said that he by no means approved the introduction of abusive language directed to the religion and its founder, that he was aware that no good end could be answered by it. That it was certainly calculated to irritate, and that to irritate an opponent was not the way to convince him of his errors. That such was not the practice of the Missionaries, in endeavouring to convert the the natives to Christianity. Mr. Carey frequently repeated the expression of his own ignorance of the pamphlet in question, and added, that he could venture to declare that none of his brethren were apprized of the improper language which was introduced into it. That none of them understanding Persian, they might not know the force of many Persian words which it contained. That as a body, the pamphlet, as it now stood, could not be ascribed to them, and Mr. Carey intimated that it might be the composition of one of their proselytes, and that although to be printed at the press of the Missionaries, it must be supposed to have undergone a revision by one or more of their number, yet that probably it had not been revised with sufficient accuracy, and that in consequence of their ignorance of the language, the objectionable words had eluded observation.

These explanations were produced by the obvious enquiry, whether the Missionaries were not necessarily acquainted with, and responsible for, whatever issued from their press.

Mr. Carey observed, that the Missionaries were disposed in all respects to conform to the wishes of Government; that it was only necessary for them to know the will of Government to obey it, but that he hoped it was not the intention of Government to prohibit them from endeavouring to convert the natives, by the only means which they were disposed to use, namely, fair argument and persuasion: that all idea of compulsion was entirely out of the question,—that they merely employed arguments to convince the natives of their errors.—The Secretary here informed Mr. Carey, that he was not authorized to state the wishes or intentions of Government upon this point, but that so far he was at liberty to observe, that Government, as the guardians of the public safety, would consider it to be its duty to adopt such measures as were necessary to counteract whatever tended to endanger that safety. Mr. Carey adverted to the success which had attended their efforts, stating, that numbers of the Hindoo persuasion, from the Brahmin to the lowest cast, had been converted; that they had even succeeded in converting a few Mahomedans; instancing one, a syed or descendant of

Mohommud, who had embraced the Christian Faith, and had in consequence become, from an idle profligate character, a man of industry and exemplary sobriety and correctness of conduct. He observed, that in employing these means of conversion, it was impossible that they should speak well of the Mahomedan religion and its founder, for that would be to utter falsehood; but that they disclaimed the practice, and admitted the inutility, of employing abusive epithets, such as are contained in the pamphlet.

Mr. Carey (who acknowledged his influence over the Society of Missionaries) engaged, if it should be desired, that no publication should issue from the press at Serampore, without being first approved by Government.

The Secretary stated in reply, that he was not authorized to signify either an acceptance or rejection of that proposal.

Mr. Carey added, that he would adopt immediate measures to suppress the pamphlet, and withdraw it from circulation, if it had been circulated.

Mr. Carey was questioned regarding the correspondence of Missionaries with any gentlemen employed in the work of the mission in the interior of the country, and at the subordinate settlements, with a view to learn whether it was probable that the pamphlet had been transmitted to other stations, and to the coast.—From Mr. Carey's answers it did not appear that a regular and systematic correspondence, of the nature above mentioned, was maintained; Mr. Carey stated his opinion, that the pamphlet had not obtained any extensive circulation. He promised, however, to ascertain that point, and to put a stop to its further promulgation, both here and at any other place to which it might have been transmitted.

To these points Mr. Carey's immediate attention was particularly enjoined by the Secretary.

(Signed) *N. B. Edmonstone,*
Secretary to Government.

(A true Copy.)

(Signed) *N. B. Edmonstone,*
Secretary to Government.

(Copy.)

Dear Sir,

I FIND that a letter from the Right honourable the Governor General in council, has been sent to the Governor of Serampore, respecting the Persian Pamphlet which you mentioned on Wednesday last.—As that gentleman will make a report to Government on the affair, it would be improper for me to anticipate it by mentioning any particulars.

I may however observe, that on enquiry I am informed that the pamphlet was printed about two months ago; that about three hundred copies have been distributed in the vicinity of Calcutta, and that no copy has been sent to any part of the country.

I am, &c. &c.

4th September 1807. (Signed) *W. Carey.*

(Copy.)

To the Right honourable Lord Minto, Governor General, &c. &c. and Supreme Council.

My Lord, and honourable Sirs,

1. I HASTEN to acknowledge the honour of your Lordship's letter of the 1st instant, which came to hand yesterday evening about seven o'clock.

2. Having made myself acquainted with the contents thereof, I immediately took the necessary measures, and prohibited the issue of any more copies of the pamphlet regarding the Mahomedan religion and its founder.

3. I beg leave to assure your Lordship and the gentlemen of the Council, that so far from my having any previous intimation of the circulation of such a pamphlet, I even was ignorant thereof till the moment I had the honour of receiving your letter.

4. As your Lordship's letter requires some correspondence on my part with the Missionaries residing here, I am under the necessity of deferring my final answer till a few days hence, when I shall have the honour to transmit my correspondence with them to the British Government. I only beg leave now to add, that all copies of the said pamphlet shall be delivered up, and no circulation whatever of such or similar papers will in future be permitted from the Missionaries press at Serampore.

I have the honour to be, with great respect,
My Lord, and honourable Sirs,
Your most obedient humble servant,
(Signed) *J. Krefting.*

Fredericksnagore, 3d September 1807.

(A true Copy.)

(Signed) *N. B. Edmonstone,*
Secretary to Government.

No. 7.
Enclosures in Gov^r Gen^l's Letter, 2 Nov 1807; relating to Missionaries.

Copy of a Memorandum from Mr. Blaquiere.

Sunday, 6th September 1807.

The ceremony was began by an elderly Bengally, on whose coming and standing in the pulpit, all the audience, who were sitting down before on benches, stood up, when the old man began preaching in the Bengallee language, beseeching his congregation to observe that Yudkistkena, who had never spoken a lie, was persuaded by evil men to utter a falsehood, for which he was sent down to Hell.

The preacher then observed, that even Brahmins and other people of respectability, live a sinful life abroad with women of the town, having at the same time wives at home; that they drink liquor in the public shops, and that in the commission of all these unrighteous acts, they are not forced by any one, but prompted by their evil inclination. He then questioned the difference between Brahmins and other men, seeing they are both liable to sin equally—that if both these classes are equally liable to sin, why then the Sudras and others are required to expiate their sins, and why not the Brahmins?—that Brahmins cannot forgive sins.

That the annual religious festivals are not expiatory of sin, but productive of it, &c. &c.

The people continued standing all the while that the Bengally preached.

Then began the singing psalms in the Bengally language to European tunes.

After this, an European ascended the pulpit, and preached a sermon in English.

The hearers were, some Armenians, some native Portuguese, and some native Portuguese women; two Bengallies that are converted, sat on a bench on the left of the pulpit. There was no other Bengally or Mahomedan sitting, but a croud of them was collected at the door. Among the hearers I did not see a single person of any respectable character, but such as I recognized lead an irregular life. I am given to understand, the Missionaries have some Christians in their employ who use persuasive means to make converts.

(A true Copy.) (Signed) *N. B. Edmonstone*,
Secretary to Government.

(Copy.)

To the Reverend W. Carey.

Sir,

THE substance of your replies to the verbal communications which I had the honour to state to you on the 2d instant, by direction of Government, having been reported to the Right honourable the Governor General in council, I am directed to request that you will communicate to the Society of Missionaries the observations and suggestions contained in this Address.

2. Since the day of your attendance at the Chief Secretary's office, various pamphlets and treatises in the Bengallee and Hindostanny languages, containing strictures on the religions of the Hindoos and Mussulmen, and purporting to have issued from the press at Serampore, have been submitted to Government: among them are two pamphlets, one in the Bengallee, the other in the Hindostanny language, addressed exclusively to the class of Mahomedans; containing the same or similar abuse of the doctrines, books, and founder of the Mahomedan religion, as is contained in the Persian Pamphlet from which I read to you a translated extract.

3. The Governor General in council has also been informed that the practice of public preaching on topics of that nature, prevails at a house engaged for that purpose by the Missionaries, in the town of Calcutta.

4. The issue of publications and the public delivery of discourses of the nature above described, are evidently calculated to produce consequences in the highest degree detrimental to the tranquillity of the British dominions in India, and it becomes the indispensable duty of the British Government to arrest the progress of any proceedings of that nature. In the present instance, this obligation is enforced by the necessity of maintaining the public faith, which, under the express injunctions of the legislature, has been repeatedly pledged to leave the native subjects of the Company in India, in the full, free, and undisturbed exercise of their respective religions. To permit the issue and diffusion of printed treatises, and the delivery of public discourses in the languages of the country, replete with the most direct and unqualified abuse of the principles and tenets of the religion of the people, is manifestly authorizing an opposition to the full, free, and undisturbed exercise of it.

5. Upon these grounds the Right honourable the Governor General in council deems it necessary to desire that the practice of preaching at the house employed for that purpose in the town of Calcutta, be immediately discontinued.

6. The Governor General in council also deems it his duty to prohibit the issue of any publications from the press superintended by the Society of Missionaries, of a nature offensive to the religious prejudices of the natives, or directed to the object of converting them to Christianity; observing, that whatever may be the propriety of exposing the errors of the Hindoo or Mussulmen religions to persons of those persuasions who may solicit instruction in the doctrines of the Christian faith, it is contrary to the system of protection which Government is pledged to afford to the undisturbed exercise of the religions

religions of the country, and calculated to produce very dangerous effects, to obtrude upon the general body of the people, by means of printed works, exhortations necessarily involving an interference with those religious tenets which they consider to be sacred and inviolable.

No. 7. Enclosures Gov^r Gen^l's Letter, 2 Nov. 1807, relating to Missionaries.

7. The Governor General in council further observes, that the press now established at Serampore, being intended for the promulgation of works within the limits of the Company's dominions, it is indispensably necessary that its productions should be subject to the immediate controul of the officers of Government. With this view I am directed to desire, that you will signify to the Missionaries the expectation of the Governor General in council, that the press be transferred to this Presidency, where alone the same controul that is established over presses sanctioned by the Government can be duly exercised.

8. I am further directed to desire, that you will ascertain and report to Government in what manner and in what places the pamphlets and treatises to which this letter refers, or any other of a similar description which may not yet have come under the observation of Government, have been distributed; and also that the Missionaries will employ every effort in their power to withdraw them from circulation.

Fort William,
8th September 1807.

I have the honour to be, &c.
(Signed) *N. B. Edmonstone*,
Secretary to Government.

(Copy)

To G. Dowdeswell, Esq. Superintendant General of the Police, and Magistrates for the town of Calcutta.

Gentlemen,

THE attention of Government having been lately attracted to a Persian Pamphlet printed at the press of the Society of Missionaries established at Serampore, and supposed to have been circulated among the native inhabitants of the town of Calcutta, containing the most direct and unqualified abuse of the Mahomedan religion and its founder, and Government having reason to believe that public discourses of a similar tendency are publicly delivered by the Missionaries, or their converts, in the town of Calcutta, Mr. Blaquiere was verbally requested to adopt measures with a view to ascertain the proceedings of the Missionaries in disseminating pamphlets of the nature above described, and in prosecuting the objects of conversion by the means of public preaching. From the result of Mr. Blaquiere's enquiries, it appears that numerous pamphlets, written some in the Bengalee and some in the Hindoostannee language, in terms highly abusive of the religious systems of the Hindoos and Mussulmans, have been printed at the press of the Missionaries at Serampore, and circulated among the native inhabitants of this city; and Mr. Blaquiere at the same time delivered in several pamphlets or treatises of the above description. Mr. Blaquire further reported, that discourses on similar topics, were delivered every Sunday by the Missionaries or their converts, at a house within the town of Calcutta, engaged by the Missionaries for that purpose.

2. The Right honourable the Governor General in council, adverting to the dangerous consequences of these proceedings, has adopted the necessary measures for preventing the issue and distribution of publications, such as are above described; and the immediate object of this communication is to inform you, that the Missionaries have been required to discontinue and prevent the practice of public preaching at the house engaged for that purpose in the town of Calcutta.

I have the honour to be, &c.

Council Chamber,
8th September 1807.

(Signed) *N. B. Edmonstone*,
Sec^y to Gov^t.

(Copy.)

To the Right honourable Lord Minto, Governor General, &c. &c. &c. and Supreme Council at Fort William.

My Lord, and honourable Sirs,

I HAD the honour, on the 3d instant, to address your Lordship and members of the Supreme Council at Fort William, in a letter to be considered as a preliminary reply to that of the 1st of September, wherein I gave myself the liberty to state what steps I had taken for the suppression of a Persian Pamphlet regarding the Mahommedan religion and its founder. I did in the same letter intimate the necessity on my part, to enter into a correspondence with the Society of Missionaries at this place, thereby to ascertain the number of pamphlets distributed by them, and in what manner, &c. &c. I further gave myself the honour to promise, that all the remaining copies of the said pamphlet should be delivered up, and no circulation whatever of such or similar papers be permitted in future from the Missionaries press.

2. The society of Missionaries having complied with the orders I deemed it proper to prescribe with regard to the said pamphlet, I have the honour, as a measure of the respectful attention I owe to you my Lord and honourable Sirs, now to transmit all the printed copies remaining in the hands of the said society, amounting to 1,700, out of 2,000, as only 300

No. 7. Enclosures in Gov^r Gen^l's Letter, 2 Nov. 1807; relating to Missionaries.

copies appear to have been distributed either at Chinsurah, Serampore, Calcutta, or the neighbouring villages.

3. The subjoined copy of a letter I received from the Missionaries on the 8th instant, will fully convince you my Lord and honourable Sirs, of my having disapproved of their conduct in the present instance; and as I fully coincide in the political principles laid down in your letter of the 1st instant, I can only assure the Supreme Council, that the government of Serampore will never permit any act to be committed which might in any degree give offence to the British Government, whose prosperity the Danish nation in particular always will regard as their ultimate wishes.

4. The answer of the Missionaries will also I hope be considered as satisfactory, and as a pledge to you my Lord and honourable Sirs, that they never in future will attempt to print any thing by which the preservation of order and tranquillity might be endangered; and as their sentiments in their reply to my letter, manifest the fullest regret on their part, I humbly request that no further specific measure may be taken, as I, on the least application from your Government, always will be ready to check abuses, which in the present case appears merely to derive from a misapplied religious zeal.

I have the honour to be, with the highest consideration and respect,
My Lord, and honourable Sirs,
Your, &c.
(Signed) *J. Krefting.*

Fredericksnagore,
the 10th Sept. 1807.

(A true Copy.) Signed) *N. B. Edmonstone,*
Secretary to Government.

(Copy.)

To His Excellency the honourable Jacob Krefting, Esq. Governor of Serampore, &c. &c. &c.

Honourable Sir,

WE have been favoured with your Excellency's communication of the 5th instant, stating your having received a letter from the Right honourable the British Governor General and Council of Fort William, dated the 1st instant, which noticed a Persian Pamphlet lately circulated under our direction, as containing expressions tending to irritate the minds of the class of Mussulmans to whom it was addressed; expressing your sorrow at such a circumstance having occurred; prohibiting the further distribution of the said pamphlet; and requiring us to deliver up the remaining copies now in our hands; as well as to give you every degree of information relative to the actual distribution of the pamphlet in question.

2. On carefully examining this pamphlet, we feel it our duty to declare our sincere regret, that any expressions tending to irritate rather than convince the mind, should thus have issued from our press; and we feel that justice to our own characters requires us to state to your Excellency the circumstances under which it happened.

About three months ago we delivered to a Moonshi, formerly a Mussulman, but who had for some time professed an attachment to the Christian religion, a short abstract (in the Bengallee language) of the life of Mahomet, taken almost verbatim from Lale's preliminary discourse prefixed to his translation of the Koran, desiring him to translate it into Persian. The confidence we had in this man altogether, with the hurry of business, occasioned our putting the translation to press without a previous revisal; and we now find to our great regret, that he has departed from his original, not only by foisting in epithets which were not in the copy, but by making a number of alterations in the ideas themselves. We do not mention this for the sake of exonerating ourselves from blame (we are aware that such an act of negligence does not prevent its being our act) but merely as a fact in the history of the pamphlet. Should your Excellency wish it, we will send you either the original itself, which after much search we have found, or an English translation of it, that your Excellency may satisfy yourself of the truth of the fact.

3. We are happy to find, that of 2,000 printed of this pamphlet, 1,700 remain in our hands; the other 300, as far as we can ascertain, have been distributed either at Serampore, Chinsurah, or Calcutta, or the neighbouring villages. We suppose that none of them have gone to a greater distance. We hope, and indeed have reason to believe, that no apprehension need be entertained from those distributed, as from the indifference and disregard manifested by natives in general to things of this nature, it is more than probable that by far the greater part of them are thrown away or destroyed.

4. We cheerfully send your Excellency the remaining copies, and pledge ourselves that it shall never more issue from our press in any form whatever. Relative to similar papers in any future time, we beg leave to assure your Excellency, that our lively sense of the favour and countenance we have so long experienced from the Danish Government, both in Europe and India, and particularly from your Excellency, would alone prevent us from doing any thing which might in the remotest degree tend to give your Excellency pain. But it cannot be unknown to your Excellency, that we need no inducement of this kind to urge us to a conduct to the public tranquillity; we are thoroughly convinced that the Christian religion, so far from requiring the aid either of coercion or of irritating and

opprobious epithets, expressly disallows them; and we feel certain that no one was ever made a sincere convert to Christianity by means like these.

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5. Indeed, were we in the course of our missionary labours here, to pursue a different line of conduct, we should not only violate those feelings of attachment and respect to the British Government, and the members who compose it, which none in India possess in a higher degree than ourselves, but act as contrary to the dictates of common sense, as to those of Christianity. If, as your Excellency justly observes, the safety of every European settlement be connected with the preservation of order and tranquillity in the British dominions in India, how much more deeply must our personal safety, and the safety of our families, be involved therein, since our very existence in this, a heathen country, is suspended on the prosperity of the British empire in India.

6. As a proof however of the real tenor of our conduct, we are happy in being able to appeal to evidence stronger than mere assertions,—your Excellency's personal knowledge. Nearly eight years have elapsed since we first had the honour of enjoying the patronage and the countenance of the Danish Government in India. We feel therefore peculiar satisfaction in appealing to your Excellency, whether our conduct, both as individuals, and as a Missionary body, hath not been agreeable to the sentiments we have just expressed; and we beg leave to assure your Excellency, that every view of the nature of Christianity, confirms us in the conviction of its being our duty to persevere in the use of the mildest, most inoffensive, and conciliatory methods in our intercourse with natives of every description, conscious that by these alone we can impress them with an idea of the true nature of Christianity. And we feel high pleasure in the thought, that while thus obeying the dictates of our own consciences, we have the happiness of perfectly coinciding with the wishes of your Excellency and of the Right honourable the Governor General of the British dominions in India.

We have the honour to be, &c.

(Signed) *W^m Carey,*
W^m Ward,
Josh. Marshman,
W^m Moore,
Jos^n Rowe,
Felix Carey.

Serampore,
Sept. 8th, 1807.

(A true Copy.) *Prinzling,* Secretary to Government.

(A true Copy.) (Signed) *N. B. Edmonstone,*
Secretary to Government.

(Copy.)

His Excellency the honourable J. Krefting, Esq. &c. &c. &c.

Sir,

WE have the honour to acknowledge the receipt of your Excellency's letters under dates the 3d and 10th instant, the former in reply to our Address, the latter received on the 11th instant, communicating to us the result of the measures which your Excellency had been pleased to adopt in conformity to our request for the suppression of publications obnoxious to the religious persuasions of the natives of India, and enclosing a copy of an Address to your Excellency on the subject from the Society of Missionaries at Fredericksnagore.

2. We request your Excellency to accept the expression of our cordial acknowledgments, for the attention which your Excellency has manifested to the request contained in our letter of the 1st instant, and for the measures which your Excellency adopted, with a view to ascertain the extent to which the pamphlet reflecting on the Mussulman religion had been circulated, and to prevent the future distribution of works of that description.

3. We have duly received the copies of the pamphlet which your Excellency had the goodness to require from the Missionaries and to transmit to this Presidency.

4. Your Excellency's assurance of the disposition of the Government of Serampore to meet the wishes of the British Government on all occasions, is consistent with our experience, and demands our cordial thanks.

5. Subsequently to the despatch of our letter to your Excellency's Address, we received information of the distribution of other pamphlets and treatises in the Hindoostanny and Bengally languages, printed at the press of Serampore, containing strictures on the religions of the Hindoos and Mahomedans, equally offensive with those contained in the pamphlet of which we had the honour to transmit to your Excellency a translated extract. We were also informed that the Missionaries and their converts were in the habit of preaching publicly in the town of Calcutta on similar topics.

6. In our letter of the 1st instant, we observed to your Excellency, that we had not then formed our determination with regard to the specific measures, which, with a view to the preservation of the public tranquillity, and to the vindication of our public faith, it might be necessary to pursue on the present occasion. With the additional information

above

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above described, however, we have since resumed the consideration of the subject, and the measures which we adopted in consequence, were carried into effect previously to our receipt of your Excellency's despatch of the 10th instant.

7. The works which are printed at the press of the Missionaries are expressly intended for promulgation within the limits of the British dominions, and even the operations of the press are principally supported by the aid and encouragement afforded by the Asiatic Society of the College of Fort William. The establishment of it at Serampore had no reference to the circulation of its productions within the limits of that colony, but is exclusively directed to the same purposes to which it would be applied if established at this Presidency. Under these circumstances, it appeared to us to be obviously regular, as well as highly expedient, that the press of the Missionaries should be placed under the immediate controul of this Government, in the same manner as the presses established at Calcutta. And with this view we signified to the Missionaries our expectation that the press be brought within the sphere of our direct authority, by being transferred to this Presidency.

8. We are satisfied that your Excellency will believe this arrangement to have been entirely unconnected with the slightest doubt of your Excellency's disposition to exert your authority in preventing the issue of improper publications, and will consider it to be founded exclusively on those general principles, which render it the duty of every government to reserve to itself the power of restraining irregularities within the limits of its own dominion.

9. For your Excellency's more detailed information, we have the honour to transmit, enclosed, a copy of the letter addressed by orders to the Rev. Mr. Carey, under date the 8th instant, communicating our desire that the press be immediately transferred to this Presidency, and prohibiting both the practice of public preaching at Calcutta, and the issue of publications directed to the object of converting the natives to Christianity.

10. The existence of a press at Serampore, being (as we have already observed) obviously unnecessary for the purpose of circulating works within the limits of that settlement, and exclusively applicable to the purposes of similar establishments of this Presidency, we confidently trust that your Excellency will not only concur in the expediency of the measure which we have adopted, but will withhold your consent to the establishment of any other press under the protection of the Danish flag.

11. We have perused with great satisfaction the Memorial of the Missionaries, and are entirely convinced of the rectitude and propriety of their intentions; but it will not escape your Excellency's observation, that the purposes of the press are liable to abuse without their knowledge and concurrence, since it appears from the tenor of the Memorial, that the Missionaries were not only uninformed of the objectionable nature of the Persian Pamphlet which has excited our attention, but that works of a similar nature in the Bengallee and Hindoostanny languages have been published at the press of Serampore, the contents of which were previously unknown to them.

We have the honour to be, &c.

(Signed) MINTO,
G. H. BARLOW,
J. LUMSDEN.

Fort William,
15th September 1807.

(A true Copy.)

(Signed) *N. B. Edmonstone,*
Secretary to Government.

To N. B. Edmonstone, Esquire.

Sir,

1. I HAVE the honour of acknowledging the receipt of a letter from you, dated the 8th instant, requesting me to communicate to the Society of Missionaries at Serampore, the observations and suggestions contained therein.

2. In reply thereto, I have the honour to inform you, that I have communicated to the Society of Missionaries the contents of the said letter, agreeably to the request contained therein.

3. I have the honour to observe, in reply to the eighth paragraph, that I will endeavour to ascertain and report, for the information of Government, the places where these or any other pamphlets have been circulated. At present I am able only to say, that although pamphlets have been in circulation for several years, no one instance has come to my knowledge, of the least symptom of alarm having been excited either among Hindoos or Mussulmans in consequence of such circulation.

I have the honour to be, &c.

(Signed) *W. Carey.*

Serampore,
15th September 1807.

(A true Copy.)

(Signed) *N. B. Edmonstone,*
Secretary to Government.

To the Right honourable Gilbert Lord Minto, Governor General of India, &c. &c. &c.

My Lord,

1. THE Society of Missionaries residing at Serampore, entreat permission to lay before your Lordship, with the greatest submission, a full and undisguised statement of their situation,

situation, circumstances, and views; humbly casting themselves on your Lordship's clemency, and imploring such relief as your Lordship's candour and wisdom and attachment to the Protestant religion may suggest.

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2. Your Lordship's Memorialists beg permission humbly to represent, that in the year 1792 a number of ministers and others of the Baptist denomination, reflecting on the blessings they enjoyed through the Christian Revelation, and feeling it their indispensable duty to attempt imparting the same to the heathen, formed themselves into a voluntary society, by the name of the Baptist Missionary Society, and that your Lordship's Memorialists, influenced by the same views, by the advice of this society, engaged in a mission to India.

3. They entreat permission further to state, that one of your Lordship's Memorialists and his friend, since dead, landed at Calcutta in the year 1793; who being soon after entrusted by a gentleman high in the service, with the care of two indigo works in the district of Dinagepore, began to learn the Bengallee language, translate the Scriptures and dispense Christian instruction to the natives of that and the neighbouring districts, and although this was continued for six years, nothing appeared on the part of the natives but the highest satisfaction.

4. That the Right honourable Lord Teignmouth, being then Governor General of India, was pleased to grant these two Missionaries the covenants of that time, granted to British subjects in India.

5. They entreat permission further, humbly to represent that in the year 1799, four other Missionaries arriving at Serampore, were invited by his Excellency Colonel Bie, late Governor of Serampore, to settle in that colony, open an European school, set up their printing press, and instruct the natives of that settlement in Christianity, under the patronage of his Danish Majesty; and that your Lordship's Memorialists felt it their duty to accept his Excellency's invitation.

6. That in consequence of a representation made by his Excellency Colonel Bie, his Danish Majesty was pleased to direct the Royal College of Commerce at Copenhagen, to signify his pleasure to the Governor of Serampore, that the Society of Missionaries be considered as under his Majesty's protection and patronage, which they accordingly signified by a letter bearing date September 5th, 1801.

That, thus encouraged by the Danish Government, your Lordship's Memorialists proceeded to print the Scriptures in the Bengallee language; and, by preaching and diffusing religious tracts, to instruct the native inhabitants of that settlement in the Christian religion; and that his Excellency the late Colonel Bie was pleased, at the baptism of the first Hindoo convert, to honour the Missionaries with his presence.

8. That, after the Scriptures were published, many came to Serampore from different parts of the country to request copies, and to seek Christian instruction, and that a considerable number, at different times, have received Christian baptism.

9. That of those who thus came from a distance, some entreated your Lordship's Memorialists to accompany them to their respective homes, for the sake of instructing their neighbours and friends, who, though equally desirous of Christian instruction, were unable to take so long a journey; that in several instances they complied with these invitations, and invariably found these excursions attended with perfect quietness as well as safety to their own persons, although they appeared simply as Christian teachers; and the people whom they thus visited, were in several instances Mahomedans.

10. Your Lordship's Memorialists entreat permission farther to represent, that on occasion of the printing presses at Calcutta being placed under the controul of Government, the Most noble the Marquis Wellesley was pleased to enquire respecting the press at Serampore; but on being informed that, (official papers for the Danish Government excepted,) the Missionaries confined its operations to printing the Scriptures and religious tracts, and made it an invariable rule to print nothing of a political nature, his Lordship was pleased to express his satisfaction at the press of Serampore being thus employed.

11. That his Lordship was pleased soon after to accept a copy of the New Testament, translated by the Missionaries into the Bengalee language, and to express his approbation of the undertaking.

12. That in 1801 his Lordship was pleased to appoint one of your Lordship's Memorialists, teacher of the Bengalee and Sangskrit languages, in the College of Fort William.

13. That his Lordship was pleased soon after to direct the Missionaries to prepare and print the Psalms of David, and the Book of Isaiah, as a class-book in the Bengalee language, for the use of the college.

14. That on a subsequent occasion, his Lordship was pleased to assure one of your Lordship's Memorialists, that he was perfectly acquainted with all the concerns and operations of the Missionaries at Serampore, and felt great satisfaction at their affairs being attended with such a degree of success.

15. They entreat permission also to represent, that in the year 1803 a copy of the New Testament, and the Pentateuch, in the Bengalee language, were presented to His Majesty by R. Bowyer, esq. of Pall Mall, and that His Majesty was pleased graciously to accept them, and to direct that His Majesty's thanks be given to the Baptist Missionary Society.

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16. They humbly beg leave further to represent, that early in the year 1804, reflecting on the situation of the different countries around, as destitute of the Holy Scriptures, your Lordship's Memorialists felt it their duty to request the assistance of the public in Europe, in the work of translating and publishing the Scriptures in the languages of India.

17. That in the year 1805, a letter was received from the British and Foreign Bible Society, of which the Right honourable Lord Teignmouth is President, and the Bishops of London, Durham, Exeter, and St David's, the Right honourable Lord Radstock, Admiral Gambier, Sir W. Pepperell, William Wilberforce, and Charles Grant, Esq. Vice Presidents; the following extract from which, they humbly entreat permission to submit to your Lordship.

London, July 23d, 1804.

"Resolved,—That George Udny, Esq. the Reverend David Brown, the Reverend "Claudius Buchanan, and Messrs. Carey, Ward, and Marshman, be requested to form "a Committee, and to correspond with the Society respecting the best means of pro- "moting the objects of this Institution, with regard to the Eastern languages."

(Signed) *John Owen*,
Secretary.

18. That in the year 1806, your Lordships Memorialists published a Memoir, in India relative to the translations of the Scriptures, of which copies were transmitted to the honourable the Court of Directors, the Right honourable the President of the British and Foreign Bible Society, the Right Reverend the Bishops, the Universities in Britain, and a number of public bodies and private gentlemen.

19. That in consequence of this Memoir, a considerable sum was subscribed by gentlemen at this Presidency to carry forward the work; and that subscriptions have been received on the same account from England and Scotland, and also from the United States of America.

20. Thus have your Lordship's Memorialists, humbly relying on your Lordship's clemency, laid open in the most unreserved manner the whole of their circumstances; conscious of no evil design, they have never attempted concealment, but have year by year laid the whole of their conduct before the public, both in Britain and India. And they entreat permission farther humbly to state, that in the course of their missionary labours, they have baptized upwards of a hundred natives, including Hindoos and Mussulmans; of these, the first ten were inhabitants of Serampore, and the rest such as came from different parts of the country seeking Christian instruction. Among these, twelve were Brahmins, sixteen of the Writer cast, and five Mussulmans. Your Lordship's Memorialists entreat permission to add, that neither the baptism of the Brahmins, nor Mussulmans, created any kind of alarm, although the circumstances attending them were perfectly well known to a great distance around.

21. Your Lordship's Memorialists humbly entreat permission further to represent, that in thus affording Christian instruction to natives, they were perfectly unconscious of acting contrary to the declared will of the British nation and Legislature, or to the existing regulations of the honourable Company. Conscious of the salutary effects in renovating the mind and regulating the passions, they wished to impart the blessing to their Hindoo fellow subjects, happy in the idea that in every real convert they were securing to their country a friend, a subject obeying from new principles, and cordially attached to the British nation by new and inviolable ties.

22. They entreat permission further to represent, that though perfectly acquainted with, and highly revering the principles which induced the British Legislature to guarantee to their Indian subjects the full and undisturbed possession of their different religious opinions, your Lordship's Memorialists were perfectly unconscious of violating those principles, inasmuch as the most solemn engagements of this nature in Britain are never supposed to preclude religious discussion; and from the liberal and generous nature of the protestant religion, they were led to imagine that a protestant nation, while utterly averse to coercion, could not but wish their Hindoo subjects might in some prudent and safe method receive Christian instruction.

23. They humbly entreat permission further to state, that this supposition was strengthened by perusing in Russell's collection of Statutes concerning the Incorporation, Trade, and Commerce of the East India Company, printed at London in 1786, and dedicated to the Right honourable Henry Dundas, an abridgment of the Charters of Incorporation granted to the several East India Companies, which abridgment, among others, contains an abstract of the charter granted to the honourable Company by his Majesty King William the Third, and bearing date September 5th, 1698; in which it is stipulated, page xx. of the abridgment, that "the ministers of the honourable Company are to "learn the Portuguese and Hindoo languages, to enable them to instruct the Gentoos, &c. "in the Christian religion."

24. Your Lordship's Memorialists humbly acknowledge to your Lordship, that the conduct of other protestant nations towards their Indian subjects, has also tended to confirm them in this supposition, particularly that of the United States of Holland, who, while they allowed their Cingalese, Malabar, and Malay subjects, the free exercise of their different religions, at the public expense translated the sacred Scriptures into the former and latter of these languages, and employed Missionaries and Catechists to instruct the natives in the Christian religion; from which conduct your Lordship's Memorialists have never heard

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that in one single instance any alarm or disturbance arose, but that, on the contrary, these converted natives were often of the highest political service to their respective governments.

25. That the conduct of his Danish Majesty Frederick the Fourth, who in 1705, at his own expense, sent Messrs. Zeigenbaly and Grundler to found the Protestant Mission at Tranquebar, tended still more to confirm their minds in this idea, particularly when connected with the subsequent conduct of the British nation towards that mission; for your Lordship's Memorialists entreat permission to represent, that on the return of the Missionary Zeigenbaly to Europe, nine years after the commencement of the mission, he was invited to a sitting of the Bishops and others, in the Society for promoting Christian Knowledge; and that after his return to India, he was presented with a printer's press, to encourage him in the publication of the sacred Scriptures; that this press the Missionaries set up at Tranquebar, where it still remains employed for Missionary purposes, under the patronage of his Danish Majesty.

26. That the gracious condescension of his Majesty George the First, by no means tends to weaken those ideas; for, in addition to the encouragement afforded these Missionaries by his subjects, his Majesty was pleased to write them two letters, in the first of which, bearing date August 23d, 1717, his Majesty was pleased to express his satisfaction at the success of their labours, and to assure them of the continuance of his royal favour; and in the second, dated February 23d, 1727, twenty-two years after the mission had been founded (a period in which the dissemination of the Scriptures and the baptism of a multitude of the natives had fully developed its nature and tendency) his Majesty was pleased to express his satisfaction in terms still stronger, to assure them that a constant account of the progress of their mission would be acceptable, and to "pray that they "might be assisted in this good work, that its perpetuity might not fail in generations to "come."

27. Your Lordship's Memorialists humbly entreat permission further to represent, that the conduct of the honourable Company towards the Missionary servants lately deceased, has tended to convince them, that in attempting to afford Christian instruction to the Hindoos, they were not acting contrary to the will of the honourable Company. In confirmation of this idea, they entreat permission to refer to the cenotaph, which the honourable Company has been pleased to erect at Madras to the memory of this Missionary, directing that the inscription be translated into the different languages of the country, that the natives may understand the sense they entertain of his transcendant merit in "abstracting himself from "temporal views, and for a period of fifty years going about doing good," in the character of a Christian Missionary.

28. Your Lordship's Memorialists most humbly entreat permission to appeal to your Lordship, whether their circumstances and employment in translating the Scriptures, and quietly dispensing Christian instruction, be not similar to those of Zeigenbaly and Swartz.

They acknowledge that their efforts bear no proportion to the labours of these excellent men, but entreat permission humbly to represent, that their motives and the nature of their labours are exactly the same.

29. They also entreat permission further to represent, that from the peculiarly delicate circumstances in which the efforts of the Missionary Swartz were made, among natives whose bigotry greatly exceeds that of the natives of this Presidency, and in the neighbourhood of the most inveterate and formidable Mahometan power which has ever opposed the British nation, they were led to suppose that if in these circumstances, attempts to instruct natives in the Christian religion were not injurious to the public tranquillity, but rather meritorious, they could not be of a different nature in this Presidency, freed from every powerful Mahometan neighbour, and when the natives, divided into numerous sects, indulge in literary and religious discussion to an almost unbounded degree.

30. That all they have had an opportunity of observing relative to the natives, has convinced them of this being their true state and disposition. They have found that in numerous instances discussion has been desired by their native teachers and approved by the multitude, even when it has ended to the disadvantage of their spiritual guides; that Christian instruction has been sought both by Hindoos and Mussulmans; that the prudent dissemination of Christian instruction for thirteen years, the baptism of more than a hundred of the natives, and the circulation of several thousand copies of the Scriptures, has created no alarm, nor excited among them the least dissatisfaction during the whole of this period. They entreat permission also to add, that one of your Lordship's Memorialists has been in the habit, for more than five years, of dispensing Christian instruction in Calcutta to his servants, and such other natives who choose to attend, without observing the most distant appearance of discontent.

31. Your Lordship's Memorialists humbly entreat permission further to intrude upon your Lordship's clemency, and to represent, that about a year ago a number of Americans and Protestant Portuguese, natives of Calcutta, stated to them that they wished for Christian instruction, but were too little acquainted with the English language to receive it at the English church, they therefore entreated your Lordship's Memorialists to afford it them in Bengalee, the only language in which they could receive it, one of them offering to fit up a part of his house for that purpose. Not imagining that by thus affording instruction to protestant natives, they were acting contrary to the will of Government,

your

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your Lordship's Memorialists felt it their duty to comply with this request. And it is with the deepest concern they learn that this has been mentioned to Government, as an attempt to inflame the minds of the natives, and disturb the public tranquillity.

32. They humbly beg leave to represent, that hearing instruction in their own language natives have occasionally listened without, but that not the least appearance of dissatisfaction has been observed among those who have thus occasionally listened.

33. Your Lordship's Memorialists humbly implore permission to represent, that it is with the deepest concern they understand apprehensions for the public tranquillity have been entertained from the productions of their press.

34. They therefore humbly entreat permission to lay before your Lordship a correct list of the pamphlets which have issued therefrom, with a brief view of their contents:

1. "The Gospel Messenger," a short Bengalee poem, written to announce the translation of the Scriptures. By a Hindoo Pundit, favourable to Christianity as an object of discussion, but still professing Hindooism.
2. "The Dawn of Wisdom." By the same Pundit. Written to invite his countrymen to the investigation of Christianity.
3. "News relative to the Salvation of Men."
4. "A Summary of Christian Doctrine."
5. "The Words of Affection," a Summary of Christianity, with an invitation to the Hindoos to examine it.
6. "An Address to the Worshippers of Juggernaut,"—4 pages.
7. "The Difference," a comparison between Khrishna and Christ. A translation of this, and the 1st, 5th, and 6th Articles, have been published in England.
8. "The Sure Refuge," "Salutary Counsel," and the "Enlightening Guide," three short pieces addressed to his countrymen the Hindoos. By Pelumber Sing, an aged native Christian.
9. "An Address to Mussulmans," with an Appendix containing some account of Mahomet.

35. Your Lordship's Memorialists humbly entreat permission to represent, that these pamphlets, with a few Catechisms (two of them Dr. Watts's) include every thing they have printed in the native languages, except the Scriptures, a book of Hymns, and the elementary books printed for the College of Fort William. The appendix in the 9th article, is the Pamphlet, a Persian translation of which was laid before your Lordship. This is the only one which your Lordship's Memorialists have at any time addressed to the Mussulmans, as they have generally found them less fond of discussion than the Hindoos. They entreat permission to add, that the Address was written and printed in England several years ago, and was selected by your Lordship's Memorialists, on account of its conciliatory tendency; that the appendix was drawn up by your Lordship's Memorialists, about three years ago, at the request of a number of Mussulmans highly fond of religious discussion,—that none of those epithets were used respecting Mahomet, which appeared in the Persian translation, and that your Lordship's Memorialists never heard of any Mussulman being displeased by the perusal in the Bengalee of the original copy, although it has been read for nearly three years. They entreat permission however to represent, that on receiving the first information of your Lordship's pleasure, they withdrew it from circulation in every form.

36. They entreat permission to assure your Lordship, that nothing can be farther from them, than an indifference to the public tranquillity. Convinced as they are, by all the observations they have been able make, that the British Government is the greatest national blessing vouchsafed by Divine Providence to India for many ages, and that the safety of themselves and their families, and of their native converts, depend in a peculiar manner on the permanent prosperity of the British Government, they entreat your Lordship to judge whether the dictates of religion do not concur with those of the soundest reason, in urging them to promote by every possible means, the peace, tranquillity and prosperity of the British Empire in India.

37. Your Lordship's Memorialists humbly entreat permission farther to represent, that they now have in the press translations of the Scriptures in the Sangskrit, the Bengalee, the Hindee, the Orissa, the Mahratta and the Guzzeratter languages, which they have pledged themselves to the public in Britain, America, and in India, to print at a stipulated price, a price precluding any profit arising to themselves from this work of public and gratuitous benevolence.

38. That for the sake of executing these works, and others which they are printing at a stipulated price for the College of Fort William and the Asiatic Society, and the accommodation of those concerned in them, they have been obliged to purchase and fit up premises at an expense of more than sixty thousand rupees, an expense involving them in debts which the most persevering industry and the most rigid economy has not enabled them in seven years wholly to liquidate. They humbly entreat permission further to state, that these premises, if abandoned, could be let only for a small monthly rent, and would indeed be ineligible to any single family, or to persons in a different line of business; while premises equally spacious and convenient could not be obtained in Calcutta for the monthly rent of a thousand rupees.

39. That in consequence of the difference in the price of house rent and other necessaries of life naturally existing between the metropolis of India and a small country town, the wages of native workmen in the printing line at Calcutta, are nearly double those given

at

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at Serampore. Such works however as your Lordship's Memorialists have engaged in, with a view to public sale, relating chiefly to Oriental literature, are exceedingly limited and precarious in the sale, and will permit no addition being made to their price.

40. That your Lordship's Memorialists, with their wives and children, forming a family of more than thirty Europeans, are by their missionary circumstances laid under the necessity of adopting a degree of economy and frugality, practicable only in a retired country situation, as well as of training up their children (twenty in number) in the same course; they therefore entreat permission to represent to your Lordship's consideration, that these circumstances constrain them to contemplate a removal to Calcutta with the utmost dread, as involving the speedy and inevitable ruin of themselves and their families.

41. They beg leave therefore to cast themselves on your Lordship's clemency, and with the utmost deference to submit their circumstances to your Lordship's humanity and wisdom, humbly imploring the great Author of the Christian religion to pour down on your Lordship his choicest blessings, that your Lordship's Government, tranquil and happy to your Lordship, may be productive of the most beneficial and lasting effects to the millions confided to your Lordship's care; and that at a very distant period your Lordship may receive from his gracious hand a crown of glory that fadeth not away!

We have the honour to be, &c. &c.

(Signed) *W. Carey*, *Wm. Moore*, *Jo. Marsham*, *Josh. Rowe*, *Wm. Ward*, *Felix Carey*.

Mission House, Serampore, 30th Sept. 1807.

(Copy.)

To the Right honourable Lord Minto, Governor General, &c. &c. &c. Supreme Council, Fort William.

My Lord, and honourable Sirs,

I HAVE the honour to acknowledge the receipt of your Lordship's letter, dated the 15th instant. The necessity of a reference to the Missionaries, in order to enable me to answer your public letter, has precluded me from transmitting an earlier reply thereto.

2. It gives me great pleasure, my Lord and honourable Sirs, from the general tenor of this letter, to perceive your Lordship's acquiescence in the measures I have adopted, as well to ascertain the extent to which the pamphlets respecting the Mussulman religion have been circulated, as to prevent the future distribution of works of that description.

3. I am also informed, that the several copies I did myself the honour to send down to Fort William on the 10th instant have been received.

4. Your Lordship in council have been pleased to observe, that subsequently to the despatch of your first letter, information had been given of the distribution of other pamphlets and treatises printed at the press of Serampore, containing strictures on the religion of the Hindoos and Mahomedans, equally offensive with those contained in the first translated extract; moreover, that the Missionaries and their converts were in the habit of preaching publicly in the town of Calcutta.

5. Having considered it my duty to ascertain all facts with regard to this unpleasant affair, in order thereby to convince my superiors of the absolute necessity on my part to suppress the issue of all works regarding religious discussions from the press of Serampore, I have directed the Missionaries to furnish me with a translated copy of the pamphlet in the Hindoostanee and Bengalee language, which I have now the honour, enclosed, to transmit for your Lordship's inspection. The errors of the Mahomedan and Hindoo religion are (as cannot be denied) developed in this pamphlet; but I humbly beg leave to observe, that I do not find the expressions made use of so offensive, as those contained in the Persian pamphlet, in which the Mussulman religion and its founder are exposed in a manner I certainly did not approve of; I further beg leave to observe, that the Bengalee pamphlet alluded to in the 5th paragraph of your Lordship's letter, is not the production of yesterday, or of a late date, but has been in circulation since the latter end of the year 1804, or from the beginning of the year 1805. The habit of the Missionaries of preaching publicly in the town of Calcutta, on the topics of religion, is also nothing new, but will on due examination be found to have been practised there by them for nearly five years back, in which time no notice has been taken of their proceedings, nor has disturbance to my knowledge been the consequence thereof.

6. As it appears by the 9th paragraph of your public letter, that your Lordship in council entirely disapprove of the Missionaries issuing publications directed to the object of converting the natives to Christianity, I have, in order to evince the British Government of my utmost desire to manifest every practicable attention to the fulfilment of their wishes, prescribed such rules for the Missionaries, as will effectually preclude them from the possibility of acting contrary to your Lordship's political views in future. The press at Serampore is consequently suppressed. As far as may concern religious matters, the translation of the Bible and the New Testament is forbidden, until I can have the honour

No. 7. Enclosures in Gov^r Gen's Letter, 2 Nov. 1807; relating to Missionaries.

of your advice and sentiments, whether the circulation of the Bible in the Bengalee language is to be included in your Lordship's prohibition.

7. Having now, as I hope, given the strongest proofs of my readiness to meet your Lordship's wishes, and also my determination to restrain such irregularities as might give offence to the British Government in India, I humbly request that your Lordship in council will desist from urging the measure of having the press transferred to the Presidency of Fort William, a step which will not only cause the ruin of the Missionaries, but will likewise be highly prejudicial to his Danish Majesty's settlement Fredericksnagore, where the press is constantly made use of, as well with regard to the publishing of regulations within our own limits, as also for advertisements of all public and private sales.

I avail myself of this opportunity to renew the high consideration and respect with which I have the honour to be,

My Lord, and honourable Sirs,

Your most obedient and most humble servant,

(Signed) *J. Krefting*,

(Signed) *Printzling*,

Secretary to Government.

Fredericksnagore, the 30th September 1807.

Some Account of MOHUMMUD.

THE name of Mohummud's father was Abdulla; he died while young, and Mohummud was very poor, having only five camels and one maid servant. 571 years after the birth of Jesus Christ, Mohummud was born at Mecca in the Khoreish tribe. When he was 13 years of age, his uncle took care of him, and placed him in the service of a widow, whom he afterwards married; and by her wealth, became one of the richest men in Mecca.

From that time he, forming the idea of becomming a prophet, retired every year to a cave in the mountain Hara, and after some time, taking his family thither, told them that the angel Gabriel had appeared to him, and said "God has appointed thee to become a prophet." His wife and his uncle's son hearing this, believed it. Mohummud declared this at the age of forty, and very few became Mussulmans till after he was forty-three years of age, but by degrees his followers increased. When he was fifty-two years old, he told the people that one night he had gone from Mecca to Jerusalem with an angel, and from Jerusalem to Heaven, and had conversed with God; but when some of his followers heard this imposture, they deserted him. Mohummud, till he was fifty-three years of age, gained disciples by persuasion, after which, he declared that God had commanded those who would not embrace the Mussulman faith to be destroyed, and upon this, his enemies at Mecca sought to kill him, wherefore he fled to Medina. After this, he made war with his enemies, in which sometimes he prevailed, and sometimes they.

Seven years after his flight he sent messengers to the neighbouring princes, attacking those who despised his message. Eight years after his flight he conquered Egypt, Syria and other countries, and also made himself master of Mecca: eleven years after his flight he died, but all Arabia were Mussulmans before his death. After his death, his followers by war obliged Hindoostan and other countries to embrace the Mussulman faith. The leaves of the Koran had been found in a chest after his death, and Abubeckar, one of his followers, putting those together, formed the Koran as it now is.

Mohummud had nine wives, and occasioned the death of many thousands of people, on which account we say that he is not a true prophet, nor in any respect the friend of God, as a murderous robber cannot be the friend of the governor general.

Mohummud deceiving, said, "I received the Koran by degrees from the angel Gabriel." When he wanted to delude the people, he would say, "I have this command from God, through the angel Gabriel."

Many of the words of the Koran are found in other books; how therefore could Mohummud say, that he received the whole from God by the angel Gabriel?

We say that the Koran is not the book of God, because it does not prohibit all sin: it encourages men to commit adultery, to fight and to destroy others; but the Law, the Psalms and the New Testament, prohibit every sin and every sinful thought.

We say that the Koran cannot be the word of God, because Mohummud said, he was a prophet to establish the Law, the Psalms, and the Gospel; but in the Gospel it is written, that whoever adds any thing to these three by any other book, God will cast him into Hell. Why then did Mohummud write the Koran?

We say that the Koran cannot be the word of God, because in it is a very great mistake —the way of salvation. Behold, in the Koran it is said that men go to Heaven by these four works: alms, prayer, fasting, and pilgrimages to Mecca; but the Law, the Psalms, and the New Testament, firmly declare, that none can go to Heaven by his own works: and that Adam and Noah, and Abraham and Moses and David, and all the other prophets mentioned in the Law and the Psalms, repenting of their sins, rejected their own righteousness and trusted in the death of Jesus Christ. The Law, the Psalms, and the Prophets declare from beginning to end, there can be no other way of salvation besides dependance in the death of Christ. Therefore in the Law, the Psalms, and the New Testament, this the way of

No. 7. Enclosures in Gov^{r} Gen^{l}'s Letter, 2 Nov 1807; relating to Missionaries.

salvation is ascertained; but the Koran leaving this way, has instituted another. How therefore could Mohummud say that these three books and the Koran are equally the word of God? for God has instituted only *one* way of salvation.

We say that the Koran cannot be the word of God, for it is written therein that the happiness which people will obtain in Heaven, will be such as arise from a man's committing adultery with many women. But the Bible says, that the happiness of Heaven consists in constant purity of mind, in the joy of the heart and abhorrence of sin.

We say that the Koran cannot be the word of God, because it is said therein, that every thing comes by fate, from which all say when they have sinned, "we do just what God causes us to do;" and thus have no fear respecting sin. The Bible says, that man sins voluntarily, and that God never causes man to sin.

As the Hindoos having forsaken God, worship idols, that is, praise, serve, and sacrifice to Devils; so you likewise forsaking God, perform prayer, oblations, &c. before peers; but what are peers besides idols? And as the Hindoos having made an image, call it Kishoo Doorga, and worship it, so you, calling a Dargа the soul of a departed saint, offer to praise and worship it; therefore, both they and you, leaving the true God, serve another. There are also among you other customs of the worshippers of Devtas particularly, you regard cast, which the Mussulmans of other countries do not, disregarding the purity or impurity of the mind, you, like the worshippers of Devotas, regard only the purity or impurity of the body; at the feast Sabrat you perform the Shraddha for fourteen generations, and mentioning their names, pray to the peer for their salvation. At the time of Bukreed, he whom you call Rozdar, making a place in the earth, remains therein only through pride, and for the sake of a little gain. At the time of the Mohurrum, you make images of Hussen and Hosein, and worship and praise them, and the people ranging on the two opposite sides of Hussen and his adversary, take weapons and fight, and sometimes many are killed. At the festival Bara, you making a number of images, worship them, and indeed at all your festivals you make illuminations and other unmeaning shows, and not praying to God in secret, read your prayers in public, merely to be seen by men; and indeed they who read the Koran, instead of reading in private, that their minds may be fixed on God, read with a loud voice in public, only to be heard by men; and he who gives alms, only does it to be seen of men. Where many are collected, there you, on an elevated seat, sit and dispense your alms.

By all these and many other proofs, we know that the way of the Mussulmans shaster is certainly wrong, for of those who are great sinners, no one has a wish to leave sin, nor to obtain a pure heart through the favour of God; but innumerable sinners, believing in Christ, have forsaken sin and obtained purity of heart.

O beloved Mussulmans! why are you absorbed in this destructive delusion? Pray to Jesus Christ,—no one can serve you but he alone. He has been more gracious to you than any one, for to save your souls he gave his own; and the sins of all who trust in him, he hath borne in his own body; and he by the Holy Spirit prepares their minds for the enjoyment of the eternal happiness of Heaven.

(A true Copy.) (Signed) *J. Marshman.*

(True Copy.) (Signed) *N. B. Edmonstone,*
Secretary to Government.

(Copy.)

His Excellency the honourable J. Krefting, Esq. &c. &c. &c.

Honourable Sir,

WE have the honour to acknowledge the receipt of your Excellency's letter, under date the 30th ultimo, in reply to our Address of the 15th of that month, and to repeat the expression of our cordial thanks for the additional proof which the contents of it afford of your Excellency's disposition to promote the wishes of this Government. Actuated by a corresponding solicitude to accede, on every practicable occasion, to any proposition on the part of your Excellency, directed either to your individual accommodation or to the interests of the Danish Government, we have great satisfaction in revoking the requisition for the transfer of the press of the Society of Missionaries from Serampore to this Presidency.

2. We have no doubt that the Missionaries will be disposed to observe the restrictions imposed upon them by your Excellency, and by this Government, relative to the publication of works offensive to the religious prejudices of the natives; but as the judgment of the Missionaries respecting the tendency of works which they may desire to publish, and which are intended for circulation within the territory subject to the British authority, may possibly differ from our own, we are satisfied that your Excellency will concur in the propriety of requiring the Missionaries to submit to the inspection of the officers of the British Government, works of the above description, previously to their publication.

3. We are fully convinced of the rectitude of the intentions of the Society of Missionaries; and the precautions which we deem it necessary to adopt against the unlimited employment of the press, proceed exclusively from the duty imposed upon Government of reserving to itself the authority to determine what publications may or may not expose the public tranquillity

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tranquillity to hazard, or involve a violation of the public faith; instead of leaving the decision of such important questions to the judgment of others.

4. Your Excellency having been pleased to refer to us the question, whether a translation of the Bible in the Bengallee language, is included in that description of books of which we are solicitous to prevent the circulation, we have the honour to state, that we are not aware of any objection to the promulgation of the Scriptures in that language, unaccompanied by any comments on the religions of the country.

We have the honour to be, &c. &c.

Fort William,
5th October 1807.

(Signed) MINTO,
G. H. BARLOW.
J. LUMSDEN.

(A true Copy.)

(Signed) *N. B. Edmonstone,*
Secretary to Government.

(Copy)

To the Reverend W. Carey.

Sir,

I AM directed to inform you, that on a consideration of the circumstances stated by the Society of the Missionaries, in a Memorial addressed to the Right honourable the Governor General, under date the 30th ultimo, relative to the injury to which the Society would be exposed, by transferring the press from Serampore to Calcutta, the honourable the Governor General in council has been pleased to revoke the requisition to that effect, communicated to you in my letter of the 8th ultimo; the Governor General in council, however, deeming it his duty to establish a controul over the publication of works intended for circulation within the territories subject to the British authority, thinks it necessary to require the Missionaries to submit to the inspection of the officers of Government, works of the above description, previously to their publication.

2. On this occasion, I am directed to state, that the Governor General in council is fully convinced of the rectitude of the intentions of the Society of Missionaries; and that the precautions which Government deems it necessary to adopt against the unlimited employment of the press, proceed exclusively from the duty imposed upon Government of reserving to itself the authority to determine what publications may or may not expose the public tranquillity to hazard, or involve a violation of the public faith, instead of leaving the decision of such important questions to the judgment of others.

I have the honour to be, &c. &c.

Fort William,
5th October 1807.

(Signed) *N. B. Edmonstone,*
Secretary to Government.

(True Copy.)

(Signed) *N. B. Edmonstone.*

(Copy.)

To N. B. Edmonstone, Esq.

Sir,

I HAVE had the honour of receiving yours of the 5th instant, stating that the Right honourable the Governor General in council had, in consideration of circumstances, been pleased to dispense with the requisition relative to transferring the press to Calcutta, communicated in your letter of the 8th ultimo, although deeming it his duty to establish a controul over the publication of works intended for circulation within the British territories, his Lordships in council had thought it necessary to require the Missionaries to submit to the inspection of the officers of Government, works of the above description, previously to their publication.

2. The Society of Missionaries desire me on this occasion to communicate to you, that they cannot but feel duly affected with this instance of the consideration and goodness of the Right honourable the Governor General in council, and entreat you to convey to his Lordship in council their deep sense of this favour.

3. The Missionaries desire me also to express the sense they have of the goodness of the Right honourable the Governor General in council, in entertaining so favourable an opinion of the rectitude of their intentions, and to add, that conscious of their earnest wish to promote the public tranquillity by every means in their power, they shall feel happy in complying with the wishes of the Right honourable the Governor General, as expressed in the first paragraph of your letter.

I have the honour to be, &c. &c.

Mission House,
Serampore, 20th October 1807.

(Signed) *W. Carey.*

(True Copy.)

(Signed) *N. B. Edmonstone,*
Secretary to Government.

A.

DISTINCTION.

No. 7. Enclosures in Gov^r Gen^l's Letter, 2 Nov. 1807; relating to Missionaries.

O BELOVED Hindoos! attend to language of affection. Why do you constantly say that Crishn and Christ are the same? I will point out the Distinction, and do you judge, for he is a brute, who will not make enquiry. Let him be espoused who upon enquiry shall be found to be the true Lord; be not fearful in so doing.

Crishn was incarnated for the destruction of Cangsa—Christ incarnated to ransom sinners. Crishn was incarnated on account of a war. Know verily that Christ is the redeemer of all. Crishn called the attention only to worldly prosperity—Christ instilled doctrines for redemption in the next world. Chrishn only studied his own comfort; the distress of sinners never occurred to his mind; he passed his time in gambols with the milkmaids and playing the flute.—Christ always spurned at his own comfort, and with his own body washed away the distress of sinners: He gave sight to the blind, life to the dead, speech to the dumb, hearing to the deaf: He is God, who has compassion and mercy. Beloved brethren! hear and judge. When Crishn fought with the Demon Saloo, he was not capable of protecting himself, and if India had not assisted him, Crishn would have been killed by the hands of the Demon Saloo.—The Lord Christ of his own mercy wiped away sins for the salvation of sinners He endured endless sufferings in body to avert the punishment of sinners in hell.

When the bosom friend of Crishn fell into misfortune, Crishn was unable to go to his assistance.—Christ was capable of all things, at all times; and on all those who put their trust in him, he has bestowed salvation. When sinners come, he takes them under his protection, and they obtain salvation for ever from the torment of hell.

He is the true Redeemer and Omnipotent. Brethren, take heed and judge. Crishn was very angry when he suffered reproach: he abused India on account of the flower Parijaut—Christ was firm under the greatest reproach, and studied to return blessings.

Crishn was the instigator of a very great war between two parties and therein an army of eighteen* Aeshauhini was killed—Christ shed his own blood to atone for sinners, and thereby innumerable sinners have obtained salvation.

He whose forgiveness is infinite is the true God. O beloved Hindoos! judge of this: Crishn caused his pious friend Judhisthir to speak falsehood, for which Judhisthir was cast into hell. But how much distress did Christ suffer for his enemies, to procure them eternal happiness in heaven.

Those who worship Crishn do not ever obtain purity in mind. But many wicked sinners who have undertaken to serve Christ, have renounced sin and become pure in mind—He who teacheth wicked sinners to become faithful.

Hear, O beloved brethren! he is the true Redeemer. Why do you worship one who has neither compassion, mercy, the power to save, religion, or power,—why is he your all?

What salvation can he bestow on you, who plungeth his own friend into sin,—can he who has not power to save himself, redeem you?

O beloved Hindoos! worship him who is infinite mercy, who has compassion, holiness and power: He is the Redeemer of all, who is called Christ: He has power to grant salvation to the greatest sinners.

He calls and says, receive my words and be delivered from terrible hell, you shall obtain the remission of sins. O holy minded and true, in the next world he will give you the eternal riches of heaven. Hear, brethren hear, why do ruin your own souls, why do you not accept of such inestimable salvation? If you accept it, you will quickly be wafted over the ocean of sin; but if you do not, you will never obtain salvation.

Printed at Serampore, 1807, or 1213. (True Copy.) (Signed) *N. B. Edmonstone*, Secretary to Government.

B.

The FORERUNNER of the HOLY BIBLE.

HEAR, O worldly men! hear with an attentive mind, how you may obtain salvation from terrible hell. None of you seek for that; your thoughts are constantly employed about money, about all these trifles, and this world; every one of you is incessantly contemplating this world; all these things will be necessary but for a short time; after death you will by no means have property. Know all of you, that on being born you must die, and that after death you must either go to heaven or to hell, and without remission of sins you cannot go to heaven; with downcast countenance you will be cast into awful hell. What is hell like, or what sort the torments in it? Be informed, no one of you thinks of making himself acquainted with that. Insufferable hell is filled with everlasting fire, which will never be extinguished. On falling therein, brethren, there is no further preservation, the end of eternity is a beginning to it. Ye are afraid, but afterwards fall into this awful hell. Beware, beware of this inextinguishable fire, make Christ your asylum, take an asylum, for without that, no one of you will obtain salvation. Both Hindoos and Mussulmen

* An army consisting of 21,870 chariots, 21,870 elephants, 109,350 foot soldiers, 65,610 horses.

No. 7.
Enclosures in Gov^r Gen^l's Letter, 2 Nov. 1807, relating to Missionaries.

Mussulmen have many sasters, the object whereof we have strictly examined, and there is no work of time redemption among them; they are sasters for the amusement of children, they are like tales.

In the Hindoo sastras there is an account of ten incarnations; let me plainly state them, and listen. In the first place there was Narayn in the form of a fish, for the protection of Sateebroto.

The second was a tortoise, for the support of the earth, the third a boar, to lift it up; the fourth was the man lion, to destroy the demons; in the fifth, the dwarf took Bali to hell; in the sixth, Parrusram destroyed the Khitrees; in the seventh, Ramchunder killed Rabon; in the eighth, Christna killed Cangia; and in the ninth, Buddha manifested the Buddhites. And if the story of the nine incarnations be true, still there is no redeemer. What will you do, how will you be redeemed from sin?—but we will point out a remedy.

We formerly had a similar sastra, but when we obtained the Great Sastra, we renounced that. Allow us to give you some information concerning it. If you be desirous of a remedy, attend and hear.

At that time, when the Almighty had finished the creation, he gave a mighty order to all men. He gave an account of heaven and hell. He pointed out the distinction between right and wrong. Hear all of you my infallible order, what I say, I will do, that is certain. If any be pure and practise holiness, I will give them matchless glory in heaven; but if any one sin, I will certainly cast him into eternal fire.

This is the primary order of God, after which mankind became wicked, and God knew it, but there was no redemption, and he ordered that some remedy should be provided. Through his mercy there was a provision for the redemption of sinners. If any person should assume birth on earth, and take upon himself the torment of sinners, those sinners who sincerely believe in him should be redeemed; and there was an incarnation of Jesus, the protector of the unprotected, full of the splendour of God, having been separated from his body in a column of splendour before him. He said, "I "will take birth on earth, and suffer all the "torment of sins on my body. Whatever "sinners take refuge under my protection, "you will grant them salvation." God said, "Yes, this is my promise, I will redeem "them. Mortals are under thy protection." After which, the Lord was conceived in the country of Judea, according to prophecy, in the womb of a woman. During his life on earth, he took the name of Jesus Christ, and he performed many miracles in various places. The blind received sight, the dead, life: he did many such miracles, he was so great. And he fulfilled the sayings of the prophets, and was killed by the hands of the people of his own nation, and gave up his life under various kinds of torment, and after three days he arose again; and because he suffered torment in his body for sins, therefore he was denominated Saviour of Sinners.

Christ did not die like people in general; he suffered much torment, and died miraculously.

When he took upon himself to suffer for us, his torment was intolerable; amidst these sufferings, he called out and said, "O God! why hast thou forsaken me, and left me in the hands of sinners?" And they spit upon him, vexed him and mocked him, and put a crown of thorns upon his head, and fixed his feet and hands upon a cross with nails, and when they had inflicted severe punishment upon him, they killed him; they pierced his breast with nails, and exhausted him, and when he shed his blood, they caused him to drink vinegar mixed with galls, and having tormented him in this manner, they killed him; they fastened two thieves, one on his right hand and one on his left, and when they had disgraced him in this manner, they killed him. In this manner died the Saviour of the World. On his own body he suffered the torment of sinners; and it was requisite for him to do so; without that, God would not have redeemed mankind. He paid the ransom of all sinners, and according to the security which he gave, so it came to pass. His death was the preservation of our life; his sufferings were the source of joy to the whole of us; the sufferings of Jesus Christ atoned to God for the torment of eternal Hell fire. God accepted of all that, and the faith of Jesus Christ, for the sake of sinners. He accepted of the death of Jesus Christ in exchange for the eternal death of sinners. As righteousness was the garment of Jesus Christ, so let us make faith in him our vesture. We go before God after death. Can you go in the presence of God? You cannot go before God by taking the name of Ram Chrishn Sheeb, or any other deity, seeing all those sinners was an abomination to the Lord. They will suffer eternal torment in awful Hell; but it is a great consolation to his mind to hear of the works and name of Christ.

Christ is now with God for the redemption of sinners who worship him. Those who die worshippers of him on earth, he cheerfully takes to the mansion of Heaven. Hear, hear, O people! hear my words. A copious work on this subject, named the Gospel, was first in the Hebrew and Greek: from these, the English made a translation of it; but not they alone; various other nations made a translation of this great and principal Sastra. The French, Dutch, Germans, Danes, Armenians, and various others, copied it. It went to America and Africa, and all other countries, and to all the principal islands. This holy book went to all these countries, and even in Malabar it was translated into Hindee. Whoever obtained this holy book renounced all previous sastras, and espoused it. It has now been translated into the Bengally language, and printed. Any one who wishes to hear this work, may come to Serampore, and we will read it to him.

Printed at Serampore, 1806—1213.

(A true Copy.)

(Signed) *N. B. Edmonstone,*
Secretary to Government.

C.

Book called "The RISE of WISDOM."—(In verse.)

No. 7.
Enclosures in Gov^r Gen^l's Letter, 2 Nov. 1807; relating to Missionaries.

1 Hear a mortal with an attentive mind, this discourse about Salvation, a mysterious subject.

2 If you be not saved, and fall downward, thy misery then, O brother! will be great.

3 Who can describe the extent of that misery? it cannot, O brother! be conjectured by the deepest reflection.

4 You know nothing of it, you have not heard of it, how can you know then the reality of it?

5 In that unquenchable fire which is beyond the power of description or contemplation, they who are in hell are crying and lamenting.

6 What will be the remedy, O brother! if you fall into it, the torments are manifold, where will you find an end to them?

7 The sufferings of hell, O brother! are endless; there is no end to them, and they are extremely severe.

8 Many of you have the sastras compiled by men, and say, "if we commit deadly sins "now,"

9 "We shall remain some time in hell, "and having received due punishment, be "born again on earth."

10 All these are vain hopes, false and deceitful; no wise man entertains them.

11 You do not know the distinction between Righteousness and Sin, or Heaven and Hell; you have become ignorant, from the use of the misleading shastras.

12 Moreover, the shastras of this country say, that men who reason the truth of the Vedas, will be born Chandalas.

13 Through this fear nobody investigates them, in consequence of which, this pernicious shastra is not exposed.

14 The Brahmans, with a view to their private gain, never allow the Shadras to read them.

15 The ignorant Shadras, who are not remarkable for understanding, dance about by command of the Brahmans, as the monkies of a monkey dancer.

16 They put the most implicit confidence in the words of Brahmans, not knowing that the Brahmans are deceitful and wicked.

17 The Brahmans composed written works for their own gain, to deceive the Shadras.

18 Hear, hear, O Brahmans! we speak to you all. It is but just to assist those who are under your protection.

19 All the Shadra race that are here, serve you as your servants.

20 They are perfectly confident that they will obtain salvation from the feet of Brahmins.

21 But you have propagated false and deceitful shasters, in order to take their property.

22 What conduct is this that you practice, O Brahmins! how can you practice so much fraud through coveteousness for wealth?

23 Had you taken the money of the Shadras by practising any other mode of fraud, so many of them would not then be doomed to hell.

24 They take your words to be the doctrine of righteousness, while you do evil actions and deceive them.

25 Let riches be lost, and even put life out of the question; but you have made them depart from righteousness, and doomed them to hell.

26 Many have fallen in that vast and unextinguishable fire of hell, and are incessantly crying out, O save, save, save!

27 Now what are they to do, say, O Brahmins! what remedy is there for them?

28 You diffused a false doctrine for the sake of wealth, and have effected the total ruin of all.

29 You have thrown a vast number of the most excellent of the creation, into hell fire; do not suppose your ancestors have escaped safe.

30 They are likewise suffering great torments in hell, with their families.

31 You will not believe that now, you are intoxicated with pride, and hearing you will not hear.

32 Discontinue this deception, O Brahmins! free yourselves from pride, never put deception and guile into practice any more.

33 All these Shadras are ignorant, and have no understanding; they immediately do whatever you tell them.

34 They are entirely under your protection; what great advantage is there in deceiving the protected?

35 For the sake of trifling gain to destroy those who have no other asylum left, is certainly a great injustice.

36 Hear, O Brahmins! you will never derive any good by deceiving all those ignorant people.

37 For a transient pleasure in this world, do not thus consume in hell those who have taken your protection.

38 Who else has such refuges? for the Shadras say, the Brahmins are gods.

39 Say, O Brahmans! what honour is there greater than this, they reverence you as gods, while you are the most despicable of men.

40 They have such faith in your words, that they all say, all the holy places are concentrated in the foot of a Brahman.

41 They receive the water of your feet, and believe it to be the Supreme God himself; and apply some of it to their breast, some on the head, and drink part of it.

42 All the Sadras have ever been under your subjection, as dogs are ever attendant on European gentlemen.

43 They do whatever the European gentlemen direct them, and throw themselves into water on a signal given.

44 All men serve you in this manner; the women also, confiding on what you say, commit themselves to flames on the death of their husbands abroad.

45 They take your words to be the most essential; they believe them, and sacrifice themselves.

46 Speak, O Brahmans! such you have seen

occur

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occur in the world, still you have not the smallest grain of compassion.

47. You are ever meditating how you will obtain their property, by rehearsing deceitful shastras to them.

48 What sort of men are you, and what sort of usage is yours; is there not the smallest degree of pity and compassion in you?

49 They put confidence in your words and believe them; but how are they to know that you are treacherous?

50 You are deceivers; malicious, artful, pernicious and profligate, and thus destroy those who are under your protection.

51 What do you think in your own minds? speak, speak, O Brahmins! declare the truth.

52 Perhaps you say, "We are born Brahmins, eminent above the four classes, and "are very great men."

53 "We will pass our days here, practising "fraud, and ascend heaven in a car in "glory.

54 "We are tutors of all, being of the "Brahmin tribe, and the Lord of creation "will not write down our sins.

55 "But should there be sins laid against "us at any time, we will say the Gayatri "once, and wash them away."

56 With such sentiments, and practising fraud, you conceive that the dangers of this life are to be surmounted.

57 You are perhaps confident of this thought, "We are the most rare race of cre"ated beings in this world.

58 "We shall never be subject to torments "for sin; we shall go to heaven after death "in the most easy manner."

59 This hope shall vanish. Hear, O Brahmins! you are all the meanest of mankind in this world.

60 All other people committed sin through ignorance, but your sufferings shall be greater than theirs.

61 You are deceivers, the betrayers of confidence and profligate; you have destroyed others by deception.

62 You now hope to go to heaven in an easy way; never entertain such a vain hope.

63 You are the greatest sinners in this world, and have moreover deceived every one by deception.

64 There is not deception only, but breach of confidence; who else can be greater sinners than you?

65 Treachery in this world is but a slight matter; they do not practise it in the next world, therefore your hopes are vanished.

66 What have you done, O Brahmins! what have you done! you have afflicted those who took refuge with you, and have thrown yourselves into hell.

67 Why have you committed such foul actions, O evil minded! if you desist now, you will be saved.

68 Do not be angry, O Brahmins! we are giving you good advice; be attentive and hear a wonderful story.

69 You do not daily compose, we suppose, such useless shastras as are extant now.

70 You are now obtaining the means of your livelihood through all these shastras and ancient books.

71 You know yourselves, that your ancestors composed all these.

72 They wrote all these false shastras for the purpose of elevating their own tribe.

73 Such is the root of this your trade; you deceive, take money, and preserve your tribe and families.

74 Hear—we speak to you by entreaty—never commit such foul actions.

75 Do not be guilty of sin, we tell you, O Brahmins! and do not burn yourselves in hell so easily.

76 Hell-fire is dreadful, in which there is nothing but torment; and what those torments are no body can describe.

77 In hell the torments are infinitely greater than can come within conception.

78 Those sufferings are eternal. Hear, O Brahmins! he who once comes under them,

79 Has no relief from the same at any time, he is without remedy; know this for truth.

80 Your ancestors lived before you, and died in the practice of these deceitful shastras.

81 Who can describe their misery, O brethren! they are lamenting in hell, from which there is no relief.

82 You will not believe all this now, but you will know it immediately after you quit your bodies.

83 When your souls quit your bodies, your understanding will be as radiant as the sun.

84 Then your soul will see all clearly, and perceive all that you have been, either good or bad.

85 After death the righteous are exceedingly happy, but the sinners are unhappy in the same degree.

86 Hear, O despicable Brahmins! and be attentive, if you are in the practice of these acts.

87 No sooner you are dead than your souls shall quit your bodies, and have a clear understanding.

88 Whatever you have done shall then clearly appear; you will be exceedingly astonished and tremble inwardly.

89 You will then see all these things yourselves, and know that there is no remedy.

90 You will then see that there is no place to flee to, you will lament and fall downward.

91 "What have we done—what has hap"pened to us—why did we sin?"—You will reflect thus yourselves and be afflicted,

92 "O there is no remedy left for us!"—You will say thus, and all of you go to hell.

93 The vast hell-fire is burning in great flames; the fire of hell is not trifling.

94 That hell from which there is no relief, is the wrath of God; it has no end, nor is there any likeness thereof.

95 Such will befall those who are thrown into it, there is death, but the torments are great.

96 The body will not be consumed at once, but will burn by slow degrees as sawdust.

97 When it has burnt for an eternal length of time, even then not a single hair of the body shall be consumed to ashes.

98 Nothing can be said of the torments in hell, such dreadful sufferings shall be your lot, O Brahmins!

99 Do

99 Do not be angry, O Brahmins! I will relate you something else—attentively hear it.

100 You do not know all this, but you think and say, "We act according to our "own shastras.

101 "Our shastras are great, they are dictated by God, there is no doubt of this.

102. "We perform the acts enjoined by "religion, and he who acts otherwise shall "go to hell.

103 "We perform the morning avocations, bathe in the morning, and say the "morning prayers, and perform the religious "ceremonies; and also perform the noon "and evening ceremonies without interruption.

104 "We are always pure, and never "commit any sin; we say the Gayatric in "the day and night.

105 "We have frequented many holy "places, and bathed in the Ganges; we "have lived at Benares for a long time.

106 "We have atoned by expiations the "sins we committed willingly.

107 "We have many times bathed in the "Ganges, by which act men are rendered "free from sins.

108 "Some of us have families and manage household affairs, and perform the "anniversary funeral obsequies of our departed parents, and other religious acts.

109 "Some of us become Sanysis, and "roam about the world, having abandoned "our wives.

110 "We variously worship the images "and other things that we make, and also "worship Crishna.

111 "Having performed such pious acts, "we shall after death go to heaven in a "celestial car.

112 "But should we have ever committed "any sin, we have made an equivalent expiation, which is an atonement enjoined by "religion.

113 "Sins are washed away by expiations, "we shall therefore easily go to heaven, there "is no doubt.

114 "But should any die without performing expiatory acts, he shall receive the "rewards and punishments of his good and "evil acts.

115 "He shall receive the punishment "due to his sins in hell, and come back again "and be born on earth.

116 "We perform the expiations enjoined, and shall go to heaven chearfully after "death.

117 "We have done all this, and shall "certainly go to heaven;" but Carey says, "You have all fallen in a great error."

118 All these shastras were not composed by God; men wrote them for their private gain.

119 These are not shastras, but vulgar stories, and you never examine them.

120 If you investigate all those shastras, they will immediately appear to be vulgar stories.

121 There was some one vulgar and profligate person, he was evil minded, and acquired knowledge by personal exertions.

122 He composed those deceitful shastras, became himself a sufferer, and made others sufferers also.

123 Your pride is very great in the confidence of such shastras, the very hearing of which is considered sin.

124 Do you come, I will discuss your shastras, and convince you these are vulgar deceptions.

125 Relate the particulars of shastras, O Brahmins! a true shastra describes the path which leads to God.

126 Your doctrine says, "a man who dies "in this world,

127 "Goes either to heaven or hell, in "order to suffer for his actions, and after "some time is born again.

128 "After having passed eighty hundred "thousand different wombs, he is born of "the human kind;

129 "And having performed good actions, "he receives final salvation: after which, he "has no more trouble."

130 This is the language of a child, and a mere tale—how can such things be probable?

131 Answer all the questions which I put to you, O Brahmins! and your deception will immediately appear.

132 God is eternal; you do not know his end; his greatness is boundless, and his attributes infinite.

133 The universe consists of fourteen worlds, which the immense Male holds in the cavity of a single hair.

134 Such immense Males are created by Lacks every moment—who can ascertain such sports of deity?

135 Consequently no one can say whether God has a shape, or whether he is shapeless.

136 His mercy is eternal, so is his wrath, and his commands are equally so.

137 If God be such, and his commands be so, his anger and his mercy are both infinite.

138 Why do you not understand heaven and hell to be so likewise? righteousness and sin are never otherwise.

139 If one become righteous, he goes to heaven through God's kindness, but he commits the sinner to hell in his wrath.

140 Say, O Brahmins! if God be eternal, his kindness is also eternal, there is no doubt.

141 His anger is also such; it cannot be otherwise; and punishment of hell is likewise of the same kind.

142 If the act which he has forbidden, be called sin, it is a matter of the greatest importance, and not a trifle.

143 His prohibition is durable, as he is himself infinite and beyond conception.

144 God made hell alone to be the place of punishment for such sins.

145 It is boundless and without end, from which there is no exoneration, even in endless duration.

146 Say, O Brahmins! if any falls into it, how can he be delivered from it by trifles?—state the reasons for it.

147 He will receive an endless punishment for an endless transgression,—say, O Brahmins! how can salvation be got by a little?

148 If condign correction be received, it will not decrease even in endless and eternal time.

149 Do not put your trust in false religion, O people! for you shall certainly be undone by it.

No. 7. Enclosures in Gov^r Gen^l's Letter, 2 Nov. 1807, relating to Missionaries.

No. 7. Enclosures in Gov^r Gen^l's Letter, 2 Nov. 1807; relating to Missionaries.

150 Speak, O Brahmins! how can you say that if one sins, he shall remain for some short time in hell.

151 In the confidence of this deceitful promise of yours, no body has the fear of sin in his heart.

152 I say a word, hear it all men; he who is born of flesh and blood,

153 And is subject to covetousness, forgetfulness, &c. is incessantly inclined to commit sin.

154 Independently of this, they receive hope from you that they will inhabit heaven after a short time.

155 They therefore attach the minds to sin, from which the wicked never return again.

156 People remain joyful in the delights of sin, and commit it by millions, in various modes.

157. In this manner every one gladly commits sin every moment until death.

158 They pass their time in the commission of sin; but Carey says, they will fall into great trouble after death.

159 When the soul quits the body and is off, she will be far from covetousness, stupefaction, desire and anger:

160 She will immediately have a clear understanding, and plainly see what is sin, righteousness, good and evil:

161 She will then see no remedy, and lament, and beat her head in despair.

162 Say, O Brahmins! what remedy shall she adopt—she will know you to be the cause of her ruin.

163 The Sudras are ignorant, their intellects is like that of beasts, and they do not examine this guile.

164 Your religion also directs, hear all men; the worship of the gods for the expiation of sin.

165 If a prince or a sovereign wishes to derive any moral good, you direct him to worship the Gods, and satisfies the Brahmins.

166 You say, worship the God of gods Mahadwa, (great God) who bestows salvation to sinners.

167 Hear, O Brahmins! hear with attention, this is most excellent advice; every one has said so.

168 The God of gods, Mahadwa, is himself God, and not otherwise, it is true.

169 Sins can be cleansed away by the worship of God, but put your belief in his commands, O men!

170 In the worship of God, there is approach to truth; but they did not teach you such, and deceived you.

171 You perform the worship thereof, with various articles, and think thereby to be saved from the torments of hell.

172 The ignorant Sudras say, "perhaps "it is so, and he who worships this Phallas "shall be saved."

173 Hear, O mean Brahmins! what are you? I do not know what sort of people you are.

174 Mahadwa, (the great God) is a word excellent in sound; Mahadwa certainly signifies God.

175 His form, O Brahmins! is unalterable: he is all luminous, and he alone perfectly happy.

176 Who can relate his greatness and his attributes,—you know what Pushadanta said in Mahimnna.

177 Who can tell his greatness and attributes! they are beyond words and conception.

178 Such a God of gods, and Creator of the world, you treat with indecency.

179 You deceive the people, and profane the gods, and say that all this is ordained in the shaster.

180 Hear, O mean Brahmins! you are all shameless. What occasion has God for male and female organs of generation?

181 For the sake of the world, he created male and female beings.

182 Carey says, Tell me, O Brahmins! what will be the case,—how will you get clear of the torments in hell?

183 When sin is committed, there is no relief from terrible hell—how will you receive deliberance from that dread?

184 Your shasters say, on the authority of the orders, that sins are cleansed away by expiation.

185 This is no great wonder, it is true. Suitable punishment is given for transgression.

186 If any one commit sin, and performs an equivalent expiation, he is saved.

187 The commission of that which is prohibited by God, is, sin—his fire is eternal,—who knows the truth thereof?

188 As God is, so is his command; and know it for truth, that his prohibition is also the same.

189 Then know that sin is an important thing; it is everlasting, and certainly has no bounds.

190 Say, O Brahmins! that if sin be everlasting, what expiation equivalent thereto has been enjoined by the shastras?

191 You say, that if any one commit sin, he can be delivered from it by expending a few couries.

192 Say, O Brahmins! how have you judged in this matter? can couries of trifling value be an equivalent to eternal sin?

193 The treatise that you have written on expiations, is only to deceive for the sake of gain.

194 Say, O Brahmins! how you consider the case? consider this to be a shameful act.

195 Out of covetousness for a pittance of riches, you are deceiving and throwing people into hell.

196 The people are stupid, and void of understanding as beasts; they take your words to be the truth of all truths.

197 You deceive all these mean people. What good act do you perform?

198 What you relate to the people as a shastra, is not so, but guile and deception.

199 You also say that the Ganges is a deliverer of sinners; if men bathe in it they are free from sin.

200 Say, O Brahmins! what are the criterions of one delivered from sin; to whom do we call cleansed sin?

201 In the shastra it is said that all men are full of sin; know of nobody is free from it.

202 Evil actions and evil disposition are the cause of sin; and covetousness, insensibility, and so forth, are promoters of sin.

203 These

No. 7.
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203 These are in every man; all men are sinners; there is no man ever free from sin.

204 The following is the characteristic of one cleansed from sin; it is said in your doctrine, if any person is ever free from sin,

205 He is immedially endowed with a divine wisdom; and these are the criterions of a divine wisdom:

206 He always considers sin to be like that which is forbidden to be eat, and with him a pious act is like unto a delicious dish.

207 On the sight of sin, he runs away immediately: these are the criterions of one free from sin.

208 He never has an inclination to sin: say, O Brahmins! who ever became so?

209 He who always bathed in the Ganges ever since his birth, was never from his evil intentions.

210 Evil intentions and evil actions are alway equally the same to him; his mind is always the same, and never otherwise.

211 Say, O Brahmins! if the Ganges washed away sins, sinners would receive divine wisdom immediately after bathing in it.

212 All the shastras are nothing but guile and deception; they are false fabrications of yours for your private gain.

213 What abject people are you, confess, O Brahmins! you even define God to be abject.

214 You say that the Ganges is the deliverer of sinners, and that the great Vishnu himself became fluid.

215 The great Vishnu is himself God, and becoming liquid, took up his abode in Nahma's vase.

216 He afterwards took up his abode on the head of Shiva; and thus the great are becoming liquid is the deliverer of sinners.

217 You then describe him as a female, and set forth that he was the concubine of Raja Santanee Raja.

218 What an indecent expression is this, O Brahmins! We know not why you are so vulgar.

219 You deceive men and speak profanely of God; what sort of men are you, O Brahmins!

220 You do not entertain any fear, O eminent Brahmins! respecting that dreadful hell which shall be your lot.

221 You are inebriated with the intoxication of sublunary things, and do not see with your eyes; but dreadful hell cannot be escaped from after death.

222 Nothing can be said of the sufferings thereof; you will even suffer the most excruciating torments.

223 You do not think of these matters yourselves, O Brahmins! you are drunk with the intoxication of sports, and dance both night and day.

224 What do you dance, and what do you sing, or what is your common usage? Hear, there is certainly an awful will after death.

225 Dreadful will be your distress after death; you will fall into hell, and cry out, O save! O save!

226 Who can describe all those sufferings, O Brahmins! such great affliction will be the lot of you all, O brethren!

227 The eye of your understanding is blind; you have no consideration; and consequently, O Brahmins! you do not think of the matter.

228 Hearing these particulars respecting you, many of us were touched with great sorrow.

229 We consulted together, and came from Europe on ships.

230 Our coming here with an afflicted mind is only for the sake of averting your evil.

231 Hear, hear, O all men! hear the truth! We are sensibly afflicted with grief on your account

232 You and we are all born from the same stock, and therefore verily know that we are brothers.

233 If our brother falls into distress, the other brothers of his are never easy.

234 We see your distress in the same manner, and cannot close our eye-lids through grief.

235 Hearing all this in Europe, we have come here at different times.

236 We have seen here, after our arrival, more than we heard in Europe.

237 What is this that you do, O Brahmins? you make an image, and say, this is the most immaculate.

238 You bring heaps of eatables, and place the same before it, and worship it.

239 Say, O people, what is this style of judgment? You ridicule God! O licentious!

240 These terrible sins shall never be washed away, O people! What perdition is this that you effect without cause?

241 You will certainly receive punishment for all these acts, and not be saved from hell, out of which there is no release.

242 There is an immense fire in awful hell; they are crying and lamenting there.

243 There is no remedy when one falls into it; its torment does not decrease even in eternal duration.

244 Therefore, then shall be mighty affliction after death; but if care is taken now, it can be averted.

245 If your fear of hell be great, we can tell you the remedy thereof.

246 If you be attentive and hear, and if you keep this word in mind,

247 We can tell you a remedy, if you will abandon deception and fraud.

248 Hear all men; keep your mind steady; the words conveying the means to obtain salvation, are an ocean of nectar.

249 Attentively listen, all ye men, and we will recount the particulars how sins can be washed away.

250 Such was also the usage in our country in ancient times, afterwards teachers came there themselves.

251 They came and communicated this news, from which were received means to obtain salvation.

252 They brought happy tidings to our country, and thence was published the Book of Righteousness.

253 Such was also our religion before; after receiving the Book of Righteousness, we were satisfied.

254 You are in the same manner great sinners, you do not in the least reflect on righteousness or sin.

255 You are all void of sense, and have no eyes to your understanding, and consequently are not at all uneasy about sin.

No. 7. Enclosures in Gov. Gen's Letter, 9 Nov. 1807; relating to Missionaries.

256 If you receive this Book of Righteousness, the eyes of your understanding will be opened, and you will see all.

257 Be attentive and hear with a steady mind; we will tell you the truth of happiness, a wonderful discourse.

258 Be attentive and hear; we will tell you how you shall be saved, and be washed from sin.

259 You are first anxious to commit sins, and afterwards consider of what has passed.

260 Quit all the worships that are in your country, and do not perform them any more, any of you.

261 Whatever worships and prayers you have made agreeably to your shastras, consider as useless and futile from this day.

262 All your doctrines are guilt and deceit, and are for the private gain of Brahmins only.

263 Forsake them now, and make your mind firm, and hear the word of Wisdom with a fixed mind.

264 Christ descended on earth for the purpose of expiating sins, as is written in the Book of Righteousness the Evangelists.

265 Believe in him and obey his commands; he alone is the protector of the friendless to save.

266 Who he is, where he is, whose son he is, and why he was born here,

267 How he was born, with all these matters, men, are to be learnt from the Evangelists.

268 From which we will briefly relate you something, so that this Book of Righteousness be made public.

269 All the acts are therefore fulfilled. O sinners! come now to Christ.

270 The sinner who verily believes in him shall have nothing to fear of hell.

271 In order to expiate for great sinners, Christ received the torments of sin on his own body.

272 Christ suffered and quitted life, and became an ample expiation for sins.

273 Therefore, hear, O men, there is no more fear; come to Christ in order to be saved.

274 Obey his facile commands, and you sinners shall be saved through his righteousness.

275 We therefore have no more to fear, success and welfare are certainly ours.

276 Do not fear any more, O sinners! bear love to Christ, and you will be saved.

277 Do not entertain any fear of cast or race, these are finite and of short duration.

278 Cast never goes with any body after death, is was instituted here by Brahmins for the sake of gain.

279 Be acquainted with the Book of Righteousness, and Christ the essence of all. God says, every one shall be saved through him.

(A True Copy.)

(Signed) *N. B. Edmonstone*, Secretary to Government.

Extract of a Letter from the Court of Directors, to the Governor General in Council at Fort William in Bengal; dated 7th September 1808.

PARA. 1. WE have received by the General Stuart, your letter of the 2d November last, addressed to the Secret Committee, on the subject of certain publications which had issued from the Missionary press at Serampore, and detailing the proceedings which you had thought it advisable to adopt with regard to them.

2. Whatever is connected with an attempt to introduce Christianity among the natives of British India, cannot but be felt as a subject of the greatest importance, and of the greatest delicacy, and we lament that circumstances should have occurred in any part of our territories, to call for the interference of our Government in matters of that description. We are anxious that it should be distinctly understood, that we are very far from being averse to the introduction of Christianity into India, or indifferent to the benefits which would result from the general diffusion of its doctrines; but we have a fixed and settled opinion, that nothing could be more unwise and impolitic, nothing even more likely to frustrate the hopes and endeavours of those who aim at the very object, the introduction of Christianity among the native inhabitants, than any imprudent or injudicious attempt to introduce it by means which should irritate and alarm their religious prejudices. That the publication which first excited your attention, as well as the paper which you transmitted to us, marked C. entitled "The Rise of Wisdom," is calculated to produce those effects, we conceive can admit of no doubt, and we entirely approve of your endeavours to interrupt the circulation of them. Indeed the Missionaries themselves seem to regret and to condemn their publication; perhaps some doubt might be fairly entertained whether a considerable part of the paper marked B. was of a nature to have excited similar feelings, if the other publications did not prepare the mind to receive with some jealousy any works which issued from the same press. In suggesting the possibility of this doubt, we by no means intend to convey any disapprobation of that prudent precaution which led you to prevent the further publication of this last, together with those which appear to us to be more unquestionably exceptionable. It is a matter of great difficulty to draw the line which should at once describe and characterize the publications which might be permitted to be considered as inoffensive; and at the same time distinguish them from those which a proper precaution would suppress; and at this distance from the scene of Government, we can only state to you those general principles which we are desirous should direct your conduct upon this point; for this purpose, we would refer you to a passage in our political letter to Fort St. George of the 29th May 1807, in which we briefly intimated, in the following terms, our sentiments of what the character and conduct

duct of Christian Missionaries in India, and the carriage of the Company's Government towards them ought to be. "When we afforded our countenance and sanction to the "Missionaries who have from time to time proceeded to India for the purpose of pro- "pagating the Christian religion, it was far from being in our contemplation to add the "influence of our authority to any attempts they might make, for on the contrary we were "perfectly aware that the progress of real conversion would be gradual and slow, arising "more from a conviction of the purity of the principles of our religion itself, and from "the pious example of its teachers, than from any undue influence, or from the exertions "of authority, which are never to be resorted to in such cases." In the same spirit we would still wish to affirm as a principle, the desireableness of imparting the knowledge of Christianity to the natives of British India; but we must also contend, that the means to be used for that end, shall be only such as shall be free from any political danger or alarm.

No. 7. Enclosures in Gov. Gen.'s Letter, 2 Nov. 1807, relating to Missionaries.

3. With these two positions, which appear to us to be fundamental on the subject in question, the 39th Para. of your despatch now before us, in substance corresponds, for you there, after acknowledging "your entire conviction of the correctness of the state- "ment, which the Memorial of the Missionaries contains, relative to the motives and "objects of their zeal for the propagation of the sacred doctrines of Christianity," observe, "our duty as guardians of the public welfare, and even a consentaneous solicitude "for the diffusion of the blessings of Christianity, merely require us to restrain the efforts "of that commendable zeal within those limits, the transgression of which would, in our "decided judgment, expose to hazard the public safety and tranquillity, without pro- "moting its intended object." Agreeing then with you in general views on this question, and impressed with the necessity of leaving the application of these principles to the discretion of the Government upon the spot, we feel that we have but little further to suggest to you upon that part of the subject.

4. We observe with great satisfaction the temperate and respectful conduct of the Society of Missionaries, in the discussions which took place on the subject of the pub- lications to which your attention was directed, and of the measures which you felt yourselves called upon to adopt; and we entirely approve of the permission which you granted to them of continuing their press at Serampore. Their residence at that place would probably be attended with little additional inconvenience to your Government, and we conclude, moreover, that the British authority has long ago been established at the different Danish settlements in India. We are well aware that the progress of the Missionaries, both Catholic and Protestant, for a long period of years, has not been attended with injurious consequences: their numbers have not been sufficient to excite alarm, and their general conduct has been prudent and conciliatory; and we have no reason to suppose that the mere circulation, in a peaceable and unobtrusive manner, of translations of the Scriptures, is likely to be attended with consequences dangerous to the public safety.

5. The paramount power which we now possess in India, undoubtedly demands from us additional caution upon this subject; it imposes upon us the necessity, as well as strengthens our obligation, to protect the native inhabitants in the free and undisturbed profession of their religious opinions, and to take care that they are neither harassed nor irritated by any premature or over-zealous attempts to convert them to Christianity.

6. In conveying to you our approbation of the controul which you had determined to exercise with regard to such publications as might issue from the press of the Missionaries, we trust that it will be found not only salutary to the interests of Government, but even satisfactory to the considerate part of the Missionaries themselves. They must be aware that it is quite consistent with doing all justice to the excellency of the motives on which they act, to apprehend that their zeal may sometimes require a check, and that it may be useful and necessary to introduce the controul or superintendence of Government, whose responsibility for the public tranquillity, will force it to direct its views to those political considerations, which the zeal of the Missionaries might overlook.

7. If, indeed, you had foreseen that the Missionaries would have shown that entire and ready submissiveness to Government, which their conduct has manifested, we think you would have doubted of the expediency of holding, under the circumstances you have described, a public proceeding upon their transactions; and we would only suggest, that if on any future occasion any fresh precautionary measures should become indispensable, and the interference of Government be again required, it would be desirable, in the first instance at least, to see whether a private communication from the Governor General might not effect all that is desired, without bringing into view the instrumentality of Government. Its authority cannot be seen actively to controul any of their proceedings, without exposing it to the inference of specially sanctioning and countenancing such publications and such conduct as it does not prevent, and thereby making the Government in some degree a party to the acts of the Missionaries, and making the Missionaries appear in the character of the agents of Government.

8. In adverting to your prohibition of the public preaching in Calcutta to the Hindoos and Mahumedans at the time when we approve of this measure of precaution, we do not understand you to object to the Missionaries decently performing, at their usual places of residence, the duties of their religion, in chapels or rooms, at which admittance may be given to their Converts or to other Christians. We presume that the number of chaplains

No. 7. Enclosures in Gov^r Gen^l's Letter, 2 Nov. 1807; relating to Missionaries.

which we have appropriated for the performance of religious duties at Calcutta, is sufficient for all the British or other inhabitants of that place who comprehend the English language; but we do not recollect it to have been your intention to preclude other Christians there from hearing Divine Service performed in a language which they understand.

9. Having thus explained to you, as briefly as possible, the principles on which we wish you to act with regard to the Missionaries, it remains for us only to advert to your suggestion, that we should "discourage any accession to the number of Missionaries actually "employed under the protection of the British Government in India in the work of con-"version." You are of course aware that many of the meritorious individuals who have devoted themselves to those labours, were not British subjects, or living under our authority; and that none of the Missionaries have proceeded to Bengal with our licence.

10. Entertaining the sentiments which we have expressed in the preceding parts of this despatch, we are very far from disapproving of your having refrained from resorting to the authority vested in you by law, and enforcing its provisions in all their strictness against the Missionaries, and we rely on your discretion, that you will abstain from all unnecessary or ostentatious interference with their proceedings. On the other hand, it will be your bounden duty vigilantly to guard the public tranquillity from interruption, and to impress upon the minds of all the inhabitants of India, that the British faith, on which they rely for the free exercise of their religion, will be inviolably maintained.

No. 8.

Copy of a LETTER from the *Bengal* Government to the Secret Committee of the Court of Directors, dated the 7th December 1807, together with the several Enclosures accompanying the same; on the subject of MISSIONARIES: also, Extract of a Letter from the Court of Directors, dated 7th September 1808; in reply to the said Letter.

To the Honourable the Secret Committee of the Honourable the Court of Directors.

Honourable Sirs,

THE Governor General has judged it to be his duty to communicate to the Board, a Letter and Memorial addressed to his Lordship by the Reverend Mr. Buchanan, one of the Chaplains of this Presidency, in consequence of the measures adopted by this Government, relatively to the proceedings of the Society of Missionaries for the propagation of the Gospel, (the details of which we had the honour to report to your honourable Committee in our despatch of the 2d ultimo.) That Memorial containing animadversions on the measures to which we have adverted, introduced in a manner which we consider to be personally disrespectful to the Governor General, as well as disrespectful to the Government, and ascribing to both, motives and principles of action, of a nature injurious to the character of the British Administration in India; we deem it proper to transmit to your honourable Committee the enclosed copies of that Letter and Memorial, and at the same time to state such observations as the tenor of the latter appears to us to render necessary.

2. Of the acts which Mr. Buchanan has stated as the acts of the British Government in India, and the circumstances of which Mr. Buchanan has explained and censured under the present Governor General's supposed ignorance of them, the principal are those which formed the subject of our despatch to your honourable Committee of the 2d ultimo; and all are referred ostensibly to the prejudices and counsel of the officers of Government; and Mr. Buchanan has ascribed to the late and present Government, the adoption of measures directed to the object of opposing the progress of Christianity in India, on the foundation of opinions inculcated by its officers. The comments on the late measures of the present administration, contained in Mr. Buchanan's Memorial, are founded on the disrespectful and unauthorized presumption, that the Governor General, regardless of the first principle of his public duty, has blindly submitted to the guidance of the subordinate officers of Government, and adopted measures of the highest importance, without a previous consideration of their origin and tendency, and even without a previous knowledge of the nature of them; and your honourable Committee will observe, that Mr. Buchanan has described to his Lordship, as points of information, acts and opinions sanctioned by his own official signature as Governor General in council.

3. It cannot however escape observation, that the real design of the Memorial is to impute to the Government those principles of action which are ostensibly ascribed to its officers; and under any circumstances, it is incumbent on us to obviate a misconception of the motives and objects of the recent measures of this Government, which a perusal of the Memorial might occasion, if the errors of its statements should remain unexplained.

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4. With this view it is not necessary to enter into a discussion of the accuracy of all the facts alleged by Mr. Buchanan. It will be sufficient to notice those leading points of the Memorial on which is founded the extraordinary imputation of a systematic design, and an actual attempt, on the part of the present Administration, to support the interests of the religions of this country, by preventing the diffusion of Christianity within the limits of the British dominions in India.

5. Mr. Buchanan has contrasted the encouragement afforded to the propagation of Christianity under former Governments, with a supposed opposition to it under the last and present Administrations. It will be found however, that those proceedings of the Missionaries which have attracted the attention of this Government, are of a character entirely new, or such at least as had not come under the observation of Government. We allude to the practice of public preaching in the native language at the seat of Government, and to the circulation of printed works in the same languages, on topics and in terms grossly offensive to the religious prejudices of our native subjects.

6. With respect to the practice of public preaching to the unconverted natives of this country, on topics of this nature, we deem the prohibition of it to be consistent with the principles and practice of those countries in which the most liberal toleration is established for all religions, and consonant specifically with the principles and practice of the British Government and nation. In England, persons who profess the Roman Catholic faith, may assemble and assist at the performance of the rites of their religion in their own chapels, without opposition or molestation from the Government. So may the Jews celebrate the rites of their religion in their own synagogues; but we do not conceive the Catholic or Jewish Priests have ever claimed a right to preach publicly, not to their own flocks, but indiscriminately to His Majesty's protestant subjects, discourses for the express purpose of converting that whole protestant and Christian nation to the Catholic or Jewish religion, much less, publicly to revile and insult, in the most opprobrious and offensive terms, the tenets and ministers of the Church of England. If any indiscreet enthusiast of either of the persuasions above mentioned should hold a conduct so imprudent and so unjustifiable; and the magistrate should intervene and silence him, as he unquestionably would, we are persuaded that so reasonable an interposition of the magistrate would neither fall within the real and odious principle of persecution, nor experience that unmerited reproach from the mouths of the rational and ingenuous members of the religion attempted to be propagated in that manner. The late prohibition of public preaching in the native languages at Calcutta, was given occasion to, and rendered indispensable, by parties similar to those which we have just described, and was called for, also, by some peculiarities in the present times too obvious to need explanation, as well as by some actual indications of solicitude and incipient irritation in the minds of the native public of this city in consequence of those provocations.

7. Whether some regulation may not be devised, under which the celebration of public worship, and the decent performance of the Christian rites, may be allowed to native Christians, is an interesting point, to which we are neither indifferent nor inattentive. The indiscreet mode in which those duties were lately administered, coupled with other considerations of an occasional and we trust temporary nature, required in our judgment for the moment, the immediate suspension of a practice, which, in the form then given to it, threatened consequences prejudicial to the public repose, and not less adverse to the success of the pious purpose proposed by the Missionaries themselves.

8. In India, considerations of public safety are superadded, in a more than ordinary degree, to the obligation contracted by Government of protecting the rights and privileges of the subject; and we cannot doubt that the wisdom of every former administration in India, would have suggested the necessity of prohibiting this practice, if known to prevail in the manner in which it recently prevailed in the seat of Government.

9. Mr. Buchanan, by the tenor of his Memorial, has permitted a conclusion to be drawn, that printed works, of the nature described in the 5th paragraph of this despatch, have been circulated under former Governments without opposition or controul, and that the suppression of them is an innovation in principle, as well as in act, upon the practice of preceding administrations. The existing restrictions upon the press in India, however, have been in force during a long course of years, and it cannot be supposed that any former administration would have deemed it consistent with the public safety, or with the obligation of public faith, as pledged to the native subjects of the Company, for the unmolested exercise of their religions, to permit the circulation of such inflammatory works as those which we have lately had occasion to bring under the notice of your honourable Committee. In support of this opinion, we deem it proper to state the circumstances of a transaction which occurred during the administration of Marquis Wellesley, analogous to the proceedings of the present Government in suppressing the public discussion, either by preaching or by printed works, of topics offensive to the religions of our native subjects.

10. In the year 1804, the following subject of disputation, in the college of Fort William, having been proposed, viz. "The advantage which the natives of this country might derive "from translations, in the vernacular tongues, of the books containing the principles of their "respective religions, and those of the Christian faith:" the prepared discussion of which subject was reported to involve topics offensive to the religious prejudices of the class of Mahomedans: a number of the most respectable and learned of the Mussulman inhabitants of Calcutta addressed a Memorial to the Governor General, Marquis Wellesley, remonstrating

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strating against this supposed infringement of the unequivocal toleration which they acknowledged with gratitude the Government had till then afforded to the unmolested exercise of the religions of its subjects. In reply to this Memorial, a declaration was addressed to the memorialists, in the name and by the authority of the Governor General, in which, after adverting, as a fundamental principle of the British Government, to the solicitude with which Government not only abstained from all interference in the religious concerns of its Mussulman and Hindoo subjects, and from any endeavour to disturb their faith or to impede that full and free exercise of their respective religions which they enjoyed under the Mussulman Government, but even afforded additional facilities to them in the observance of all the rites, ceremonies, and duties of their respective persuasions; and after explaining to the memorialists the error of their apprehensions regarding the object and design of the disputation which had been proposed, and the real purpose of the disputations annually holden in the college of Fort William, and assuring the memorialists that the examination of any question whatever connected with the interests of religion, and especially the degradation of the religions of this country and the propagation of the Christian faith, were entirely foreign to the objects of the institution, the Governor General signified to the memorialists, that although, on perusing the proposed thesis, he perceived no principle of an objectionable tendency, yet that with a view to prevent the possibility of any apprehension on the part of the natives of this country that it might be the intention of the British Government to depart from the system of unlimited toleration which it had hitherto uniformly observed, the moment that the Governor General was apprized of the subject of the proposed thesis, he issued orders positively prohibiting the disputation upon that thesis; and copies of this declaration were circulated to all the principal stations under this Presidency and to the foreign Residencies, with a view to enable the officers and representatives of Government to counteract at those stations any eventual alarm of the nature of that which had been excited at the Presidency.

11. From this transaction may be inferred not only the effect which public discussions respecting the religions of the country are calculated to produce, but also the solicitude of that very administration to which Mr. Buchanan has specially appealed as encouraging the propagation of the Christian faith in India, to suppress discussions such as those which we have deemed it our duty to prohibit.

12. The composition of works directed to the object of converting the natives to Christianity, so naturally leads to discussions of that nature, that the evils resulting from the latter, must necessarily be hazarded by an unrestrained toleration of the former, and our decision upon this new question has been regulated not by any innovation or former established principles, but by those maxims of prudence and precaution which the condition of the British establishment in this country requires, and the neglect of which, would in our decided judgment, not only expose to hazard the stability of the British dominion in India, but would impede the accomplishment of the very object which animates the pious labours of the Society of Christian Missionaries in the work of conversion.

13. These consequences must be hazarded in a peculiar degree by a supposed connection between the efforts thus employed for the conversion of the natives, and the measures of the Government, which, on grounds already stated, have been rendered by the highest prescriptive authority, and by the uniform practice of the British Government in India, systematically distinct, and in our despatch to your honourable Committee, of the 2d ultimo, we have explained the circumstances which, in the present condition of the British power in India, more than at any former period, would tend to establish in the minds of the natives a belief of that conviction under the unlimited toleration of those proceedings on the part of the Missionaries which we have deemed it our duty to repress.

14. The expediency and necessity of protecting our native subjects in the undisturbed enjoyment of their religious opinions and usages, and of carefully withholding the influence of Government for the support of the endeavours of Missionaries to convert the natives to Christianity, in other words, the real principles of action and maxims of precaution which have regulated the proceedings of this Government with respect to the Missionaries and to the productions of their press, have been recognized and inculcated in the most forcible and explicit terms, in the following extracts from the letter of the honourable the Court of Directors to the Government of Fort St. George, dated the 29th of May, on the subject of the mutiny at Vellore.

"In the whole course of our administration of the Indian territories, it has been our "known and declared principle to maintain a *perfect* toleration of the various religious "systems which prevailed in it, to protect the followers of each in the *undisturbed* enjoy"ment of their respective *opinions* and usages, and neither to *interfere* with them our"selves, nor to *suffer them to be molested by others.*"

"When we afforded our countenance and sanction to Missionaries who have from time "to time proceeded to India, for the purpose of propagating the Christian religion, it was "far from being in our contemplation to add the influence of our authority to any attempts "they might make; for on the contrary we were perfectly aware that the progress of real "conversion would be slow and gradual, arising more from a conviction of the principles "of our religion itself, and from the pious examples of its teachers, than from any undue "influence or from the exertions of authority, which are never to be resorted to in such cases.

15. Your honourable Committee will be satisfied, by the tenor of our present despatch, and of our despatch of the 2d ultimo, that these are precisely the principles which have regulated our

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our late proceedings with regard to the Missionaries, and that Mr. Buchanan, in ascribing to us a disposition hostile to Christianity, has assumed a latitude of censure equally disrespectful in its nature and unwarranted by facts.

16. With respect to the injurious position stated in Mr. Buchanan's Memorial, that under the proceedings sanctioned by this Government, the tendency of publications directed to the object of converting the natives is submitted to the decision of a Mahomedan or a Hindoo, it is obvious to remark, that Government itself is competent to judge of it through the medium of translation; that the intervention of a native is not necessary to enable us to obtain information regarding the contents of any publication in the Persian, Arabic, Hindostanee or Bengalee languages; and that our late proceedings with regard to the works, of which translations were enclosed in our despatch to your honourable Committee of the 2d ultimo, was the result of our own judgment of the nature and tendency of those works.

17. The intimation contained in Mr. Buchanan's Memorial, that this Government has established a new and specific imprimatur with respect to works on theology, appears to us to require some observations relative to the nature and effect of the restrictions on the press, which since their original establishment have continued to operate without relaxation.

18. This intimation, although bearing reference to those publications of the press of Serampore, which we have judged it necessary to prohibit or restrain, appears to be principally founded on the requisition noticed at the commencement of Mr. Buchanan's Memorial, on the subject of submitting certain discourses on the prophecies, which Mr. Buchanan proposed to publish, to the inspection of Government previously to their publication; it is proper therefore to explain the circumstances of that transaction.

19. The superintendant of the Company's press having received from Mr. Buchanan the draft of an advertisement, which announced the intended publication of Mr. Buchanan's Sermons preached in the Presidency Church, on the Prophecies, deemed it his duty to obtain the sanction of Government to the publication of those sermons, and consequently to the insertion in the Government Gazette, of the advertisement announcing their intended publication, and accordingly communicated the draft of the proposed advertisement to Government through the channel of its officers. Upon this reference, the Chief Secretary was directed to request, that Mr. Buchanan would send the manuscript for the inspection of Government, previously to its publication, and under this order, the publication of the advertisement also was of course suspended. This transaction is considered by Mr. Buchanan to amount to a suppression of the Sermons on the Prophecies, because a condition was attached to the publication of them, which Mr. Buchanan erroneously supposed to be the revision of them by the officers of Government, a condition to which he could not conscientiously accede.

20. Mr. Buchanan however must be supposed to object to the revision of those discourses by the Government itself, as the condition of their publication, because the charge of establishing an imprimatur on works of theology, if it does not refer to the revision of the Government, is founded, as far as relates to the discourses in question, on an erroneous construction of the Chief Secretary's requisition, which expressly declared that the manuscript was to be submitted to the inspection of Government.

21. Not having had an opportunity of perusing those discourses, we can form no judgment of the propriety of their publication. The printing an exposition of the sacred prophecies would certainly, as such, have met with no opposition from us, nor would the prophecy, most disrespectfully and improperly stated by Mr. Buchanan as a particular object of alarm to us, viz. the final conversion of all mankind to the Christian faith, have rendered the publication in our judgment objectionable. At the same time, if in commenting on that prophecy, Mr. Buchanan should have been found to have introduced into his discources strictures on the religion of the Mahomedans and Hindoos, of the nature of those which in the form of works published for the perusal of the natives of this country, we had deemed it our duty to suppress, or to have enlarged on the topic of the immediate and general conversion of our subjects in the East to Christianity, we should probably have judged the promulgation of such remarks from the pulpit of the Presidency and the press of Government, to be unseasonable and inexpedient, in the present conjuncture of affairs.

22. Of this nature only are the restrictions which we desire to impose on the publication of theological works in this country. Those restrictions obviously form a part of that general controul which, in the actual state of our dominion in India, it is indispensably necessary to impose on the productions of the press, for the security of the public interests and the preservation of the public tranquillity in this important branch of the British empire; such restrictions have virtually existed during the whole period of the British supremacy in India; the occasion for the active exercise of them has only recently occurred.

23. Religious discussions, as being calculated in a peculiar degree to affect the public tranquillity, are the direct and proper objects of a general controul, which has been established over the productions of the press, for purposes of national interest and public security; and in India more than in all other countries, the controul of religious publications is indispensable for the public safety.

24. This necessity cannot be exemplified in terms more just or more forcible than in the following extract from a work published by Mr. Buchanan in England, and entitled, "A Memoir on the expediency of an Ecclesiastical Establishment in India."

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"The Mahomedans profess a religion which has ever been characterized by political "bigotry and intemperate zeal. In this country that religion still retains the character of "its bloody origin, particularly among the higher classes. Whenever the Mahomedan "feels his religion touched, he grasps his dagger. This spirit was seen in full operation "under Tippoo's government, and it is not now extinguished."

25. The practical effect of this sanguinary spirit of bigotry, as exemplified in the mutiny of Vellore, and in the events which succeeded it, can hardly escape observation; for although Mr. Buchanan, on the ground of his personal communication with some of the natives on the coast, is of opinion that the insurrection at Vellore had no connection with the Christian religion directly or indirectly, immediately or remotely, we are compelled to form a different judgment from the mass of authentic evidence and information on that unhappy event, recorded on the proceedings of Government; and we are satisfied that a persuasion (a most erroneous one indeed, but a firm and sincere persuasion) in the breasts of a great proportion of the Sepoys who were thus betrayed into the execution of the massacre of Vellore, and of those who subsequently manifested a spirit of insurrection, that a design existed on the part of the British Government to operate a general conversion of the inhabitants of India to Christianity, was one of the most efficient causes of that horrible disaster. Responsible therefore to our Sovereign, to our immediate superiors, and to our country, for the security and tranquillity of this empire, we should have neglected a primary obligation of our public duty, if at any period of time, but especially while such impressions were recent, we had permitted the circulation within the British territories, of works reviling the religions of our subjects, and distinctly declaring a desire to convert them to the Christian faith. Under the influence of the same sentiments and circumstances also, we cannot but question the prudence of publishing, with the sanction of the supreme British authority in India, the approaching and instant conversion of the inhabitants of this country to Christianity.

26 The imposition of a restraint, therefore, on the promulgation of writings of the above description, is but the application of a long authorized and existing controul over the conduct of the press, to the most important of the objects for which that controul was originally established; and consequently, as far as the public safety is concerned, works on theology, like works on other subjects, must be considered to be subject to a civil revision.

27. It is true, that no direct controul over the press of the Missionaries at Serampore, had been specifically declared to exist, or had ever been exercised by the British Government, because no abuse of that press had attracted notice. But under the peculiar circumstances of the settlement of Serampore, and of the press established in it, our right to controul the productions of the Missionary press cannot be disputed.

28. The population of Serampore cannot afford employment to a press in any degree sufficient to support the charges attending it. The only purposes connected with the concerns of the Danish Government, or of the inhabitants of Serampore, to which the press of the Missionaries was applied, were (as stated by the Governor of that settlement, in his letter of the 30th of September) the publishing of regulations and advertisements of public and private sales. All works printed at that press were necessarily intended for circulation in the British territories, and were so circulated, and the pamphlets which attracted our notice were sent to this Presidency and its vicinity, for distribution among our native subjects.

29. The Missionaries themselves are all British subjects; Mr. Carey, the chief member of the Society, holds the situation of Professor of the Shanscrit and Bengalee languages in the College of Fort William, and the leading members occasionally reside at this Presidency. The Danish Government permitted, and motives of convenience induced them to establish their press at Serampore. But the press is principally supported by the aid and encouragement afforded by the Asiatic Society and the College of Fort William. It is consequently to all intents and purposes a British press, and its productions must necessarily be considered by the community at large to issue under the patronage and sanction of the British Government. The same considerations therefore which require the exercise of an efficient controul over the presses established at this Presidency, are equally applicable to the press at Serampore. When its productions were found to be of a nature hazardous to the public tranquillity, it became the absolute duty of this Government to give effect to that controul; and adverting to the inconvenience, and in some degree the inefficiency, under which the controul of a press established in a foreign jurisdiction must be exercised, we deemed it advisable to simplify and facilitate the execution of that system, by requiring that a press, the productions of which were to circulate exclusively in the British territories, should be transferred to those territories, and be brought fairly and ostensibly within the scope of that observation which was entitled to controul it. We therefore desired the Missionaries to remove their press to Calcutta, apprising the Danish Governor at the same time, that we had deemed it necessary to signify that desire to the Missionaries, and stating to him the grounds of the measure.

30. The right of the British Government to exercise a controul over the press of Serampore, and for that purpose to require the transfer of it to the Presidency, was not contested by the Governor of Serampore, who far from resisting the demand for its removal, on the plea of the sovereignty of his nation, as erroneously asserted by Mr. Buchanan, merely solicited the revocation of that demand, on the ground of the distress to which the Missionaries would be exposed by our exacting a compliance with it; stating an additional inducement, in the convenience which the Government and inhabitants of Serampore experienced from the use of the press in publishing regulations and advertisements of public and private sales.

31. We

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31. We at the same time received from the Missionaries the Memorial, of which a copy formed an enclosure in our despatch to your honourable Committee of the 2d ultimo, wherein the Missionaries represented the peculiar circumstances of their property at Serampore, and explained the very serious and distressing consequences to the individuals composing the Mission, as well as to the body itself, and to a considerable number of families connected with them as servants and dependants, which would result from the removal of the press from Serampore. Being satisfied of the truth of these representations, and nothing being further from our views and disposition than to effect in the smallest degree either the interests of the Missionary body, or the personal comfort and convenience of those worthy individuals, we withdrew without hesitation that part of the measure, and remained satisfied with the assurance of the Missionaries, that the works to be hereafter printed at Serampore, should be previously submitted to the revision and sanction of our Government.

32. The attention with which we listened to the representations of the Missionaries, concerning the distress which the removal of their press would occasion, was acknowledged by them in terms of fervent gratitude; and in reply to our letter communicating to the Governor of Serampore our compliance with the solicitation of the Missionaries, his Excellency expressed "his most grateful acknowledgments for the moderation we had so "generously manifested" on this occasion.

33. It will be evident, from the facts and observations which we have stated to your honourable Committee, that no innovation has taken place in the principles and practice of this Government relatively, to the controul of the productions of the press; that no new and specific imprimatur has been established for works on theology, but that the restrictions which virtually existed with regard to publications in general, were practically applied to theological works, only when works of that class, containing strictures on the religions of the country in terms the most irritating and offensive, by being circulated among our native subjects, exposed the public tranquillity to hazard.

34. Mr. Buchanan's indecent comments on our reply to the reference of the Governor of Serampore, relative to the translation of the Bible (which reply Mr. Buchanan has communicated to the Governor General, as a point of information, and as a subject of concern to his Lordship) merely suggest the expediency of remarking, that we should deem it our duty to oppose the publication of any strictures on the religions of the country, such as we have already suppressed, whether promulgated in the form of separate tracts, or of prefatory notes to a translation of the Holy Scriptures.

35. Our solicitude for the suppression of publications of that nature, combines with a vigilant attention to the public safety and tranquillity, a regard for the successful propagation of the truths of Christianity among the misguided natives of these distant countries, by the only means which can promote its success,—the operation of example in the conduct of its preachers and professors in the principles which it inculcates, and in the effects which it produces on the dignity of individual character, and on the general happiness and welfare of mankind; united also with the means of instruction, when instruction is desired; but unconnected with the language of irritation, with revilings against the religions of the country, and with prophetic denunciations of their immediate subversion.

36. We shall conclude this discussion by observing, that it has never been in the contemplation, either of the present or the preceding administration of this Government, to controul or impede the pious labours of the Missionaries, while conducted in the manner which prudence dictates, and which the orders of the honourable Court have distinctly prescribed. But when the mistaken zeal of the Missionaries exceeded those limits which considerations of public safety, and even a solicitude for the propogation of Christian knowledge among the misguided natives of these countries, have wisely imposed; when publications and public preachings, calculated not to conciliate and convince but to irritate the minds of the people, were brought to the notice of Government, the interposition of the ruling power became necessary to preclude the apprehended effects of these dangerous and unprofitable proceedings.

We have the honour to be, &c. &c.

Fort William,
7th December 1807.

(Signed) MINTO,
G. HEWETT,
G. H. BARLOW,
J. LUMSDEN.

(ENCLOSURES.)

To the Right honourable Lord Minto, &c. &c. &c.

My Lord,

I BEG leave respectfully to submit to your Lordship some particulars regarding the present state of the Christian Religion in Bengal, which I have thought it my duty to communicate for your Lordship's information at this time.

I trust your Lordship will do me the justice to believe that it is with the utmost reluctance I trouble your Lordship with a letter on such a subject so soon after your entrance on this Government, when as yet few, if any, of the circumstances noticed in it can have come to your Lordship's knowledge.

I have

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I have no other view in soliciting your Lordship's attention to them, but the advancement of learning and religion. Perhaps no one has addressed your Lordship on the subject since your arrival, and there are certainly many particulars regarding their present state, which it is of importance your Lordship should know.

Being about to leave India, I feared lest I should hereafter reproach myself, if I withheld any thing at this time which I conceived might be useful, particularly as I have been further encouraged to address your Lordship, by your Lordship's known condescension in receiving any communications which are honestly intended.

I have the honour to be, my Lord,
With much respect, your most obedient humble servant,
(Signed) *C. Buchanan.*

Calcutta,
9th November 1807.

To the Right honourable G. Lord Minto, Governor General, &c. &c. &c.

My Lord,

1. I HAD the honour to receive a letter from the Chief Secretary to the Government, under date the 11th September, desiring that I would submit, for the inspection of Government, the manuscript of some Sermons on the Prophecies, which I intended to publish. I shall willingly submit these discourses to your Lordship's perusal, and shall be happy to receive such observations on them as your Lordship's learning and candour may suggest; but I cannot submit them to the judgment of the officers of the Government. My reasons for declining to comply with the wishes of Government in this respect, it is incumbent on me to state; and I feel confident your Lordship will consider them to be satisfactory.

2. It will not have escaped your Lordship's observation, even in the short period since your arrival, that some of the officers of your Lordship's Government do not manifest any zeal for promoting the knowledge of the Christian Religion in India: they consider that a zeal in this respect would not be consonant to a wise and prudent policy. I am willing to believe that they advise according to the best of their judgment; but a principle pure and just in itself, if it be not tenderly exercised in reference to their important obligations, may become extravagant or pernicious. For instance, not to promote Christianity may, in certain circumstances, be prudent; but to repress Christianity will not, I think, in any case, be defended. It is not necessary to observe to your Lordship how much the minds of Europeans assimilate to the native character after a long residence in this country, and how difficult it is for men, even of good sense and honest intentions, while involved in the mist of this prejudice, to view the Christian Religion.

3. During the administration of the Marquis Wellesley, the spirit of promoting learning and religion in India, was general and ardent; but after the departure of that nobleman, a great revolution took place. A spirit directly adverse to the diffusion of religion in India, most unexpectedly broke forth, just as if it had been confined by his presence. This spirit appeared long before the insurrection in Vellore. I mention this, lest your Lordship should suppose that it originated with that event; for I understand that the "Massacre at Vellore" has been unaccountably adduced as some sanction to the principle of opposing the progress of the Christian Religion in Bengal. I had opportunities of judging of the causes of that event, which were peculiar. I was in the vicinity of the place at the time; I travelled for two months immediately afterwards in the province adjacent, with the sanction of Government; and I heard the evidence of Christians, Mahometans, and Hindoos, on the subject. That the insurrection at Vellore had no connection with the Christian religion, directly or indirectly, immediately or remotely, is a truth which is capable of demonstration.

4. The spirit so hostile to the progress of Christianity in India, appeared first in operation about two years ago, and has been acquiring strength ever since. It has exhibited itself in a series of acts, the recital of which will sufficiently illustrate to your Lordship the temper of mind which produced them. These acts are, however, not to be considered as the official and acknowledged measures of the respectable persons who preceded your Lordship in the Government. Sir George Barlow has often expressed his approbation of the means used for the diffusion of Christianity in India, and he sincerely desires its success. These measures have not been generally considered as the offspring of his unbiassed judgment. Besides, most of them are extra official, and with some of them he is perhaps yet unacquainted. They will probably appear to your Lordship to have been dictated by a timorous policy, proceeding from minds somewhat agitated by the responsibility of a weighty empire, viewing at the same time Christianity as an innovation in India, and magnifying that innovation, perhaps, into a revolution. The acts which have plainly manifested this alarm are many. It will suffice to notice to your Lordship the four following:

5. First. The withdrawing the patronage of Government from the translation of the Holy Scriptures into the Oriental tongues.

The translation of the Scriptures had commenced in the College of Fort William, at the expense of Government. When the honourable the Court of Directors directed a reduction of the expenses of that institution, it was resolved to make provision for the continuation of the translation of the Scriptures by public subscription, and to exonerate the Government entirely. It was accordingly proposed that a Committee of the College and of others should superintend the translations, and control the expenditure. This measure had been recommended by certain of the bishops and by some noble persons in England, who wished to aid us in the translation of the Scriptures, and the countenance

No. 6. Enclosure in Letter from Bengal Govt. 7 Dec. 1807, on the subject of Missionaries.

nance of the college, was merely desired, with the view that the important work might be conducted strictly on the principles of the national church, and not fall entirely into the hands of dissenters, as it has since done. Your Lordship will be surprised to hear that this proposition was rejected. Government withdrew its patronage from the work entirely, and even refused to give its countenance to the subscription. The immediate consequence of this unexpected blow, was the loss of ample funds; for there appeared at the time, throughout all India, a disposition to encourage a literary undertaking which was deemed so honourable to the nation.

Considering the difficulty of obtaining fit instruments for the conduct of such a work, the religious and moral importance of the work itself, and its advantages to the general interests of oriental literature, your Lordship will believe, that this forfeiture of public encouragement, under such auspicious circumstances, has ever been viewed with regret by the friends of learning and of religion in Europe and in India.

This disappointment, however, has had one favourable result; it accelerated the establishment of "the Christian Institution in the East," which carries the translation of the Scriptures, in some of the languages, into regions far beyond the controul of the Bengal Government.

6. Second. Attempting to suppress the translation of the Scriptures.

An attempt was next made to suppress the translation of the Scriptures entirely, and this attempt had almost succeeded.

To suppress the translation of the Scriptures, is to suppress the Scriptures. I can make no further observation on this, in addressing your Lordship.

7. Third. Suppressing the encomium of the honourable the Court of Directors, on their venerable Missionary the Reverend Mr. Swartz.

The honourable Court had sent out to Fort St. George a marble monument to be erected in the church of St. Mary, to the memory of Mr. Swartz, inscribed with a suitable epitaph, and they announced it, in their general letter dated 29th October 1806, as a testimony of the deep sense they entertained of his transcendant merit, of his unwearied labours in the cause of religion and piety, and of his public services at Tanjore, where the influence of his name and character was for a long course of years productive of important benefits to the Company. The honourable Court further adds; "On no subject has the Court of Directors been more unanimous, than in their anxious desire to "perpetuate the memory of this eminent person, and to excite in others an emulation "of his great example." They direct finally, that "translations shall be made of the "epitaph into the country languages, and published at Madras, and that the native in"habitants shall be encouraged to view the monument."

The Christians in Bengal were of course rejoiced to hear of the honourable testimony to the apostolic Swartz, and they expected that it would be acknowledged here, as at Fort St. George and Bombay; but they were disappointed; there was no recognition of the venerable Missionary in Bengal. The epitaph was not inserted in the Calcutta Gazette, nor was the slightest notice taken of the circumstance and lest it might be supposed; that it was omitted by accident, the official notice of the Governor in council at Fort St. George, which appeared subsequently relative to the day of commemoration, was also suppressed.

But what followed was yet more painful. Your Lordship will judge of the feelings of the Christians in this place, when they read in the Government Gazette of the week following, an article whose obvious tendency was to bring the labours and character of the Christian Missionary into contempt.* Thus while the honourable the East India Company were adorning the sepulchres of their Missionaries, and embalming their memory in the South, their own servants were treating the character with indignity in the North. We were at first alarmed, lest this might be the signal for the other papers to commence an attack on the humble and defenceless Missionaries; but we were happy to find, that not one of the seven papers of this Presidency followed the example of the official Gazette.

As it is not probable that any of the particulars above-mentioned, have as yet come to your Lordship's knowledge, I beg leave to refer your Lordship to the enclosed printed paper (A.) published by the authority of the Government of Fort St. George.

8. Fourth. Restraining the Protestant Missionaries in Bengal, from the exercise of their functions, and establishing an imprimation for theological works.

Men's minds were prepared, by the preceding circumstances, to expect little indulgence to Missionaries, but they were certainly not prepared to expect the event which followed.

The success of the protestant mission in Bengal, had long been a source of uneasiness to those officers of Government who do not think it right to convert the natives. Some of the native Moonshees attached to the public officers, well knowing, from long acquaintance, their masters sentiments on this subject, have not failed from time to time to urge them to countenance their petitions, and to lend their voice in accusing the Missionaries. Some clamour of this kind was raised at two different times within the last seven years; but it passed away without offence to the Christian religion. The complaint of the Moonshees against the Missionaries, on the present occasion, is not, I understand, so obvious as the former;

* The Mission to Greenland and Labrador, whose civilizing efficiency on the rude inhabitants of those regions, has long been a theme of admiration to the Christian world, is held forth in that paper to public ridicule; and the simple narrative of the pious well-meaning Missionaries, is declared to "exhibit a "degree of canting fanaticism well worthy of the followers of Cromwell."—Calcutta Gazette, 17th September 1807.

No. 8. Enclosures in Letter from Bengal Govt 7 Dec. 1807, on the subject of Missionaries.

mer; they complain that the Missionaries have, in a certain paper, "applied abusive "epithets to Mahomet." The Missionaries certainly mistake the proper method of convincing the minds of men, if they use epithets of abuse; the successful method of preaching is by argument and affectionate address; and I presume this has been their general method during the fourteen years of their mission, else we cannot suppose their labours would have been followed with so much success.

At the same time Christian teachers are not to speak with reverence or courtesy of Juggernaut or Mahomet: they must speak as the Scriptures speak, that is, of false gods as false gods, and of a lying prophet as a lying prophet. The Mahometans apply abusive epithets and vulgar curses to the idolatry of the Hindoos and to the faith of Christians; and these epithets are contained in books, and Government might, on the same principle, have been assailed with the petitions of Christians and Hindoos against the Mahometans. If the natives choose to go to hear the preaching, or to read the books of the Missionaries, it is their pleasure to do so—it is no concern of Government. These poor Missionaries are not official characters; they have no power, no authority, no riches; and this the natives well know. They are like the first apostles, contemned and despised by all casts; and if they are bereaved of the countenance of their own Government, they are bereaved indeed

The complaint, however, of the Mahometans has produced a very serious event. The protestant Missionaries in Bengal were prohibited, by order of government dated 8th September last, from preaching to the natives.

The Protestant Mission being situated at Serampore, a town belonging to the King of Denmark, the English Government requested the Danish Governor to give up the Mission press, and ordered the Missionaries to remove to Calcutta. The Danish Governor resisted this demand, on the plea of the sovereignty of his nation; and the English Government revoked their requisition. The English Government then issued an order prohibiting the Missionaries from printing any books, "directed to the object of converting the natives to "Christianity." On this, a question was proposed officially to the British Government by the Danish Governor, a question which your Lordship will be concerned to think should ever have been necessary. It was this: "Whether, among the books prohibited by the "British Government, the Bible in the Bengalee language was included?" The answer to this question your Lordship will read with yet more concern. It was the following: "We "are not aware of any objection to the promulgation of the Scriptures in the Bengalee "language, unaccompanied by any comments on the religions of the country:" that is, the English Government were not "aware that there was any objection to the publication of "the Bible, yet they were not certain." At all events, it must have "no comment on the "religions of the country:" that is, it must not be said of the Bible—"this is the word of "the true God, and more worthy of belief than the Veda of Brahma:" nor must any illustration of its truth be noticed by reference to the Hindoo doctrines, for instance, by appealing to their own ideas of a Trinity, of an atonement, and of the "man twice born."

After some consideration, the English Government qualified, (but did not revoke,) their prohibition respecting works "directed to the object of converting the natives," and informed the Missionaries officially that, "whatever they printed for the future, must be submitted "to the inspection of the officers of Government:" and here the matter ended. An official imprimatur is established for the theological works of the protestant Missionaries; and preaching to the natives beyond the limits of the Danish town, is entirely prohibited: and this, of course, amounts to nearly a total suppression of the mission.

The chief inconvenience of the imprimatur imposed is, not that religious books shall be submitted to the officers of Government, but that they must be submitted to the "native" officers of Government. If, indeed, the Christian officers of Government understood the Bengalee, Arabic, Orissa, Mahratta, and Chinese languages, then might the Missionaries expect that Christians would revise their works; but a Hindoo must revise the Bengalee, and a Mahometan the Arabic. Those very Mahometans who impeached the Missionaries in the first instance, will necessarily be employed next to revise their theology. Was it ever heard that a Hindoo or a Mahometan gave a candid judgment of a Christian book? They will, of course, obliterate all passages which offend their own superstitions, and particularly those quotations from Scripture which speak of lying prophets, or the sin of idolatry.

I now beg leave to request your Lordship's attention to the plea on which these proceedings against the Protestant Missionaries have been grounded. It is this; "that the public "faith has been pledged to leave the natives in the undisturbed exercise of their religions." This is a proper pledge of our legislature. It is proper not to disturb the natives in the exercise of their religion; nor has this pledge ever been broken, directly or indirectly. It is proper not to interfere with, or by violence to prevent, the superstition of the natives, if not criminal in itself, or affecting the public peace. But if, by the expression "not dis-"turbing the natives in the exercise of their religion," be meant that "we are not to use "means for diffusing the knowledge of Christianity among them," then it is to be observed that this pledge has been violated by every Government in India, and has been systematically broken by the honourable the East India Company from the year 1698 to the present time. The fact is, they have pledged themselves to a conduct just the reverse. The East India Company hold this country by a Charter, which expressly stipulates that they shall use means to instruct the Gentoos, &c. in the Christian religion. William 3d, September 1698. And this stipulation is in perfect accordance with their pledge of not disturbing the natives in the exercise of their superstitions by force, inasmuch as it is a very different thing to apply arguments to the mind and to inflict wounds on the body. It is their duty to civilize

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their barbarous subjects, and to teach them humanity, and for that purpose, to address their understandings and their affections. At the same time it is their duty not to disturb the exercise of their superstition by compulsory acts; and the legislature has stipulated for the performance of both duties; and the first duty is as positive as the second. They first stipulate to do good, and they next stipulate not to do evil; and in consequence of this stipulation, the honourable Company have constantly aided the Christian missions in India, and at this time, they devote a considerable sum annually to their support. The Protestant Mission in Bengal commenced in 1758. The honourable Company's ships brought out the annual supplies for this Mission, and before the year 1770, religious tracts were translated into the Bengalee language; and Hindoo Christians preached to their countrymen, in the time of Hastings, in the town of Calcutta. This Mission continued its labours till about the year 1790, when the supply of Missionaries from Europe failed. It was succeeded by the present Mission at Serampore in 1793.

The Calcutta Mission was of extensive use in disseminating Christian principles through northern India. They sent Arabic New Testaments to the court of Shah Allum, the Mahometan King of Hindostan, then resident at Allahabad. The priests of his Majesty returned their thanks to the Missionaries, and requested that "the supply might be continued." It was continued for a time, and an investment of Arabic bibles is soon expected, under the sanction of the honourable Company, for a similar purpose. Little of the influence of Christianity in India has come, as yet, to the knowledge of the public. Englishmen in general know as little of the state of Christianity in India, as of the state of Hinduism. Two Christian Missions were at the same period tolerated by Shah Allum, one of which had existed since the time of Akbar the Great, and both of which exist unto this day.

At Seringapatam, under Hyder Sultaun, the Mahometan Prince of Mysore, the most complete toleration was permitted. In the Appendix to the enclosed Pamphlet, your Lordship will see with what ardour the preaching of Swartz was received at Seringapatam, and how the noble Mahometans and Hindoos desired to learn from him what was the "right prayer." Romish Missions were tolerated by Hyder, at the same time. Tippo Sultaun was more intolerant than his father. He was at times a persecutor, yet he did not quench Christianity; and Missions now flourish in various parts of the Mysore country.

After these authorities, we certainly shall not refer to the Mahometan Moonshees in Calcutta, for their opinion on the general relations of religious toleration in India.

I do not know whether your Lordship has been informed, that there are two Roman Catholic Misssions in Bengal and the provinces adjacent. They have existed for a long period of time, and have been tolerated by the Mahometan, Hindoo, Seik, Nepaul, and Tibet Governments. They have preached and published what they pleased, without any official restriction that we have ever heard of, and they now continue to follow their functions under the protection of the English Government, while the Protestant Missionaries are restrained and their theology is subjected to an official licence.

The proceedings against the Protestant Mission will naturally be supposed at home to have been called forth by some public commotion in Bengal, or by the bad moral character of the Missionaries. As to the first, they will be happy to hear, that we are now, and long have been, in a state of almost torpid tranquillity; and as to the character of the Missionaries, the Government has acknowledged them to be men of quiet demeanour, of pious intentions, and as deserving countenance and respect for their literary labours.

It has been the usual conduct of Asiatic Governments to let Christianity alone. In the annals of the British administration in India, has there been no instance of the suppression of a Christian Mission? Our empire here subsists by the discrepancy of religious opinion. It is not good policy to strengthen the Hindoo religion, or to strengthen the Mahomedan religion; but it is good policy to strengthen the Christian religion, because it is as yet the weakest. It is certainly our duty not to oppose it, for if this counsel "be of God, we "cannot resist it." And it would now be as easy to oppose the rushing of the Bore into the river Ganges, as to oppose the entrance of Christianity into the province of Bengal.

9. After the perusal of the foregoing pages, your Lordship will be prepared to understand the cause of the late alarm regarding the Prophecies; not a public alarm indeed, but the alarm of some of the officers of your Lordship's Government.

"Having had occasion lately to preach a series of discourses on the Christian Prophecies in the Presidency Church, some of the congregation expressed a wish that I would permit them to be printed, observing, that they had before made a similar request without effect; but as I was now about to return to Europe, they hoped I would bequeath to them these few discourses.

When it was understood by the officers of Government, that the Sermons on the Prophecies were to be published, they were alarmed—your Lordship will scarcely divine the cause—it was this:—It seems these Prophecies declare, "that all nations shall "be converted to the religion of Christ." But if this be true, it was argued, what bad news to the Mahomedans and the Hindoos. In short, the advertisement announcing the intended publication of the Prophecies, which was sent to the Government Gazette, was suppressed; the advertisement itself was delivered in with trepidation to Government, and an order was immediately issued to the printers of the other papers, forbidding them to publish the alarming notice. In consequence of this order, it has been publicly understood that the Christian Prophecies are suppressed by authority.

I now beg leave to submit it to your Lordship's judgment, whether, in the view of the temper of mind displayed above, it would be proper in me to subject my compositions to the opinion and revision of the officers of your Lordship's government. Might there not be some

danger

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danger in committing the Christian Prophecies to be altered and new modelled by men who favour the disciples of Mahomet and Brahma? I incline not to commit them to the hands of those officers, from another consideration: it would be a bad precedent. I would not that it should be thought, that any where in the British dominions, there exists any thing like a civil inquisition into matters purely religious.

It is now nearly two months since I received the letter from Government on this matter, and I have not yet communicated my intentions. I now beg leave to inform your Lordship, that I do not wish to give Government any unnnecessary offence. I shall not publish the Prophecies.

At the same time I beg leave most respectfully to assure your Lordship, that I am not in any way disappointed by the interference of Government on this occasion. The supposed suppression of the Christian Prophecies has produced the consequence that might be expected. The public curiosity has been greatly excited to see these Prophecies: and to draw the attention of men to the Divine predictions, could be the only object I had in view in noticing them in the course of my public ministry. Another consequence will probably be, the Prophecies will be translated into the languages of the East, and thus pave the way, as has sometimes happened, for their own fulfilment.

10. Your Lordship will be enabled better to understand the real nature of this alarm regarding the Prophecies, when you are informed of the alarm which was excited about half a year before your Lordship's arrival, by the ancient "Christian Tablets."

In consequence of the enquiries, sanctioned by the Marquis Wellesley, into the history and literature of the Syrian Christians of Travancore, some ancient manuscripts were announced, and also certain "Brass Tablets" of great antiquity, containing the privileges of these ancient Christians, asserting their rights of nobility, and declaring withal that they had a King. Your Lordship can hardly conceive the apprehensions which were excited by this discovery, in the minds of those who have been lately alarmed by the Prophecies. Even at the first, it was accounted an ominous mission to go "to rake up the ashes of Christianity" in the very midst of the Hindoos: But when it was announced that there were "glowing embers," nothing less seemed to be expected than that all Hindostan would shortly be "in a flame." For if it was true that Christianity once flourished in Hindostan, it followed that it might flourish again. It was devoutly wished "that these Christian Tablets might sink to the bottom of the sea," and even the curiosity of the Hindoo antiquaries was quenched in this horror of Christianity.

That your Lordship may be assured that this alarm was real and not fictitious, it is only necessary to add, that when the article of literary intelligence published in the Bombay Gazette, containing the account of these ancient Christians, and of these "brass plates" (which account was certainly interesting to the Christian world in general, and to men of letters in particular) arrived at Calcutta, it was suppressed by authority as something dangerous to the State, and the Bishop of Llandaff's Letter on the Civilization of India had nearly shared the same fate.

11. It appearing, from the recent events above noticed, that the diffusion of Christianity in Bengal is plainly obnoxious to some of the officers of government, serious apprehensions are now entertained, that the attempt to suppress the translation of the Scriptures will be renewed: I cannot believe that the attempt will be made during your Lordship's Administration. If however any sinister event should afford a pretext for reviving it, I humbly request that the Chinese translation of the Scriptures may be spared; suffer me, my Lord, to intercede for the Chinese. There are three English youths, who have been for two years past under the tuition of the Chinese professor and his two Chinese assistants, and they have now acquired a very considerable proficiency in the Chinese language; and it is my intention to call them to England for public purposes, in three years hence, if their studies be not interrupted. This class has been organized and maintained at a great expense. It is the only regular Chinese class in the world, out of the limits of the Chinese empire; and it will probably be the source of the first regular instruction in the Chinese language in Great Britain.

12. If your Lordship should judge it expedient to investigate any of the facts contained in this Letter, I shall be happy to afford any further evidence or explanation that may be required, before I leave India.

I have the honour to be
My Lord,
With the highest respect, your Lordship's
Most obedient and humble servant,
(Signed) *C. Buchanan.*

Calcutta,
7th Nov. 1807.

Extract of LETTER from the Court of Directors to the Governor General in Council at Fort William in Bengal; dated 7th Sept. 1808.

No. 8. Letter from Court of Directors, 7 Sept. 1808; on the subject of Missionaries.

Para. 12. SINCE the preceding paragraphs were written, your letter of the 7th December 1807, to the Secret Committee, has been received, with copies of the Letter and Memorial addressed to the Governor General by the Reverend Dr. Claudius Buchanan.

13. We desire to express our entire satisfaction at the explanation which you have thought it necessary to give to your proceedings; and as most of the observations which would naturally have occurred to us on the perusal of those documents, have already been stated in this letter, we deem it unnecessary to enlarge further on the subject.

14. With every disposition to make due allowance in favour of ardent zeal in the cause of religion, it would have been impossible for us to avoid noticing the improper style of Dr. Buchanan's Address to the supreme Authority in India, if his subsequent departure from thence had not in some degree relieved us from that necessity. We shall content ourselves at present, with remarking that Dr. Buchanan, as well as all other Ecclesiastics who promulgate the doctrines of Christianity in India, and who bestow such just and merited encomiums on the conduct of the Missionary Schwartz, would do well to adopt it as the model of their own, and would always recollect that discretion and moderation in their language and actions, are most consistent with the mild spirit of our religion, and are indispensably requisite for those who are employed in prosecuting the laborious work of Conversion.

No. 9.

Copy of a PROCLAMATION of Lord William Bentinck as Governor of Madras; dated the 3d of December 1806.

Extract Fort St. George Secret Consultations; 2d December 1806.

PROCLAMATION.

THE RIGHT HONOURABLE THE GOVERNOR IN COUNCIL, having observed, that in some late instances an extraordinary degree of agitation has prevailed among several corps of the Native Army of this coast, it has been his Lordship's particular endeavour to ascertain the motives which may have led to conduct so different from that which formerly distinguished the Native Army. From this enquiry it has appeared, that many persons, of evil intentions, have endeavoured, for malicious purposes, to impress upon the Native Troops, a belief that it is the wish of the British Government to convert them by forcible means to Christianity; and his Lordship in Council has observed with concern, that such malicious reports have been believed by many of the Native Troops:—

THE RIGHT HONOURABLE THE GOVERNOR IN COUNCIL, therefore, deems it proper, in this public manner to repeat to the Native Troops, his assurance, that the same respect which has been invariably shown by the British Government for their religion and for their customs, will be always continued; and that no interruption will be given to any native, whether Hindoo or Mussulman, in the practice of his religious ceremonies.

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

THE RIGHT HONOURABLE the GOVERNOR in COUNCIL trusts, That the native troops remembering those circumstances, will be sensible of the happiness of their situation, which is greater than what the troops of any other part of the world enjoy; and that they will continue to observe the same good conduct for which they were distinguished in the days of General Lawrence, of Sir Eyre Coote, and of other renowned heroes.

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

IT IS DIRECTED, That this paper be translated with care into the Tamul, Telinga, and Hindostany languages; and that copies of it be circulated to each native battalion; of which the European officers are enjoined and ordered to be careful in making it known to every native officer and sepoy under his command.

IT IS ALSO DIRECTED, That copies of the paper be circulated to all the magistrates and collectors under this Government, for the purpose of being fully understood in all parts of the country.

Dated in Fort St. George, the 3d December 1806.

PUBLISHED, by ORDER of the RIGHT HONOURABLE the GOVERNOR in COUNCIL.

(Signed) *G. Buchan,*
Chief Secretary to Government.

— No. 10. —

Copies of all REGULATIONS AND ORDERS, issued, and now in force, under the *Bengal* Government; respecting the WEAVERS; as well in regard to their connection with the provision of the Company's Investment, as in respect to their employment by Individuals.

A.D. 1793. REGULATION XVII.

A REGULATION for re-enacting, with alterations and amendments, the Regulations passed by the Governor General in Council, on the 20th July 1792, for empowering Landholders and Farmers of Land to distrain and sell the personal Property of under Farmers, Ryots and Dependant Talookdars, and (in certain specified cases) their Sureties, for Arrears of Rent or Revenue, and for preventing Landholders and Farmers of Land, confining or inflicting corporal punishment on their under Farmers, Ryots and Dependant Talookdars, or their Sureties, to enforce payment of arrears.—PASSED by the Governor General in Council, on the 1st May 1793, corresponding with the 21st Bysaak 1200 Bengal Era; the 6th Bysaak 1200 Fussily; the 21st Bysaak 1200 Willaity, the 6th Bysaak 1850 Sumbut, and the 19th Ramzaan 1207 Higeree.

FROM the Regulations not defining the nature and extent of the coercion which landholders and farmers of land might legally exercise over their under farmers, ryots, and dependant talookdars, to enforce payment of arrears of rent or revenue, many landholders and farmers, availing themselves of the sanction of former usage, had recourse to the most oppressive means for realizing arrears, and frequently employed the same severities for the purposes of extortion; whilst others, doubtful what measures they were empowered to adopt to enforce payment from defaulters, and apprehensive of subjecting themselves to prosecution for oppression, refrained from all compulsion, and were often defrauded of arrears to which they were justly entitled. These defects in the Regulations tending to screen oppression and dishonesty on the one hand, and to discourage moderation and good faith on the other; and it being as essential to the prosperity of the country and the punctual collection of the public revenue, that landholders and farmers of land should have the means of compelling payment from defaulters without being obliged to have recourse to the Courts of Justice, and incurring the delay and expense necessarily attending a law process for the recovery of every arrear, as that under farmers, ryots, and dependant talookdars, should be protected from oppression and unjust demands; the Governor General in Council, with a view to the attainment of these important objects, passed certain Regulations on the 20th July 1792: THE RULES and ORDERS contained in those Regulations are hereby re-enacted, with alterations and amendments.

What person, may distrain. Whose and what property is liable to distraint and sale.

II. Zemindars, independent talookdars, and other actual proprietors of land, and farmers of land who hold their farms immediately of Government, are empowered to distrain without sending notice to any court of justice or any public officer (excepting the after notice directed to be given in the cases of defaulters employed in the provision of the Company's Investment or the manufacture of salt, as specified in Section XXXI,) the crops and products of the earth of every description, the grain, cattle, and all other personal property whether found in the house or on the premises of the defaulter, or in the house or on the premises of any other person within or without the limits of the estate or farm of the distrainer, belonging to their under renters and ryots and the talookdars paying revenue through them, for arrears of rent or revenue, and to cause the said property to be sold for the discharge of such arrears. The same powers are likewise vested in dependant talookdars for the recovery of arrears of rent from their under farmer and ryots, and also in under farmers who farm lands from zemindars, independent talookdars, or other actual proprietors of land, or dependant talookdars, or farmers of land who hold their farms immediately of Government, to enable such under farmers to enforce payment of arrears of rent or revenue from their ryots, under farmers, or dependant talookdars. The several descriptions of landholders and farmers of land above specified, are to exercise the powers hereby vested in them under the following rules and restrictions.

What property is not liable to distraint and sale.

III. Persons vested with the power of distraint shall not distrain or sell the lands, houses or other real property of their under farmers and ryots, or the talookdars paying revenue through them; nor goods or advances belonging to the Company in the hands of any

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weaver, manufacturer, or other persons employed in the provision of their Investment; nor the loom, thread, unwrought silk or materials of manufacture of any weaver or manufacturer; nor the tools of any tradesman or labourer standing towards them in the relation of under farmer, ryot, or dependant talookdar. All such distraints and sales are declared illegal and void. The defaulter shall stand acquitted of the arrear for which the distress may be levied, and the property shall be restored to him, or the distrainer shall be compelled to make good to him the value of it, if it shall be personal property, and shall have been destroyed, damaged or injured, or shall not be forthcoming, and the distrainer shall be further obliged to pay to him damages adequate to the loss which he may prove to have sustained in consequence of such attachment or sale, with all costs of suit.

Distraint and sale of it illegal and void.

Penalty.

IV. The ploughs and implements of husbandry, the cattle actually trained to the plough, and the seed grain of under farmers, ryots and dependant talookdars, shall not be distrained for arrears, provided the defaulter shall possess, and the distrainer shall have it in his power to attach, other cattle, grain, or property, sufficient for the discharge of the arrear. Distrainers are enjoined to attend strictly to this rule, and every deviation from it shall be punished by an award to the party aggrieved of damages adequate to the injury he may have sustained, with all costs of suit.

What property is not to be distrained, if other sufficient property can be attached.

Penalty.

V. Under farmers, ryots, and dependant talookdars, shall not be considered to have defaulted until the arrears have been ineffectually demanded from them and also from their surety, if they shall have given security, and the surety shall be forthcoming; and when, as the last resourse, an attachment shall be issued against the property of a defaulter, the responsibility of the surety shall not be thereby in any degree diminished.

When under farmers, &c. are to be considered to have defaulted.

Sureties not exonerated by the distraint of the property of Defaulters.

VI. If any person vested with the power of distraint shall attach, or cause to be sold the property of any under farmer, ryot or dependant talookdar, for arrears of rent or revenue, and it shall appear upon trial that no arrear was due, the distrainer shall be compelled to restore the property to the owner, or to make good to him the value of it, if it shall have been sold, damaged, injured or destroyed, or shall not be forthcoming, and to pay to him as damages a sum adequate to the value of such property, and all costs of suit.

Penalty for attaching property if no arrear be due.

VII. If the defaulter shall tender the arrears demanded of him in the presence of two creditable witnesses to the person deputed to attach his property, such person shall receive the arrears, and shall not proceed to the attachment.

Attachment not to take place if the defaulter shall tender the arrears upon demand.

VIII. Distrainers shall deliver to the person whom they may depute to attach the property of a defaulter, a writing under their seal and signature specifying the amount of the arrear for which the attachment may be issued, and the date on which such arrear became due. The person so deputed shall produce this writing as his authority for making the attachment, and on the day on which he may attach the property, shall deliver a copy of it to the stated defaulter, endorsing thereon a list or inventory of the property attached, and the name of the place where it may be lodged or kept, with a notice that it will be sold on the fifteenth day commencing from the day following the day on which the attachment took place, or, if the property attached shall consist of crops or other ungathered products of the earth, within fifteen days calculating from the day following the day on which such crops or products may be stored, as directed in Section XIII.; unless the arrear and expenses of the attachment shall be previously discharged, or he shall contest the demand, and procure the attachment to be withdrawn in the manner hereafter specified. If the defaulter shall be absent, a copy of the above writing with the prescribed endorsement shall be fixed up or left at his usual place of residence before the expiration of the third day, calculating from the day of the attachment. If any person vested with the power of distraint shall cause any property to be attached, without furnishing the agent whom they may employ for that purpose with the writing above directed, or if such agent shall be furnished with the writing prescribed, and shall omit to deliver a copy of it with the required endorsement to the defaulter, or, in the event of his absence, to leave such copy at his usual place of residence within the period limited, the distrainer shall not be entitled to recover the arrear for which the distress may have been levied, and he shall be compelled to restore the property to the defaulter, or the value of it, if it shall have been sold, damaged, injured or destroyed, or shall not be forthcoming, and to pay all costs of suit.

Distrainers to furnish the person they may depute to distrain, with a Writing specifying the amount of the arrear and the date on which it became due.

Copy of the writing with list of the property distrained, name of the place where it is lodged and notice that it will be sold indorsed thereon, to be delivered to the defaulter, or left at his place of residence in case of his absence.

Penalty.

IX. If an attachment for arrears shall have been issued against the property of any under farmer, ryot, or dependant talookdar, who may not have given security to the distrainer for the payment of his rent or revenue, and such under farmer, ryot, or dependant talookdar, shall dispute the justness of the demand, and within five days commencing from the day following the day of the attachment, or if the property attached shall consist of crops or other ungathered products of the earth, within five days calculating from the day following the day on which such crops or products may be stored as directed in Section XIII, shall enter into a bond before the judge of the zillah, the cauzy of the pergunnah, or the distrainer, with good security, binding himself to institute a suit in the dewanny adawlut of the zillah within fifteen days from the date of such bond for the trial of the demand, and to pay whatever sum may be adjudged to be due from him, with interest upon it at the rate of twelve per cent. per annum, to be calculated from the date on which the arrear that may be awarded became payable to the date of the decree, with all costs of suit, the distrainer shall immediately withdraw the attachment and restore the property to the defaulter. If the stated defaulter shall fail to execute the bond within the

Under farmers, &c. who have not given security for their rent or revenue, and who may contest the arrear, how to procure the attachment of their property to be withdrawn.

To execute a bond with security to try the demand in the Dewanny Adawlut of the Zillah, in fifteen days.

Attachment to be withdrawn upon the execution of the bond.

the period prescribed, the distrainer shall be at liberty to keep the property under attachment, and to cause it to be sold in the manner directed in Section XXII, unless the arrear with the expenses of the attachment shall be discharged previous to the day of sale. If the defaulter shall execute the bond, but omit to institute the suit in the dewanny adawlut by the time prescribed, the distrainer shall demand payment of the arrear from the surety, and in the event of his not discharging the amount immediately, the distrainer shall be at liberty to issue an attachment against the personal property both of the surety and the defaulter, or the personal property of either of them, and to cause it to be sold, unless the arrear and the expenses of the attachment shall be discharged previous to the day of sale.

Distrainer how to recover the arrear upon the defaulter failing to institute the suit by the time limited in the bond

X. If an attachment for arrears shall have been issued against an under farmer, ryot, or dependant talookdar, who may have given security for the payment of his rent or revenue, and such under farmer, ryot, or dependant talookdar, shall dispute the justness of the demand, and the surety, within five days commencing from the day following the day of the attachment, or if the property attached shall consist of crops or other ungathered products of the earth, within five days calculating from the day following the day on which such crops or products may be stored, as directed in Section XIII, shall deliver a writing, attested by two witnesses, to the judge of the dewanny adawlut, the cawzy of the pergunnah, or the distrainer, engaging that either he or the stated defaulter will institute a suit in the dewanny adawlut of the zillah, within fifteen days from the date of such writing, to try the demand, and to pay the amount that may be adjudged against them, with interest upon it at the rate of twelve per cent. per annum, to be calculated from the date on which the arrear that may be awarded became payable to the date of the decree, with all costs of suit, the distrainer shall immediately withdraw the attachment. If the surety shall fail to execute such writing within the prescribed period, the distrainer shall continue the property under attachment, and cause it to be sold in the manner directed in Section XXII, unless the arrear and the expenses attending the attachment shall be discharged previous to the day of sale. If the surety shall execute the writing, but fail to have the suit instituted either in his own name or that of the defaulter within the limited period, the distrainer shall demand payment of the arrears from the surety, and in the event of his omitting to discharge the amount immediately, the distrainer shall be at liberty to issue an attachment against the personal property both of the surety and the defaulter, or the personal property of either of them, and to cause it to be sold in the manner directed in Section XXII, unless the arrears and the expense attending the attachment shall be discharged prior to the day of sale. If the surety of the stated defaulter shall refuse or omit to enter into the writing required, or if he shall happen to be at a distance so as to render it impossible for him to execute such writing within the prescribed time, and such defaulter in either of these cases shall give the security required from the defaulters specified in Section IX, the distrainer shall withdraw the attachment, and as far as regards the said arrear, such distrainer, defaulter, and surety, shall be considered in every respect in the same predicament as the distrainers, defaulters, and sureties, mentioned in the said section. Landholders and farmers of land are prohibited distraining or selling the property of the sureties of their under farmers, ryots, and dependant talookdars (nominal sureties excepted as described in Section XXVII) under any pretext whatever, but in the cases specified in this Section and in Section IX. In all other cases landholders and farmers of land are to have recourse to the Dewanny Adawlut of the Zillah for the recovery of any claims which they may have on the sureties of their under farmers, ryots, or dependant talookdars. If any person shall distrain or sell the property of a surety, excepting in the cases above authorized, such surety, provided he be desirous thereof, shall be discharged from his engagement, and the distrainer shall be compelled to restore the property to him, or to pay to him the value of it, if it shall have been sold, damaged, injured or destroyed, or shall not be forthcoming, with all costs of suit.

Under farmers, &c. who have given security for their rent or revenue, and who may contest the arrears, how to procure the attachment to be withdrawn.

Surety to execute writing to try the demand in the Dewanny Adawlut within fifteen days.

Attachment to be withdrawn upon the execution of the writing

Distrainer how to recover the arrears upon both Surety and Defaulter failing to institute the suit by the time limited in the bond.

Under farmers, &c. how to proceed to get the attachment withdrawn in case of the absence of the Surety, or of his refusing to execute the writing required.

Property of Sureties not liable to distraint or sale, except in the cases herein authorized.

Claim on Sureties on other cases how to be removed

Penalty for the illegal distraint or sale of the property of Sureties.

XI. If the defaulter shall tender payment of the arrear demanded of him in the presence of two creditable witnesses, after his property shall have been attached, and prior to the day fixed for its being put up to sale, and also of the necessary expenses attending the attachment, the distrainer shall receive the amount of such arrear and expenses immediately upon the same being tendered, and shall forthwith release the property. In case of any dispute arising respecting the expenses of the attachment, it shall be determined by the cauzy of the pergunnah in which the distress may have been levied. The courts of dewanny adawlut are, upon complaint made to them, to punish any distrainer who may act contrary to this Regulation, by awarding against him, in favour of the party injured, damages according to the circumstances of the case, with all costs of suit.

Attachment to be withdrawn if the defaulter shall tender the arrear and expenses of attachment previous to the day of sale.

Penalty.

XII. Distrainers shall not drive or convey distrained cattle or other property out of the limits of the pergunnah in which it may have been attached. The distrainer shall either leave the property upon the premises in the charge of any person he may think proper, or drive or convey it with due care to a proper place as near as possible to the premises within the limits of the pergunnah.

Property distrained not to be taken out of the Pergunnah.

Where to be kept.

XIII. Distrainers who shall attach the crops or any ungathered products of the earth belonging to their under farmers, ryots, or the talookdars paying revenue through them, shall cause such crops or products to be reaped or gathered in due season, and store the same in proper houses, barns or granaries upon the premises, or if there shall be no such places on the premises, in any barn or proper place which can be procured as near thereto

Distrained crops and ungathered products of the earth when to be reaped or gathered and where to be stored.

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as possible within the limits of the pergunnah. The expense of reaping or gathering and storing such crops or products shall be paid by the owner upon his redeeming the property, or from the proceeds of the sale in the event of its being sold.

Distrained Cattle not to be worked, nor goods or effects used Distrainers to provide food for Cattle or live Stock Expense how to be defrayed.

XIV. Distrainers shall not work the bullocks or cattle, or make use of the goods or effects distrained. They shall provide the necessary food for the cattle or live stock, the expense attending which shall be paid by the owner upon his redeeming the property, or from the proceeds of the sale in the event of its being sold.

Penalty for distrainers neglecting to take due care of the property distrained

XV. If property distrained shall be stolen, or lost, or be damaged, injured or destroyed by the weather, or otherwise, whilst in the possession of the distrainer, owing to his not having taken the necessary precautions for the due keeping and preservation of it, he shall make good the loss or damage to the owner.

Distress to be proportionate to the arrear.

Penalty for excessive distress.

XVI. The distress levied shall not be excessive, or in other words the property seized shall be, as nearly as possible, proportionate to the amount of the arrear. If any person vested with the power of distraint shall attach any property, the value of which shall be disproportionate to the arrear, and it shall be proved that he could have seized other property of less value, and which would have been sufficient for the liquidation of such arrear, the court of dewanny adawlut shall award to the owner damages according to the circumstances of the case, with all costs of suit.

Distress to be levied between sunrise and sunset.

XVII. All attachments shall be made after sunrise and before sunset. If any person vested with the power of distraint shall seize or attempt to seize the property of any defaulter after sunset and before sunrise, for the discharge of arrears of rent or revenue, such distrainer shall not be entitled to recover the arrear; and, if the property shall have been attached, shall be compelled to restore it to the defaulter, or the value of it, if it shall have been sold, damaged, injured or destroyed, or shall not be forthcoming, with all costs of suit.

Penalty for attaching property after sunset and before sunrise.

Transfer of a Defaulter's property to prevent distraint, invalid

XVIII. If any under farmer, ryot, or dependant talookdar, shall make a fraudulent conveyance or transfer of his property to prevent the attachment of it for arrears, the court of dewanny adawlut, upon proof thereof being made before it, shall cause the property to be delivered up to the distrainer, and compel the person to whom such transfer or conveyance shall have been made, to pay to the distrainer damages adequate to the value of one half of the property, with costs of suit.

Penalty for persons to whom such transfers may be made.

Punishment for under farmers, &c resisting an attachment, or forcibly or clandestinely taking away their property after it has been attached

XIX. If any under farmer, ryot, or dependant talookdar, shall resist the attachment of his property, or shall forcibly or clandestinely take it away after it shall have been attached, the court of dewanny adawlut shall cause him and all persons who may be proved to have been his aiders or abettors, to be imprisoned in the gaol until he shall restore the property to the distrainer, or the arrear shall have been liquidated by the distraint and sale of other property, or otherwise discharged, with the expenses attending the attachment, and costs of suit.

Punishment for persons not being the owners, forcibly or clandestinely taking away property which has been attached.

XX. If any person, not being the owner, shall be convicted of forcibly or clandestinely taking away property that has been distrained, the court of dewanny adawlut, upon proof thereof being made before it, shall cause such person or persons to be imprisoned until they restore the property, or make good the value of it to the distrainer, and pay to him as damages a sum equal to the value of such property, and all costs of suit.

What places Distrainers may force open to attach the property of Defaulters

XXI. Distrainers are empowered to force open any stable, cowhouse, barn, golah, granary, or other building, and to enter any dwelling house, the outer door of which may be open (excepting the apartments in such dwelling house which may be appropriated for the zenana, or residence of women) and to break open the door of any room in such dwelling house, for the purpose of attaching any property belonging to a defaulter which may be lodged therein. But nothing contained in this regulation shall be construed to authorize persons vested with the power of distraint, or their servants or agents, to enter the zenana, or apartments of women, whether the doors or passages leading thereto be open or not; nor to force open and enter any dwelling house, the outer door of which may be locked or barred. Persons entering the apartments of women, or forcing open the outer door of any dwelling house, shall be imprisoned for six months; the distrainer shall not recover the arrear for which the attachment may have been issued, and he shall be compelled to restore to the defaulter any property that may have been attached, or the value of it, if it shall have been sold, damaged, injured or destroyed, or shall not be forthcoming; and the court shall further award against such distrainer heavy damages, with all costs of suit. And if any person shall enter a dwelling house, or break open any stable, cowhouse, barn, golah, granary, or other building, not occupied by or in the possession of the defaulter, to distrain property belonging to him, and no such property shall be found therein, the distrainer shall be liable to prosecution by the occupant or possessor for entering such house or breaking open such stable or other building, and the court shall award to him damages according to the circumstances of the case, with all costs of suit.

Zenana or women's apartments not to be entered whether the doors be open or shut.

Dwelling houses not to be forced open.

Punishment for entering women's apartments or forcing open dwelling houses

Penalty for entering any dwelling house, or breaking open any place not occupied by or in the possession of the defaulter, should no property belonging to him be found therein.

Mode of appraising and selling distrained property.

XXII. After the expiration of the fifth day and before the elapse of the eighth day calculating from the day following the day on which the attachment of the property of a defaulter shall have taken place, or, if the property attached shall consist of crops or other ungathered products of the earth, after the elapse of the fifth day, and before the expiration

tion of the eighth day commencing from the day following the day on which such crops or products were stored, as directed in Section XIII, the defaulter shall apply to the cauzy of the pergunnah to have the same appraised and sold. Upon the receipt of such application, the cauzy shall immediately fix up in the head cutcherry of the pergunnah a list of the property attached, with a notice of the day on which it will be sold, which shall be the fifteenth day commencing from the day following the day on which the attachment took place, unless the property shall consist of crops or other ungathered products of the earth, in which case the sale shall be made on the fifteenth day calculating from the day following the day on which such crops or products may be stored, as directed in Section XIII. The cauzy shall nominate two creditable persons competent by their profession, trade or occupation, to appraise the property. The persons so appointed shall appraise the property according to the current price which the several articles may then bear in the country, and shall deliver the particulars of the appraisement in writing, and attest the same with their seals and signatures, and shall make oath before the cauzy, that they have appraised the property according to the best of their knowledge and judgment. The cauzy shall affix his seal to the paper of appraisement, and shall cause it to be stuck up in the cutcherry. The property shall be brought to the cutcherry on the morning of the day of sale, in order that it may be examined by the persons intending to bid, unless it shall consist of grain or other products of the earth, the removal of which would be attended with considerable expense, in which case samples only, indiscriminately taken from each article, shall be brought to the cutcherry and exposed for the purpose abovementioned. The property shall be put up to sale in one lot, or in two or more lots, as the cauzy may think advisable. The sale shall commence at twelve o'clock in the day, and the property shall be disposed of for the highest price that may be offered for it. If the property shall sell for more than the amount of the arrear, the overplus, after deducting the charges attending the attachment and sale of it, shall be returned to the defaulter. If the proceeds of the sale shall be insufficient for the discharge of the arrear and the expenses attending the attachment and sale, the distrainer shall be at liberty to attach other property belonging to the defaulter, and to cause it to be sold to make good the deficiency. The cauzy is in every case to examine the distrainer's statement of the expenses consequent to the attachment and sale of the property, and to reject any part of it that may appear to him unreasonable. If any person vested with the power of distraint shall sell or dispose of property, which he may have attached for arrears of rent or revenue, in any other mode than that prescribed in this section, he shall forfeit the arrear for which the distress may be levied, to the defaulter, and make good to him the value of the property sold or disposed of, with all costs of suit.

Surplus of the proceeds of property selling for more than the arrear, and expenses, how to be appropriated.

Cauzy to adjust the expenses of the sale and attachment. Penalty for disposing of property, except as herein authorized.

XXIII. The cauzy is to be careful to prevent any unfair practices either in the appraisement or sale of property. Upon proof being made before the court of dewanny adawlut of the zillah of his conniving at any such practices, the court shall cause him to make good any loss or injury that the defaulter may have thereby sustained, with costs of suit, and shall immediately report the circumstances of the case to the sudder dewanny adawlut for the information of the Governor General in Council, who, provided there shall appear to him sufficient reason for so doing, shall dismiss such cauzy from his office.

Punishment for Cauzies conniving at unfair practices in the appraisement or sale of property.

XXIV. The distrainer, the cauzy, and the appraisers, are prohibited purchasing, directly or indirectly, any part of the property. Any cauzy or appraiser offending against this prohibition, shall be compelled to restore the property to the defaulter, or the full value of it, in the event of its being injured, damaged, destroyed, or not forthcoming, and shall forfeit the purchase money which shall be appropriated to the liquidation of the arrear, and pay all costs of suit; and the court shall report the circumstances to the sudder dewanny adawlut for the information of the Governor General in Council, who, if there shall appear to him sufficient ground for so doing, shall dismiss such cauzy from his office. Distrainers acting contrary to the prohibition contained in this section, shall be compelled to restore the property to the defaulter, or the full value of it, if it shall have been injured, damaged or destroyed, or shall not be forthcoming, and shall likewise forfeit to him the arrear for which the property may have been attached, and pay all costs of suit.

Distrainer, cauzy, and appraisers, not to purchase the property.

Penalty.

XXV. Neither the defaulter, nor any person on his behalf, shall be permitted to bid for or purchase the property.

Defaulters not to bid for or purchase their property.

XXVI. The property shall be paid for within five days after the sale, and the purchaser shall not be permitted to carry away any part of it which shall not have been paid for. Should the purchaser fail in the payment of the whole or part of the purchase money by the limited period, the whole of the property, or the part of it which may be unpaid for, shall be resold by the cauzy, on such day as he shall fix, for whatever it may fetch. The defaulting purchaser shall forfeit to the distrainer fifteen per cent. on the amount of the price for which he purchased the property so re-sold, and make good to him any loss that may arise on the re-sale. If any profit shall accrue on the resale, it shall be carried to the credit of the defaulter.

Property sold when to be paid for.

Penalty in case of non-payment of the purchase-money.

XXVII. Persons who tenant or underfarm lands in the name of their children, dependants or others, or in the names of fictitious persons, and give themselves as the ostensible sureties for the performance of the agreement, but retain the actual management of the lands and in fact are themselves the under farmers or ryots of such lands, shall, to all intents and purposes, be considered as the under farmers or ryots of such lands, and their property shall be

Persons who under the names of sureties farm or tenant lands in the name of others, to be considered the actual ryots or farmers of such lands.

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be liable to be distrained and sold for arrears under this Regulation, in the same manner as if the engagement for the lands had stood in their own names.

Landholders and farmers prohibited confining or inflicting corporal punishment on defaulters or their sureties.

XXVIII. Landholders and farmers of land are prohibited confining, or inflicting corporal punishment on any under farmer, ryot or dependant talookdar, or their sureties, to enforce payment of arrears of rent or revenue. If any landholder or farmer shall offend against this prohibition, the person so punished or confined, shall be at liberty either to prosecute the offender for assault or imprisonment in the criminal court, or to institute a suit against him in the dewanny adawlut of the zillah, which court shall award damages against such offender, according to the circumstances of the case, with costs of suit.

What persons are to perform the duties assigned to the cauzy in the event of his absence, or of there being no such officer stationed in the pergunnah.

XXIX. In the event of the absence of the cauzy, or of there being no such officer stationed in the pergunnah, the tesildar, or in case of his absence, or of there being no such officer in the pergunnah, then such person as the judge of the dewanny adawlut of the zillah shall think proper to vest with authority for that purpose, may and shall respectively do all such acts as the cauzy is authorized or directed to perform by this Regulation, and under the like restrictions and penalties, as far as the latter can be inflicted.

Heirs and successors of landholders and farmers to distrain for arrears due to the deceased, if entitled thereto.

Managers of estates of disqualified landholders, and managers of undivided estates vested with the power of distraint.

XXX. Upon the death of any person vested with the power of distraint by this Regulation, his heirs or successors who may be entitled to the arrears due to him, shall be at liberty to distrain the property of the defaulters, and their sureties in the cases authorized for the recovery of the same, agreeably to this Regulation. It is to be understood likewise, that managers of the estates of disqualified landholders, and managers of undivided estates belonging to two or more proprietors, all of whom do not come within the description of disqualified landholders, are authorized to exercise the same powers for the recovery of arrears of rent or revenue, as the proprietors of the estates committed to their charge would be entitled to exercise under this Regulation, were they to be entrusted with the management of their own estates, subject however to the several rules restrictions and penalties therein specified.

Explanatory Rule respecting defaulters employed in the provision of the Investment or the manufacture of salt.

XXXI. The several descriptions of landholders and farmers of land, specified in Section II. are empowered under the restrictions contained in this Regulation, to attach and sell the property of persons employed in the provision of the Company's Investment, or the manufacture of salt, for the recovery of arrears of rent or revenue, without previously stating the claim to the Company's commercial representative, or to any salt agent or other officer employed in the salt department. But such distrainers shall within three days, calculating from the day following the day of the attachment, after they shall have attached the property of any weaver or molungee, or other person employed in the provision of the Company's Investment or the manufacture of salt, send information of such attachment in writing to the commercial resident or salt agent, or the nearest commercial factory or salt cutcherry, that the commercial resident or salt agent may satisfy the demand previous to the time fixed for the sale of the property, or cause such steps to be taken in behalf of the defaulter as may be consistent with this Regulation.

Principals responsible for the acts of their agents.

XXXII. If any gomastah, agent, servant or officer of any person vested with the power of distraint, shall attach or cause to be sold the property of any under farmer, ryot, or dependant talookdar, or their sureties, or do any act in the attachment or sale of it contrary to this Regulation, the party aggrieved shall have his remedy against the principal of the offender for such illegal attachment, sale or act, whether the same took place or was done by the orders or with the knowledge of such principal or not. Provided that nothing contained in this Section shall extend to subject a distrainer to imprisonment in the event of any person deputed by him to attach property, entering the zenana, or apartments of women, or breaking open a dwelling house in opposition to the prohibition contained in Section XXI. unless it shall be proved that such acts were done by the order or with the consent or knowledge of such distrainer.

Persons deeming themselves injured by the distraint and sale of their property, may seek redress in the Dewanny Adawlut.

Persons vested with the powers of distraint to have the option of prosecuting in the Dewanny Adawlut for arrears.

XXXIII. Nothing contained in this regulation shall be construed to prohibit persons whose property may have been distrained or sold, from instituting a suit in the court of dewanny adawlut of the zillah against the distrainer, for any injury which he may think he has hereby sustained. Nor to prevent the several descriptions of landholders or farmers of land, or other persons vested with the power of distraint, from prosecuting in the court of dewanny adawlut of the zillah for arrears due to them from any under farmer, ryot, or dependant talookdar, or their sureties, should they prefer the last-mentioned mode of procedure to distraining and selling the personal property of the defaulter, or, in the cases authorized, of his surety, for the recovery of the arrears under this Regulation.

Suits instituted under this Regulation to be tried in preference to all other suits.

XXXIV. All suits that may be instituted under this Regulation, are to be heard and determined previous to any other suits which may be depending.

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A. D. 1793. REGULATION XXXI.

A REGULATION for re-enacting, with modifications and amendments, the Rules passed on the 23d July 1787, and subsequent dates, for the conduct of the Commercial Residents and Agents, and all Persons employed or concerned in the provision of the Company's Investment.—PASSED on the 1st May 1793, corresponding with the 21st Bysaak 1200 Bengal Era; the 6th Bysaak 1200 Fussily, the 21st Bysaak 1200 Willaity; the 6th Bysaak 1850 Sumbut; and the 19th Ramzaan 1207 Higeree.

THE nature and extent of the commercial concerns of the Company, render it necessary that rules should be prescribed for preventing manufacturers, or other persons in their employ, embezzling the money advanced to them, or disposing of the goods provided with it to individuals, and for ensuring the delivery of the goods agreeably to their engagements. No well-founded objection can be offered to such rules by the manufacturers, or others to whom they may extend, whilst they at the same time establish it as a fundamental principle, that no person shall be compelled to work for the Company, and that those who may engage in their employ, shall always be at liberty to relinquish it, after performing the engagements into which they may have voluntarily entered. It is equally requisite, on general principles, that precautions should be taken to prevent the rules adopted for the abovementioned purposes, being rendered subservient to the private views of the officers employed in the provision of the Investment, to the injury of the manufacturers, and the prejudice of the interests of the Company, both in their commercial capacity, and as rulers of the country. As the most effectual mode of guarding against such abuses, and of ensuring justice to the manufacturers and others in their dealings with the Company, the Governor General in Council has determined that the rules to which persons engaging to furnish goods for the Company's Investment may be subjected, shall be incorporated with the laws and regulations for the internal government of the country, and that the officers employed in the immediate superintendence of the provision of the Investment, shall be liable to be sued for any deviation from those rules in the courts of judicature, that every person who may deem himself aggrieved by their official acts, whether originating with themselves, or done in consequence of orders from the superior authorities, may be able to obtain redress with the same facility as for an injury received from any individual. THE following RULES, being the Rules passed by the Governor General in Council on the 23d July 1787, and subsequent dates, with modifications and amendments, adapted to the principles above stated, have been accordingly enacted.

No Weaver to be compelled to work for the Company.

II. Weavers not indebted, nor under engagements to the Company, shall not be compelled to enter into their employ; and weavers indebted, or under engagements to the Company, on duly discharging such debts or engagements, shall not be compelled to enter into fresh engagements.

Persons under engagements, after fulfilling them not to be compelled to re-engage

Conditions to which Weavers engaging for the provision of the Company's Investment are to consider themselves subject.

III. *First.* Weavers who may engage for the provision of any part of the Company's Investment, are to consider themselves as engaging under the following Rules and Conditions.

Engagements to be made in writing attested by not less than two witnesses.

Second. All engagements with weavers, are to be made in writing, attested by at least two credible witnesses. One copy of the writing is to remain with the commercial resident or his officers, and the remaining copy with the other party to the engagement.

Weavers not choosing to take further advances, to give a fortnight's notice.

Third. Weavers under engagements to the Company, and who may not intend to take further advances, shall give at least a fortnight's notice of their intention.

No Weavers to work for individuals, or bazar sales, until they have completed their engagements on account of the Investment.

Fourth. Weavers indebted to the Company, who have received advances from them, or come under engagements to them, shall, in discharge of such debt, advances, or engagements, deliver cloths, according to agreement. They shall on no account give to any other person or persons whatever, European or Native, either the labour or the produce engaged to the Company; and if they have not fulfilled their engagements by the period agreed on, they shall not work for newer engagements, nor for bazar sales, until those engagements are completed.

Peons may be put on Weavers failing in their engagements for the purposes herein specified.

Fifth. When any weaver fails to deliver, by the stipulated periods, the cloths for which he may have engaged, the commercial resident shall be at liberty to place peons upon him, in order to quicken his deliveries, and prevent his infringing the two restrictions in the latter part of clause fourth.

Penalty for Weavers disposing of cloths to individuals whilst they are deficient in their deliveries on account of the Investment.

Sixth. If notwithstanding the restrictions in the latter part of clause fourth, any weaver shall by himself, or by any other person, sell cloths to private merchants, Europeans or Natives, or to dealers or agents of whatever description, whilst he is deficient in his stipulated deliveries on account of the Company's Investment, he shall be liable to be prosecuted in the dewanny adawlut, and upon proof of the fact, he shall be adjudged to forfeit to the Company all that the produce of the cloths so sold, rated either at what he got for them, or their bazar value, shall exceed the ordinary prime cost of the thread in them, with costs of suit besides, and moreover be obliged to complete his engagements.

Penalty for Weavers failing in their stipulated deliveries.

Seventh. Weavers possessed of more than one loom, and entertaining one or more workmen, shall be subject to a penalty of thirty-five per cent. on the stipulated price of every piece of cloth that they may fail to deliver according to the written agreement which they may have executed, in addition to the repayment of the money advanced for the same.

How the penalty in the preceding Clause is to be recovered.

Eighth. The penalty specified in the preceding clause, shall be sued for in the dewanny adawlut, and shall be recoverable, on the agreement with the weaver, and the failure in his deliveries, being proved.

List of Weavers employed by the Company to be fixed up in the Cutcherry of the Collector.

IV. A list or register of the weavers employed in the provision of the Company's Investment in every pergunnah, specifying their places of abode, shall be fixed up by the commercial resident in the cutcherry of that pergunnah, and shall be corrected at the beginning of every week or month, according to the alterations that may have happened in the week or month preceding. The officers of the cutcherry are to give immediate permission for the exhibition of the list, and the commercial resident shall transmit a copy of it in the native languages once in every three months to the judge of the zillah.

Persons procuring from Weavers Cloths made with the Company's advances, how to be proceeded against.

V. Persons procuring from weavers in the Company's employ, by the offer of ready money, or under the pretence of previous engagements which were not avowed, cloths really wrought for the Company, and with their advances, knowing such cloths to be the right of the Company, either by the mark upon them, or the transactions between the weavers from whom they procure them and the Company, or having reason for such knowledge from the notoriety of such weavers being in the Company's employ, or discovering the same by the clandestine methods they take to obtain the cloths, shall be liable to be sued for damages in the dewanny adawlut, and on proof of the fact to its satisfaction, the court shall award to the Company such amount as may appear to it equitable, in addition to the cloths so obtained. But for purchases openly and fairly made in the public hauts and bazars, the buyers shall not be liable to prosecution, unless the cloths have the Company's mark upon them.

No persons to use means to prevent individuals being engaged in the Company's employ.

VI. All officers of government, proprietors and farmers of land, and dependant talookdars, under farmers and ryots, and their agents and dependants, are enjoined not to hinder the commercial residents or their officers from access to weavers or other persons, in order to treat with them about the Company's business; nor are they to use any arts, menaces, or punishments, to deter weavers or other persons from accepting the Company's advances, under pain of being liable to be sued for damages in the dewanny adawlut.

No public Officers or any individuals to behave with disrespect to the Residents or their Officers; nor to impede the business of the Investment, but to assist it to the utmost of their power

VII. All officers of Government, proprietors and farmers of land, talookdars, under farmers, and ryots, and their agents and dependants, are strictly prohibited from behaving with disrespect to the commercial residents or their officers; and they are required, on application from the commercial residents or their officers, to afford every assistance for the protection of the weavers and other persons employed by the Company, and the security of the Investment, that may be consistent with the powers and authority vested in them, and the Regulations.

Weavers in their capacity of Ryots to be subject to the same Regulations as other Ryots, with the exceptions hereafter specified

VIII. Weavers employed by the Company, who may cultivate or rent land, are to pay the rent according to their pottahs, in the same manner as other ryots or renters, and under the same rules and regulations, with the exceptions hereafter specified as to the mode of demanding and enforcing payment of arrears of rent due from them.

Rules for the recovery of arrears of rent from Weavers in the Company's employ.

IX. *First.* To prevent unnecessary interruption to the provision of the Investment, and at the same time that weavers and other persons employed in the provision of it, may not withhold the rent justly due from them for land which they may rent or cultivate, the following Rules are prescribed.

Weavers, &c. in the Company's employ, not to be summoned by any Native concerned in the collections of the Rents or Revenue of Lands.

Second. No weaver, or other manufacturer, gomastah, or other officer or person employed in the provision of the Company's Investment, shall be summoned to the cutcherry of any proprietor or farmer of land, or any native holding or entrusted with the collection of the rents or revenue of lands, under any pretence whatever. If any such persons shall have claims on such weavers, manufacturers, gomastahs, or officer, for or relating to arrears of rent, they shall either distrain for the amount under Regulation XVII, 1793, or sue the defaulter for it in the dewanny adawlut, or state their claim in writing to the commercial resident, who, if the weaver, or other person, be then actually employed by the Company, may, if he shall deem it expedient so to do, cause him to satisfy the claim, or satisfy it himself, and stop the amount by kistbundy from his future advances, so that his labour on account of the Company's Investment may not be interrupted. But the cloth, thread, or advances belonging to the Company in the hands of such weaver, or other person, shall in no case be liable for such demand, but shall be restored to the resident.

How summonses are to be served on Weavers or other persons in the Company's employ, who may be sued in the Dewanny Adawlut.

X. *First.* Persons instituting suits in the dewanny adawlut against a weaver or other manufacturer, or any officer or person employed in the provision of the Company's Investment, are to specify his being so employed in the bill of plaint. In such cases, the summons, with a copy of the plaint, shall be enclosed to the commercial resident under a sealed cover, addressed to the resident, and superscribed with the official signature of the judge or the register. It shall be at the option of the resident to execute, or to cause one of his officers, or any person whom he may think proper, to execute the security required from defendants by Section V, Regulation IV, 1793, and also the security directed to be taken by Section IX, Regulation VII, 1793, for the fees of the authorized vakeel whom the defendant may entertain, or to leave the party summoned to find such securities, and in the latter case, if the officer of the court bearing the summons, where it shall have been transmitted by an officer

officer, shall entertain any doubt of the responsibility of the security so offered, and the resident shall deem it to be sufficient, the officer shall accept the security. If the resident shall not think it proper to order any of his officers, or any other person to become security, and the defendant himself shall not be able to find security which the resident may deem responsible, he is to cause the defendant to accompany the officer of the court to the court, or, if no officer shall have been sent with the summons, to appear in person before the court, that he may be dealt with in the same manner as other defendants not giving the required security.

Residents to empower persons to become security, and Judges may transmit summonses to them.

Second. The residents are to empower the head officer at each of the different aurungs or kotees subordinate to them, and also an authorized vakeel of the dewanny adawlut, or any other person whom they may think it proper to station at the place at which the court may be held, to execute securities for the persons, and in the cases specified in the preceding clause. The residents are to be careful to keep the judges furnished with a list of the persons so empowered, specifying also the place at which they may usually reside, and the judges are authorized, in instances in which they may deem it proper, either from the distance of the place of abode of the resident from the place at which the party summoned may reside, or other circumstances, to order the summons to be inclosed to one of the persons so empowered to become security, instead of transmitting it to the resident himself, under the preceding clause, in which case, such person shall proceed in the same manner as the resident is directed to proceed, where the summons may be sent immediately to him.

How obedience to a summons is to be enforced if issued against a person employed in the Company's Investment, without its having been so specified in the plaint.

Third. If any person shall prefer a suit in the dewanny adawlut against a weaver or other manufacturer, or any officer or person employed in the provision of the Company's Investment, without specifying that the defendant is so employed, and the summons shall in consequence be ordered to be served on the defendant, in the same manner as on other defendants, the officer serving the same, upon the circumstance of the defendant being so employed, being notified to him by the resident, or any of his officers, or by the defendant himself, shall deliver the summons to the nearest person empowered to execute the securities in the cases specified in clause first, whether the resident, or the head officer of an aurung or kotee, who shall proceed in the manner prescribed to the resident in that clause. If the officer shall receive the notification of the defendant being in the Company's employ, from the defendant only, and shall entertain doubts of his being so employed, or if he shall not entertain any doubt of his being so employed, but shall apprehend that he will abscond whilst he (the officer) is repairing with the summons to the person empowered to execute the securities, he shall in such case, carry the defendant, with the summons, to the person so empowered, and shall not release him, until the required securities have been executed.

How warrants for bailable offences against persons employed in the Investment, are to be served.

Fourth. In cases in which a weaver or other manufacturer, or any officer or person employed in the provision of the Company's Investment, shall be charged before the magistrate with a bailable offence, the warrant shall be served in the manner directed in the preceding clauses with regard to summonses in civil cases, with this difference, that the warrant shall require the party summoned to appear in person, or by vakeel, as the magistrate may think proper, and shall specify the amount of the sum for which the security or recognizance for the appearance of the defendant is to be given, and the amount of which shall be regulated by the magistrate, according to the nature of the charge, and the situation and circumstances in life of the defendant.

Return to be made on the back of summonses, and warrants served as above directed.

Fifth In all the cases specified in the preceding clauses of this Section, the resident or head officer through whom the summons or warrant may be served, shall return on the back of it in what manner it has been served, and by whom the security has been executed.

Warrants for offences not bailable, how to be executed on persons in the Company's employ.

Sixth. If a charge shall be preferred to a magistrate against any weaver or other manufacturer, or any officer or person employed in the provision of the Company's Investment, for an offence that is not bailable, and there shall appear to the magistrate sufficient ground for apprehending the person so charged, the warrant for his apprehension shall require him to appear immediately in person, and shall be executed in the same manner as upon persons not so employed. But the officer, after securing the offender, is to give notice of his apprehension to the resident, or the head officer of the nearest aurung or kotee.

Darogahs of Police to observe the rules in Clauses Fourth and Sixth.

Seventh. The darogahs of police are to observe the rules prescribed in clauses fourth and sixth of this Section, in complaints that may be preferred to them against weavers or other manufacturers, or officers or persons in the employ of the Company.

Residents and their Head Officers to be responsible for the performance of the conditions of the Securities they may execute or approve.

Eighth. In all cases in which the residents, or their head officers empowered for that purpose, shall become security under any of the clauses of this Section, for the appearance of any person employed in the Investment, or for the fees of his vakeel, or shall declare any person whom the party summoned may offer as security, to be responsible, the resident is to be considered personally answerable for the due performance of the conditions of the security, in the event of the party for whom the security may be given not performing them himself, or, where the party himself shall have given the security, and it shall have been declared responsible by the resident, or his head officer of an aurung or kotee, in the event of the party or his surety not performing them. It will accordingly be the business of the residents to take care to employ creditable persons only as head officers at the several aurungs and kotees to superintend the business, and become security, and to

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furnish them with proper instructions, and to take such security from them, as they (the residents) may deem sufficient to indemnify themselves for the consequences that may result from any abuse which such officers may commit in the exercise of their trust.

How Summonses on persons employed in the Investment when required as Witnesses, are to be executed.

Ninth. Summonses to weavers or other manufacturers, or officers, or any persons employed in the Company's Investment, as witnesses, shall be served in the same manner as if they were parties in the cause, but the judges are to be careful not to summon such persons excepting when their attendance shall be absolutely necessary, and on their appearance, to have them examined and dismissed with all practicable dispatch, so that they may be absent from the business of the Investment, as short a time as possible.

Residents and their Head Officers forbidden to apply the above Rules to persons not employed in the Company's Investment.

Discretionary power vested in the Judges and Magistrates of causing the immediate attendance of all Natives employed in the Investment

Restrictions under which this discretionary power is to be exercised

Tenth. The residents, and their head officers, are declared liable to be sued in the dewanny adawlut, should they apply any of the rules in the preceding clauses of this Section regarding summonses and warrants issued against persons employed in the Investment, to persons not bonâ fide so employed. And as the rules contained in those clauses, are intended only to prevent unnecessary interruption to the Investment, where it can be avoided without impeding the course of justice, the judges and magistrates are empowered in particular cases in which it may appear to them indispensably necessary for the purposes of justice, to order the personal attendance of any native officer or person in anywise concerned or employed in the Investment, whether he may be a party or a witness in the suit or prosecution, notwithstanding any thing that may be said to the contrary in those clauses, and to cause process to be executed upon him for that purpose, in the same manner as upon other individuals, but in such cases, the judges and magistrates are to record their reasons for deviating from the prescriptions contained in the said clauses, which are to be considered as the general rules for issuing and executing such summonses and warrants, and in the summons or warrant, they are to specify that it has been specially ordered to be so executed, in virtue of the discretionary power vested in them by this clause, and they are moreover strictly enjoined to refrain from every unnecessary exercise of this discretionary power.

Transactions between private Traders and Weavers cognizable in the Courts of Dewanny Adawlut, the Judges of which are to decide according to the case and the Regulations

XI. All complaints of weavers against individual traders, and vice versa, are to be considered as matters of a private nature between the parties, who are to have recourse to the proper courts of judicature, should they have any ground of complaint against each other for breach of engagements, or other cause. The courts are to decide according to the tenor of the engagements between the parties, if any engagements exist, and the regulations. But where weavers are employed at the same time by more than one foreign or private agent, they shall deliver first to the previous contractor, and afterwards to the others, according to priority of engagements.

Decisions in favour of private Traders against Weavers previously in the employ of the Company, to be made with a saving of their claims, which are to be first satisfied provided they be proved.

XII. *First.* Decisions in favour of private merchants, or other individuals, against weavers who were in the employ of the Company at the time they entered with such private merchants or individuals into the agreements on which they are sued (their having been so employed being proved by the lists of the Company's weavers published at the cutcherries and transmitted to the judge of the dewanny adawlut as directed in Section IV, as well as by the dates of the respective agreements and transactions consequent to them) shall be made with a saving to the Company of their claims on such weavers, which claims also are to be proved in court. And that this rule may be carried into effect, before execution follows at the suit of an individual against any weaver in that list, the Company's commercial resident shall be desired to state whether such weaver was in the employ of the Company when the agreement on which he may be cast was made, as also whether the Company have any and what demand upon him, and to make proof of the same; which being satisfied or secured, the sum decreed against him in favour of the individual shall next be made good from his property, but his person shall not be liable to attachment.

Punishment for Gomastahs, &c changing cloths, and committing the offences herein specified.

XIII. Gomastahs, deedars, mokeems, and all native servants and persons of whatsoever description, employed under the Company's factories or aurungs in the provision of their Investment, guilty of changing the Company's cloths; accepting of money from individuals for abetting or conniving at the alienation of them by the weavers; writing false balances in the Company's accounts; embezzling otherwise the property entrusted to them, or exacting money in any shape from weavers to whom advances are made; shall, on conviction in the court of dewanny adawlut to which they may be amenable, forfeit double the amount of the value of the property, or the money which they may have embezzled, alienated, or exacted, and shall be further liable to imprisonment for any term that the court may judge proper, not exceeding twelve months, and upon the circumstances being represented by the Board of Trade to the Governor General in Council, he will, if it shall appear to him proper, declare the offender incapable of serving Government in any capacity.

Rules regarding Weavers applicable to others providing goods for the Investment

XIV. All the rules in this Regulation regarding weavers employed for the Company, are to be considered to extend, in their principles and meaning, to the manufacturers and other persons employed in the provision of raw silk, and of the other articles of the Company's Investment provided within the Provinces of Bengal, Behar, or Orissa.

Rules for Residents trading on their own account.

XV. *First.* The following Rules are prescribed for the conduct of commercial Residents carrying on trade for themselves.

Resident to supply the Company's goods in the first instance.

Second. The Resident shall supply, or ensure the Company's demand for goods, as far as the ability of his aurung will go, before he provides any for himself.

Third.

Third. He shall carefully and avowedly distinguish to the manufacturers, between the Company's provision and his own. — To distinguish the Company's provision from his own

Fourth. He shall give them the price for which they may choose to deal with him, without making the Company's prices a standard for his own trade. — Company's prices not to be made the standard of his own trade

Fifth. He shall not make use of any influence he may possess, as the Company's representative, to induce the manufacturers to work for him in preference to other dealers. — Not to use his official influence to make the Manufacturers work for him in preference to others

Sixth. He shall be subject to the same regulations, in case of disputes with manufacturers, as other private traders. — Subject to the same rules as private Traders.

Seventh. He shall not take any commission for agents or others, but deal merely on his own stock as a merchant. — To deal on his own stock

Eighth. He shall not carry on any trade in his aurung, directly or indirectly, in the name of any other person. — Not to trade in the name of another

Ninth. Whatever goods he may provide of the produce of the aurung where he is stationed, shall not be sold there, nor sent to any foreign settlement, but shall be consigned to some other place, and if brought to Calcutta, or sent by manjee to the upper provinces, shall be registered in his name in the custom-house books. — His goods not be sold at his own Aurung, nor sent to a foreign Settlement.

Tenth. He shall state to the Board of Trade by the 15th of December in every year, the gross amount of the money invested or to be invested by him on his own account, as nearly as he can judge of the same, from the 1st May preceding to the 30th April following, and the Board of Trade shall thereupon communicate to the Governor General in Council any remarks that may appear to them proper. — To deliver an annual Statement of his private trade to the Board of Trade

XVI. The commercial residents and their native officers of every description, are declared liable to be sued in the dewanny adawlut by weavers or others with whom they may use compulsion to make them enter into the Company's employ, or whose names they may improperly insert in the list specified in Section IV, or whom they may not pay for their cloths or goods according to the engagements entered into between them and the Company, or who may not obtain in due time a fair settlement of accounts, or who may suffer unjust exactions from peons put over them; or for any breach of this Regulation, or any other Regulation regarding the provision of the Investment, printed and published in the manner directed in Regulation XLI, 1793. In all such cases, whether the act complained of shall have been done by the resident or any of his officers, the party aggrieved is in the first instance to state his complaint to the resident, and in the event of his refusing to afford the required redress, or omitting to grant it within a reasonable time, the complainant may then sue the resident, whether the injury complained of shall have been done by himself or his officer. But the courts are not to receive any suit that may be preferred against a resident or any of his officers, unless the complainant shall prove to the satisfaction of the court, by oath, or by any other mode which the court may deem satisfactory, that he applied to the resident for redress, and that he refused to afford the redress required, or omitted to grant it within a reasonable time. Either party dissatisfied with the award or decision of a resident, on any complaint made to him under this Section, may appeal from it to the dewanny adawlut. — Residents and their Officers liable to be sued in the Dewanny Adawlut for breach of Regulations, under the restrictions herein specified.

XVII. In suits instituted against a resident or any of his officers, under the preceding Section, and where the act complained of shall not have been done pursuant to special orders from the Board of Trade, or the Governor General in Council, the party complained against is to appoint one of the authorized vakeels of the court to defend the suit at his own risk. — Resident and his Officers to defend suits instituted against them for a breach of the Regulations, at their own risk.

XVIII. The residents may take upon themselves the defence of any suits which may be instituted against their officers, but in such cases the residents are to be answerable for the decree of the court, in the same manner as if the suit had been originally instituted against them. — Residents may take upon themselves the defence of suits instituted against their Officers.

XIX. When any process shall be issued by a court of civil judicature to a commercial resident, the judge, or the register of the court, is to transmit it under a sealed cover, addressed to the resident in the form of a letter, and superscribed with his name and official appellation. The resident is immediately to acknowledge the receipt of the process by an endorsement to that effect on the instrument, and to return it under a sealed cover addressed to the judge or the register of the court from which it may have issued. — Process issued against Residents, how to be served.

XX. Where the Board of Trade shall approve of decisions given against the commercial residents or their officers, in suits in which they may have been engaged in their official capacity, and which may not have been prosecuted or defended by them, pursuant to orders from the Board, or the Governor General in Council, they are empowered to make the resident, or his officer by whom the act complained of may have been done, responsible for the whole or any part of the costs and damages awarded by the decree, or of the decree itself, if upon a consideration of the merits of the case, and of the conduct of the person against whom the decree may be given, or the act complained of may have been done, they shall be of opinion that the Company ought not to be charged with all or any part of such costs or damages, or decree. But in such cases, the person — By whom decrees, costs and damages given against Residents and their Officers, are to be made good.

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person whom they may so determine to hold responsible, may appeal the cause at his own risk and cost.

Board of Trade may authorize an appeal from any decision passed against the Resident or his Officers.

XXI. If the Board of Trade shall be dissatisfied with a decree passed against a commercial resident or any of his officers, in suits in which they may have been engaged, either with or without their orders, or the orders of the Governor General in Council, they may authorize an appeal from it under the Regulations, in which case the appeal shall be carried on in the provincial court of appeal, and in the sudder dewanny adawlut (should the cause be carried to the last-mentioned court) by the vakeel of Government, or by any other authorized vakeel of the Court into which the cause may be brought, notwithstanding any thing that may be said to the contrary in any Regulation passed on this date.

Security not to be demanded from Residents or their Head Officers for their appearance, or costs, or damages, or decrees.

XXII. Security is not to be demanded from the commercial residents, or the head officers of aurungs or kotees who may be empowered to execute securities, for their personal appearance in any suit in which they may be engaged in their official capacity; nor shall security be required from them for the payment of costs or damages, or for the performance of the decrees or orders of the courts, as Government will be responsible for causing the residents to answer to such suits instituted against them, and to make good the decrees, and will hold them responsible for their head officers of aurungs or kotees answering to such suits preferred against them, and performing the decrees that may be passed therein.

Residents and their Head Officers not liable to prosecution for the acts of their predecessors.

What Suits they are bound to defend after removal from office.

XXIII. The residents, and their head officers of kotees or aurungs, shall not be liable to prosecution for official acts of their predecessors. But persons who may be removed from a residency, or from the place of head officer of an aurung or kotee, are to carry on in the same manner as if they had continued in the office, all suits instituted against them in their official capacity, unless the Board of Trade, upon a consideration of the circumstances of the cases, shall deem it advisable to order their successors to carry on the suits. This rule however is not to extend to suits in which a resident or head officer, who may have been removed, shall have been engaged in virtue of orders from the Board of Trade, or the Governor General in Council; all such suits are to be carried on by the resident for the time being, and at the risk and expense of Government.

Residents and their Head Officers allowed to forward instructions to their Vakeels by the Dawk, free of postage.

Instructions to be sealed and inclosed under a sealed cover addressed to the Register of the Court, who is to deliver them sealed.

The Vakeels may in like manner forward instructions to their constituents through the Register.

XXIV. To facilitate the communication between the residents and their head officers of aurungs or kotees, and their vakeels in the zillah or city courts, or the provincial courts of appeal, and the sudder dewanny adawlut, who may be entrusted with the conduct of any suits or appeals in which they may be engaged in their official capacity, either whilst they may continue in the office, or after their removal from it, they are permitted to forward, free of postage, any instructions which they may have to transmit to their vakeels in those courts. The instructions are to be enclosed under a sealed cover directed to the vakeel. The instructions so sealed and directed, are to be transmitted under a sealed cover, addressed to the register of the court in which the cause may be depending, and superscribed with the name and official appellation of the person dispatching it, or that which he bore when the cause of action arose. The register of the court, immediately on receiving the instructions, is to deliver them sealed to the vakeel to whom they may be directed. In like manner, the vakeels in any of the courts to whom the pleading of such suits or appeals may be committed by commercial residents, or their head officers abovementioned, are authorized, either whilst their constituents remain in such office, or after they shall have been removed from it, to forward any papers which they may have to convey to their constituents by the public dawk, free of postage. The papers are to be enclosed in a cover sealed with the seal of the vakeel, and the judge, or the register to the court, is to transmit the papers so sealed, in a cover sealed and addressed to the person to whom they are to be forwarded, and superscribed with his official signature.

Cases in which the Board of Trade are to take upon themselves the prosecution or defence of Suits or Appeals.

XXV. In cases in which the Board of Trade may judge it expedient, or in which they may receive orders for the purpose from the Governor General in Council, they are to take upon themselves the superintendence of the prosecution or defence of any suit or appeal in which they or their officers may be engaged, either in a zillah or city court, or in a provincial court of appeal, or in the sudder dewanny adawlut, instead of leaving the superintendence of the conduct of the suit or appeal to the resident, or any of his officers.

Residents and their Head Officers not to derive any advantage from Suits.

Nor to sustain any loss if their conduct be be approved.

XXVI. Neither the commercial residents, nor their head officers of aurungs or kotees, are to derive any advantage whatever from suits in the courts of justice in which they may be engaged, or in anywise concerned, in their official capacity. On the other hand, it is not intended, that the residents or their abovementioned officers should sustain any loss in consequence of such suits, where their conduct may be adjudged to be conformable to the regulations, or may be approved by the Board of Trade, or the Governor General in council. The Commercial residents and their head officers of aurungs or kotees, are accordingly to bring to the credit of the Company in their accounts, all sums whatever that may be adjudged to them by any of the courts of justice, and they are to note at the foot of their accounts, or in a separate account, or under a distinct head in their accounts, according as the Board of Trade may direct, all sums which they may disburse, or be adjudged to pay, on account of suits in which they may be engaged, or be concerned, in their official capacity; but no such disbursements or payments are to be considered as passed to the debit of the Company, until the previous sanction of the Board of Trade, or the Governor General in Council, shall have been obtained for that purpose, and until such

Sums disbursed by Residents and their Head Officers not to be carried to the debit of the Company without orders from the superior authorities.

sanction

sanction is procured, the residents or the officers making the disbursements or payments, are to be held answerable for the amount. Reg. XXXI. 1793.

XXVII. The rules in this regulation respecting commercial residents, are to be considered equally applicable to their assistants having the charge of the business, or to any other person being a covenanted servant of the Company, and entrusted with the superintendence of the provision of goods for the Company's Investment at any aurung, whatever may be his official appellation. Rules regarding Commercial Residents applicable to their assistants or other servants entrusted with the business

XXVIII. If a weaver or manufacturer, or any native employed in the provision of the Company's Investment, shall deem himself aggrieved by any act done in opposition to this regulation by a commercial resident, or any covenanted servant of the Company having the charge of the business of an aurung, pursuant to special orders from the Board of Trade, or the Governor General in Council, he will be at liberty to seek redress in the mode prescribed for such cases in Section XI, Regulation III, 1793. Natives aggrieved under this Regulation by special orders of the Governor General in Council, or the Board of Trade, how to obtain redress.

A. D. 1795. REGULATION XXII.

Section LXXXV. In consequence of complaints preferred by the weavers in the sircar ghazeepoor, of the impositions practised on them by the dellols and dustoories, orders were issued on the 22d of March and 22d of July 1790, notifying that the weavers throughout the four sircars, composing the zemindarry of Benares, were to be considered as having the option of carrying on their business, either through or without the interference of the above-named intermediate agents, and that they were at full liberty to bring their cloths into any bezar or market, and freely to dispose of them to the best advantage; and that no person was to presume, on any pretence, to fix any price on their goods; and that they were to sell their fabrics to whomsoever they might think proper, and for such price as they and the purchaser might mutually and voluntarily settle. Reg XXII 1795

A. D. 1799. REGULATION N° VII.

Section IV. The same principle is to be observed with respect to the sale of ungathered products, after the distrainer shall have gathered and stored them, as required by Section XIII, of Regulation XVII, 1793, and which are not to be sold until publication shall have been made, as above directed. In consequence of this alteration, which is made with a view to expedite the sale of distrained property, distrainers when they attach the property of persons employed in the provision of the Company's Investment, or in the manufacture of salt, are to give the notice directed in Section XXXI, of Regulation XVII, 1793, as soon as possible after making the attachment; and in such cases the property is not to be sold until sufficient time has been given to enable the Company's officers to satisfy the demand before the day of sale. The notice required by the above Section, however, may, at the option of the distrainer, be either given to the commercial resident or salt agent, in whose division the defaulter may have been employed, or to the native superintendent of the factory or saltchokey to which the defaulter may be attached. Reg VII. 1799

A. D. 1795. REGULATION XLV.

Section III. Persons vested with the power of distraint, shall not distrain or sell the lands, houses, or other real property of their under farmers and ryots, or of the zemindars or putteedars paying revenue through them; nor goods or advances belonging to the Company; nor the loom, thread, unwrought silk, or materials of manufacture of any weaver or manufacturer; nor the tools of any tradesman or labourer, standing towards them in the relation of under farmer, ryot, or dependant zemindar or putteedar: all such distraints and sales are declared illegal and void. The defaulter shall stand acquitted of the arrear for which the distress may be levied, and the property shall be restored to him, or the distrainer shall be compelled to make good to him the value of it, if it shall be personal property, and shall have been destroyed, damaged, or injured, or shall not be forthcoming, and the distrainer shall be further obliged to pay to him damages adequate to the loss which he may prove to have sustained in consequence of such attachment or sale, with all costs of suit. Reg. XLV. 1795.

No. 10.
Regulations and Orders, of the Bengal Government, respecting The Weavers.

Reg. XXXVII 1803.

A. D. 1803. REGULATION XXXVII.

A REGULATION prescribing Rules respecting the provision of the Honourable the English East India Company's Investment, in the Provinces ceded by the Nawaub Vizier to the Honourable the English East India Company.—PASSED by the Governor General in Council, on the 24th of March 1803; corresponding with the 12th Choite 1209 Bengal Era; the 16th Choite 1210 Fussily; the 12th Choite 1210 Willaity; the 16th Choite 1860 Sumbut; and the 29th Zekaad 1217 Higeree.

WHEREAS the nature and extent of the commercial concerns of the Company render it necessary, that rules should be prescribed for preventing manufacturers, or other persons in their employment, from embezzling the money advanced to them by the Company, or from disposing of the goods provided with such money to individuals; and also for ensuring the punctual delivery of goods, engaged to be provided on account of the Company: And whereas no well-founded objection can be offered to such rules by the manufacturers, or others to whom they may extend; while it is established by the same rules, as a fundamental principle, that no person shall be compelled to provide goods for the Company, and that those persons who may be employed by them shall always be at liberty to relinquish their employ, after performing the engagements into which they shall have voluntarily entered: And whereas it is equally requisite, on general principles, that precaution should be taken to prevent the rules adopted for the abovementioned purposes, from being rendered subservient to the private views of the officers employed in the provision of the Investment, to the injury of the manufacturers, and to the prejudice of the interests of the Company, both in their commercial capacity, and as rulers of the country: And whereas the Governor General in Council has determined, with a view of more effectually guarding against such abuses, and of ensuring justice to the manufacturers and others in their dealings with the Company, that the rules to which persons engaging to furnish goods for the Company's Investment may be subjected, shall be incorporated with the laws and regulations for the internal government of the country, and that the officers employed in the immediate superintendence of the provision of the Investment, shall be liable to be sued for any deviation from those rules in the courts of judicature, affording thereby to every person deeming himself aggrieved by their official acts, whether originating with themselves, or done in consequence of orders from the superior authorities, the means of obtaining redress, with the same facility as for an injury received from any individual: THE following RULES have been accordingly enacted:—

No weaver to be compelled to work for the Company

II. Weavers not indebted, nor under engagements to the Company, shall not be compelled to enter into their employ; and weavers indebted, or under engagements to the Company, on duly discharging such debts or engagements, shall not be compelled to enter into fresh engagements.

Persons under engagements, after fulfilling them, not to be compelled to re-engage.

Conditions to which weavers engaging for the provision of the Company's Investment, are to consider themselves subject.

III. *First.* Weavers who may engage for the provision of any part of the Company's Investment, shall consider themselves as engaging under the following rules and conditions.

Engagements to be made in writing, attested by not less than two witnesses.

Second. All engagements with weavers shall be made in writing, attested by at least two credible witnesses. One copy of the writing shall remain with the commercial resident or his officers, and the remaining copy with the other party to the engagement.

Weavers not chusing to take further advances to give a fortnight's notice.

Third. Weavers under engagements to the Company, and who may not intend to take further advances, shall give at least a fortnight's notice of their intention.

No weavers to work for individuals, or bazar sales, until they have completed their engagements on account of the Investment.

Fourth. Weavers indebted to the Company, who have received advances from them, or come under engagements to them, shall, in discharge of such debt, advances or engagements, deliver cloths according to agreement. They shall on no account give to any other person or persons whatever, European or Native, either the labour or the produce engaged to the Company; and if they have not fulfilled their engagements by the period agreed on, they shall not work for newer engagements, nor for bazar sales, until those engagements are completed.

Peons may be put on weavers failing in their engagements, for the purposes herein specified.

Fifth. When any weaver fails to deliver, by the stipulated periods, the cloths for which he may have engaged, the commercial resident shall be at liberty to place peons upon him, in order to quicken his deliveries, and prevent his infringing the two restrictions in the latter part of Clause Fourth.

Penalty for weavers disposing of cloths to individuals whilst they are deficient in their deliveries, on account of the Investment.

Sixth. If notwithstanding the restrictions in the latter part of Clause Fourth, any weaver shall by himself, or by any other person, sell cloths to private merchants, Europeans or Natives, or to dealers or agents of whatever description, whilst he is deficient in his stipulated deliveries on account of the Company's Investment, he shall be liable to be prosecuted in the court of adawlut, and upon proof of the fact, he shall be adjudged to forfeit to the Company

Company all that the produce of the cloths so sold, rated either at what he got for them, or their bazar value, shall exceed the ordinary prime cost of the thread in them, with costs of suit besides, and moreover be obliged to complete his engagements.

Penalty for weavers failing in their stipulated deliveries

Seventh. Weavers possessed of more than one loom, and entertaining one or more workmen, shall be subject to a penalty of thirty-five per cent. on the stipulated price of every piece of cloth that they may fail to deliver according to the written agreement which they may have executed, in addition to the repayment of the money advanced for the same.

How the penalty in the preceding clause is to be recovered.

Eighth. The penalty specified in the preceding clause shall be sued for in the court of adawlut, and shall be recoverable on the agreement with the weaver, and the failure in his deliveries, being proved.

List of weavers employed by the Company, to be fixed up in the cutcherry of the collector.

IV. A list or register of the weavers employed in the provision of the Company's Investment, in every pergunnah, specifying their places of abode, shall be fixed up by the commercial resident in the cutcherry of that pergunnah, and shall be corrected at the beginning of every week or month, according to the alterations that may have happened in the week or month preceding. The officers of the cutcherry shall give immediate permission for the exhibition of the list; and the commercial resident shall transmit a copy of it in the native languages, once in every three months to the judge of the zillah.

Persons procuring from weavers cloths made with the Company's advances, how to be proceeded against.

V. Persons procuring from weavers in the Company's employ, by the offer of ready money, or under the pretence of previous engagements which were not avowed, cloths really wrought for the Company, and with their advances, knowing such cloths to be the right of the Company, either by the mark upon them, or the transactions between the weavers from whom they procure them, and the Company, or having reason for such knowledge from the notoriety of such weavers being in the Company's employ, or discovering the same by the clandestine methods they take to obtain the cloths, shall be liable to be sued for damages in the court of adawlut; and on proof of the fact to its satisfaction, the court shall award to the Company such amount as may appear to it equitable, in addition to the cloths so obtained. But for purchases, openly and fairly made in the public hauts and bazars, the buyers shall not be liable to prosecution, unless the cloths have the Company's mark upon them.

No persons to use means to prevent individuals being engaged in the Company's employ.

VI. All officers of Government, proprietors and farmers of land, and dependant talookdars, under-farmers and ryots, and their agents and dependants, are enjoined not to hinder the commercial residents or their officers from having access to weavers, or other persons, in order to treat with them about the Company's business; nor are they to use any arts menaces or punishments, to deter weavers, or other persons, from accepting the Company's advances, under pain of being liable to be sued for damages in the court of adawlut.

No public officers or any individuals to behave with disrespect to the residents or their officers; nor to impede the business of the Investment, but to assist it to the utmost of their power.

VII. All officers of Government, proprietors and farmers of land, talookdars, under-farmers, and ryots, and their agents and dependants, are strictly prohibited from behaving with disrespect to the commercial residents or their officers; and they are required, on application from the commercial residents or their officers, to afford every assistance for the protection of the weavers and other persons employed by the Company, and the security of the Investment, that may be consistent with the powers and authority vested in them, and the Regulations.

Weavers in their capacity of ryots, to be subject to the same regulations as other ryots, with the exceptions hereafter specified.

VIII. Weavers employed by the Company, who may cultivate or rent land, shall pay the rent according to their pottahs, in the same manner as other ryots or renters, and under the same rules and regulations, with the exceptions hereafter specified as to the mode of demanding and enforcing payment of arrears of rent due from them.

Rules for the recovery of arrears of rent from weavers in the Company's employ.

IX. *First.* To prevent unnecessary interruption to the provision of the Investment, and at the same time that weavers and other persons employed in the provision of it may not withhold the rent justly due from them for land which they may rent or cultivate, the following Rules are prescribed.

Weavers, &c. in the Company's employ not to be summoned by any native concerned in the collection of the rents or revenue of lands.

Second. No weaver or other manufacturer, gomastah, or other officer or person, during the period he may be actually employed in the provision of the Company's Investment, shall be summoned to the cutcherry of any proprietor or farmer of land, or any native holding or entrusted with the collection of the rents or revenue of lands, under any pretence whatever. If any such persons shall have claims on such weavers, manufacturers, gomastahs or officer, for or relating to arrears of rent, they shall either distrain for the amount, under Regulation XXVIII, 1803, or sue the defaulter for it in the court of adawlut, or state their claim in writing to the commercial resident, who, if the weaver or other person be then actually employed by the Company, may, if he shall deem it expedient so to do, cause him to satisfy the claim, or satisfy it himself, and stop the amount by kistbundy from his future advances, so that his labour, on account of the Company's Investment, may not be interrupted. But the cloth, thread, or advances belonging to the Company in the hands of such weaver or other person, shall in no case be liable for such demand, but shall be restored to the resident.

Such persons to be liable to the ordinary process, when their engagements have been fulfilled.

Third. The summary process for arrest and confinement, authorized by the six first clauses of Section XXXII, Regulation XXVII, 1803, is hereby declared not applicable to any persons who may be under engagements to the Company for any part of their Investment, or who may be actually employed in providing the same. When such engagements may have been fulfilled, however, or whenever any weaver or other person in the Company's employ may have satisfied all demands upon him on the part of the Company, he will be liable, in common with other under-tenants, to be proceeded against for arrears of rent, as authorized by the above Regulation, or by any other Regulation applicable to persons not in the Company's employ.

How summonses are to be served on weavers or other persons in the Company's employ who may be sued in the Adawlut.

X. *First.* Persons instituting suits in the court of adawlut against a weaver or other manufacturer, or any officer or person employed in the provision of the Company's Investment, shall specify his being so employed in the bill of plaint. In such cases the summons, with a copy of the plaint, shall be enclosed to the commercial resident under a sealed cover, addressed to the resident, and superscribed with the official signature of the judge or the register. It shall be at the option of the resident to execute, or to cause one of his officers, or any person whom he may think proper, to execute the security required from defendants by Section V, Regulation III, 1803, and also the security directed to be taken by Clause Sixth, of Section VIII, Regulation X, 1803, for the fees of the authorized vakeel whom the defendant may entertain, or to leave the party summoned to find such securities; and in the latter case, if the officer of the court bearing the summons, where it shall have been transmitted by an officer, shall entertain any doubt of the responsibility of the security so offered, and the resident shall deem it to be sufficient, the officer shall accept the security. If the resident shall not think it proper to order any of his officers, or any other person, to become security, and the defendant himself shall not be able to find security which the resident may deem responsible, he shall cause the defendant to accompany the officer of the court to the court, or, if no officer shall have been sent with the summons, to appear in person before the court, that he may be dealt with in the same manner as other defendants not giving the required security.

Residents to empower persons to become security, and judges may transmit summonses to them.

Second The residents shall empower the head officer at each of the different aurungs or kotees subordinate to them, and also an authorized vakeel of the court of adawlut, or any other person whom they may think it proper to station at the place at which the court may be held, to execute securities for the persons, and in the cases specified in the preceding clause. The residents will be careful to keep the judges furnished with a list of the persons so empowered, specifying also the place at which they may usually reside; and the judges are authorized, in instances in which they may deem it proper, either from the distance of the place of abode of the resident from the place at which the party summoned may reside, or other circumstances, to order the summons to be inclosed to one of the persons so empowered to become security, instead of transmitting it to the resident himself under the preceding clause, in which case such person shall proceed in the same manner as the resident is directed to proceed where the summons may be sent immediately to him.

How obedience to a summons is to be enforced if issued against a person employed in the Company's Investment without its having been so specified in the plaint

Third. If any person shall prefer a suit in the court of adawlut against a weaver or other manufacturer, or any officer or person employed in the provision of the Company's investment, without specifying that the defendant is so employed, and the summons shall in consequence be ordered to be served on the defendant, in the same manner as on other defendants; the officer serving the same, upon the circumstance of the defendant being so employed being notified to him by the resident or any of his officers, or by the defendant himself, shall deliver the summons to the nearest person empowered to execute the securities in the cases specified in Clause First, whether the resident, or the head officer of an aurung or kotee, who shall proceed in the manner prescribed to the resident in that clause. If the officer shall receive the notification of the defendant being in the Company's employ, from the defendant only, and shall entertain doubts of his being so employed, or if he shall not entertain any doubt of his being so employed, but shall apprehend that he will abscond whilst he (the officer) is repairing with the summons to the person empowered to execute the securities, he shall, in such case, carry the defendant, with the summons, to the person so empowered, and shall not release him, until the required securities have been executed.

How warrants for bailable offences against persons employed in the Investment, are to be served.

Fourth. In cases in which a weaver or other manufacturer, or any officer or person during the time he may be actually employed in the provision of the Company's Investment, shall be charged before the magistrate with a bailable offence, the warrant shall be served in the manner directed in the preceding clauses with regard to summonses in civil cases, with this difference, that the warrant shall require the party summoned to appear in person or by vakeel, as the magistrate may think proper, and shall specify the amount of the sum for which the security or recognizance for the appearance of the defendant is to be given, and the amount of which shall be regulated by the magistrate, according to the nature of the charge, and the situation and circumstances in life of the defendant.

Return to be made on the back of summonses and warrants served as above directed.

Fifth. In all cases specified in the preceding clauses of this Section, the resident or head officer through whom the summons or warrant may be served, shall return on the back of it in what manner it has been served, and by whom the security has been executed.

Sixth.

Sixth. If a charge shall be preferred to a magistrate against any weaver or other manufacturer, or any officer or person employed in the provision of the Company's Investment, for an offence that is not bailable, and there shall appear to the magistrate sufficient ground for apprehending the person so charged, the warrant for his apprehension shall require him to appear immediately in person, and shall be executed in the same manner as upon persons not so employed. But the officer, after securing the offender, shall give notice of his apprehension to the resident, or the head officer of the nearest aurung or kotee.

Warrants for offences not bailable, how to be executed on persons in the Company's employ.

Seventh. The tehseeldars, in their capacity of local chief officers of police, and the darogahs of police, shall observe the rules prescribed in clauses fourth and sixth of this Section, in complaints that may be preferred to them against weavers, or other manufacturers, or officers or persons in the employ of the Company.

Tehseeldars and darogahs of police to observe the rules in clauses fourth and sixth.

Eighth. In all cases in which the residents, or their head officers empowered for that purpose, shall become security, under any of the clauses of this Section, for the appearance of any person employed in the Investment, or for the fees of his vakeel, or shall declare any person whom the party summoned may offer as security, to be responsible, the resident shall be considered personally answerable for the due performance of the conditions of the security, in the event of the party, for whom the security may be given, not performing them himself, or, where the party himself shall have given the security, and it shall have been declared responsible by the resident, or his head officer of an aurung or kotee, in the event of the party or his surety not performing them. It will accordingly be the business of the residents to take care to employ creditable persons only as head officers at the several aurungs and kotees to superintend the business, and become security, and to furnish them with proper instructions, and to take such security from them, as they (the residents) may deem sufficient to indemnify themselves for the consequences that may result from any abuse which such officers may commit in the exercise of their trust.

Residents and their head officers to be responsible for the performance of the conditions of the securities they may execute or approve.

Ninth. Summonses to weavers or other manufacturers, or officers, or any persons employed in the Company's Investment, as witnesses, shall be served in the same manner as if they were parties in the cause, but the judges will be careful not to summon such persons, excepting when their attendance shall be absolutely necessary, and on their appearance, to have them examined and dismissed with all practicable dispatch, so that they may be absent from the business of the Investment as short a time as possible.

How summonses on persons employed in the Investment when required as witnesses, are to be executed.

Tenth. The residents and their head officers are declared liable to be sued in the court of adawlut, should they apply any of the rules in the preceding clauses of this section, regarding summonses and warrants issued against persons employed in the Investment, to persons not bonâ fide so employed. And as the rules contained in those clauses are intended only to prevent unnecessary interruption to the Investment, where it can be avoided without impeding the course of justice, the judges and magistrates are empowered, in particular cases in which it may appear to them indispensably necessary for the purposes of justice, to order the personal attendance of any native officer or person in anywise concerned or employed in the Investment, whether he may be a party or a witness in the suit or prosecution, notwithstanding any thing that may be said to the contrary in those clauses, and to cause process to be executed on him for that purpose, in the same manner as upon other individuals; but, in such cases, the judges and magistrates shall record their reasons for deviating from the rules prescribed in the said clauses, which shall be considered as the general rules for issuing and executing such summonses and warrants, and in the summons or warrant they shall specify that it has been specially ordered to be so executed, in virtue of the discretionary power vested in them by this clause; and they are moreover strictly enjoined to refrain from every unnecessary exercise of this discretionary power.

Residents and their head officers forbidden to apply the above rules to persons not employed in the Company's Investment

Discretionary power vested in the Judges and magistrates of causing the immediate attendance of all natives employed in the Investment.

Restrictions under which this discretionary power is to be exercised.

XI. All complaints of weavers against individual traders, and vice versa, shall be considered as matters of a private nature between the parties, who may have recourse to the proper courts of judicature, should they have any ground of complaint against each other for breach of engagements or other cause. The court shall decide according to the tenor of the engagements between the parties, if any engagements exist, and the Regulations. But where weavers are employed at the same time by more than one foreign or private agent, they shall deliver first to the previous contractor, and afterwards to the others, according to priority of engagements.

Transactions between private traders and weavers cognizable in the courts of Adawlut, the Judges of which are to decide according to the case and the Regulations.

XII. *First.* Decisions in favour of private merchants, or other individuals, against weavers who were in the employ of the Company at the time they entered with such private merchants or individuals into the agreements on which they are sued (their having been so employed being proved by the lists of the Company's weavers published at the cutcherries, and transmitted to the judge of the court of adawlut, as directed in Section IV. as well as by the dates of the respective agreements and transactions consequent to them) shall be made with a reservation to the Company of their claims on such weavers, which claims also are to be proved in court. And that this rule may be carried into effect, before execution follows at the suit of an individual against any weaver in that list, the Company's commercial resident shall be desired to state, whether such weaver was in the employ of the Company when the agreement on which he may be cast was made, as also whether the Company have any and what demand upon him, and to make proof of the same; which

Decisions in favour of private traders against weavers previously in the employ of the Company, to be made with a saving of their claims, which are to be first satisfied provided they be proved.

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being satisfied or secured, the sum decreed against him in favour of the individual shall next be made good from his property, but his person shall not be liable to attachment.

Second The restriction contained in the foregoing clause, that the persons of weavers in the employ of the Company shall not be liable to attachment, in execution of decisions of the civil courts in favour of private merchants or other individuals, is not meant to restrict the confinement, under judicial process, of persons who may have satisfied all just demands upon them on the part of the Company, and who may not have taken new advances from the Company, or entered into new engagements with them, the fulfilment of which would be frustrated by the confinement of the contracting party. The several courts of justice will accordingly observe this explanation of the rule abovementioned in all cases to which it may be applicable.

Punishment for gomastahs, &c changing cloths, and committing the offences herein specified.

XIII. Gomastahs, and all native servants and persons of whatsoever description, employed under the Company's factories or aurungs in the provision of their Investment, guilty of changing the Company's cloths; accepting of money from individuals for abetting or conniving at the alienation of them by the weavers; writing false balances in the Company's accounts; embezzling otherwise the property entrusted to them; or exacting money in any shape from weavers to whom advances are made; shall, on conviction in the court of adawlut to which they may be amenable, forfeit double the amount of the value of the property, or the money which they may have embezzled, alienated, or exacted; and shall be further liable to imprisonment for any term that the court shall judge proper, not exceeding twelve months; and upon the circumstances being represented by the Board of Trade to the Governor General in Council, he will, if it shall appear to him proper, declare the offender incapable of serving Government in any capacity.

Rules regarding weavers applicable to others providing goods for the investment.

XIV. All the rules in this Regulation, regarding weavers employed in manufacturing cloths for the Company, shall be considered to extend, in their principles and meaning, to the manufacturers and other persons employed in the provision of all other articles of the Company's Investment, provided within the provinces ceded by the Nawaub Vizier to the Honourable the English East India company.

Rules for residents trading on their own account

XV. *First.* The following Rules are prescribed for the conduct of commercial Residents carrying on trade for themselves,

Resident to supply the Company's goods in the first instance.

Second. The resident shall supply, or ensure the Company's demands for goods, as far as the ability of his aurung will go, before he provides any for himself.

To distinguish the Company's provision from his own.

Third. He shall carefully and avowedly distinguish to the manufacturers between the Company's provision and his own.

Company's prices not to be made the standard of his own trade.

Fourth. He shall give them the price for which they may consent to deal with him, without making the Company's prices a standard for his own trade.

Not to use his official influence to make the manufacturers work for him in preference to others.

Fifth. He shall not make use of any influence he may possess, as the Company's representative, to induce the manufacturers to work for him, in preference to other dealers.

Subject to the same rules as private traders.

Sixth. He shall be subject to the same regulations, in case of disputes with manufacturers, as other private traders.

To deal on his own stock.

Seventh. He shall not take any commission for agents or others, but deal merely on his own stock as a merchant.

Not to trade in the name of another.

Eighth. He shall not carry on any trade in his aurung, directly or indirectly, in the name of any other person.

His goods not to be sold at his own aurung, nor sent to a foreign settlement.

Ninth. Whatever goods he shall provide of the produce of the aurung where he is stationed, shall not be sold there, nor sent to any foreign settlement, but shall be consigned to some other place, and if brought to any of the stations established for the collection of the Government customs, shall be registered in his name in the custom-house books.

To deliver an annual statement of his private trade to the Board of Trade.

Tenth. He shall state to the Board of Trade, by the 15th of December in every year, the gross amount of the money invested or to be invested by him on his own account, as nearly as he can judge of the same, from the 1st May preceding to the 30th April following, and the Board of Trade shall thereupon communicate to the Governor-General in Council any remarks that may appear to them proper.

Residents and their officers liable to be sued in the Adawlut for breach of Regulations under the restrictions herein specified.

XVI. The commercial residents, and their native officers of every description, are declared liable to be sued in the court of adawlut by weavers or others with whom they may use compulsion to make them enter into the Company's employ, or whose names they may improperly insert in the list specified in Section IV, or whom they may not pay for their cloths or goods, according to the engagements entered into between them and the Company, or who may not obtain in due time a fair settlement of accounts, or who may suffer unjust exactions from peons put over them, or for any breach of this regulation, or any other

regulation

regulation regarding the provision of the Investment, printed and published in the manner directed in Regulation I, 1803. In all such cases, whether the act complained of shall have been done by the resident, or any of his officers, the party aggrieved, in the first instance, shall state his complaint to the resident, and in the event of his refusing to afford the required redress, or omitting to grant it within a reasonable time, the complainant may then sue the resident, whether the injury complained of shall have been done by himself or his officer. But the courts shall not receive any suit that may be preferred against a resident, or any of his officers, unless the complainant shall prove, to the satisfaction of the court, by oath, or by any other mode which the court may deem satisfactory, that he applied to the resident for redress, and that he refused to afford the redress required, or omitted to grant it within a reasonable time. Either party dissatisfied with the award or decision of a resident, or any complaint made to him under this section, may appeal from it to the court of adawlut.

XVII. In suits instituted against a resident, or any of his officers, under the preceding Section, and where the act complained of shall not have been done pursuant to special orders from the Board of Trade, or the Governor General in Council, the party complained against shall appoint one of the authorized vakeels of the court to defend the suit at his own risk.

Resident and his officers to defend suits instituted against them for a breach of the Regulations, at their own risk.

XVIII. The residents may take upon themselves the defence of any suits which may be instituted against their officers, but, in such cases, the residents shall be answerable for the decree of the court, in the same manner as if the suit had been originally instituted against them.

Residents may take upon themselves the defence of suits instituted against their officers.

XIX. When any process shall be issued by a court of civil judicature to a commercial resident, the judge or the register of the court shall transmit it, under a sealed cover addressed to the resident in the form of a letter, and superscribed with his name and official appellation. The resident shall immediately acknowledge the receipt of the process, by an endorsement to that effect on the instrument, and return it, under a sealed cover addressed to the judge or the register of the court from which it may have issued.

Process issued against residents, how to be served.

XX. Where the board of trade shall approve of decisions given against the commercial residents, or their officers, in suits in which they may have been engaged in their official capacity, and which may not have been prosecuted or defended by them, pursuant to orders from the Board, or the Governor General in Council, they are empowered to make the resident, or his officer by whom the act complained of may have been done, responsible for the whole or any part of the costs and damages awarded by the decree, or of the decree itself, if, upon a consideration of the merits of the case, and of the conduct of the person against whom the decree may have been given, or the act complained of may have been done, they shall be of opinion that the Company ought not to be charged with all or any part of such costs or damages, or decree. But, in such cases, the person whom they may so determine to hold responsible, may appeal the cause at his own risk and cost.

By whom decrees, costs and damages given against residents and their officers are to be made good.

XXI. If the Board of Trade shall be dissatisfied with a decree passed against a commercial resident, or any of his officers, in suits in which they may have been engaged, either with or without their orders, or the orders of the Governor General in Council, they may authorize an appeal from it under the regulations, in which case, the appeal shall be carried on in the provincial court of appeal, and in the sudder dewanny adawlut, (should the cause be carried to the last mentioned court) by the vakeel of Government, or by any other authorized vakeel of the court into which the cause may be brought, notwithstanding any thing that may be said to the contrary in any regulation passed on this date.

Board of Trade may authorize an appeal from any decision passed against the resident or his officers.

XXII. Security shall not be demanded from the commercial residents, or the head officers of aurungs or kotees, who may be empowered to execute securities for their personal appearance in any suit in which they may be engaged in their official capacity; nor shall security be required from them for the payment of costs or damages, or for the performance of the decrees or orders of the courts, as Government will be responsible for causing the residents to answer to such suits instituted against them, and to make good the decrees, and will hold them responsible for their head officers of aurungs or kotees answering to such suits preferred against them, and performing the decrees that may be passed therein.

Security not to be demanded from residents or their head officers for their appearance, or costs or damages or decrees.

XXIII. The residents, and their head officers of kotees or aurungs, shall not be liable to prosecution for official acts of their predecessors. But persons who may be removed from a residency, or from the place of head officer of an aurung or kotee, shall carry on in the same manner as if they had continued in the office, all suits instituted against them in their official capacity, unless the Board of Trade, upon a consideration of the circumstances of the case, shall deem it advisable to order their successors to carry on the suits. This rule, however, shall not extend to suits in which a resident or head officer, who may have been removed, shall have been engaged in virtue of orders from the Board of Trade, or the Governor General in Council. All such suits shall be carried on by the resident for the time being, and at the risk and expense of Government.

Residents and their head officer, not liable to prosecution for the acts of their predecessors.
What suits they are bound to defend after removal from office.

XXIV. To

Residents and their head officers allowed to forward instructions to their vakeels by the dawk, free of postage.

XXIV. To facilitate the communication between the residents and their head officers of aurungs or kotees, and their vakeels in the zillah courts, or the provincial court of appeal, and the sudder dewanny adawlut, who may be entrusted with the conduct of any suits or appeals in which they may be engaged in their official capacity, either whilst they may continue in the office, or after their removal from it, they are permitted to forward, free of postage, any instructions which they may have to transmit to their vakeels in those courts. The instructions shall be enclosed under a sealed cover directed to the vakeel. The instructions so sealed and directed, shall be transmitted under a sealed cover, addressed to the register of the court in which the cause may be depending, and subscribed with the name and official appellation of the person dispatching it, or that which he bore when the cause of action arose. The register of the court, immediately on receiving the instructions, shall deliver them sealed to the vakeel to whom they may be directed. In like manner, the vakeels in any of the courts to whom the pleading of such suits or appeals may be committed by commercial residents, or their head officers abovementioned, are authorized, either whilst their constituents remain in such office, or after they shall have been removed from it, to forward any papers which they may have to convey to their constituents by the public dawk, free of postage. The papers shall be enclosed in a cover sealed with the seal of the vakeel, and the judge, or the register of the court, shall transmit the papers so sealed, in a cover sealed and addressed to the person to whom they are to be forwarded, and superscribed with his official signature.

Instructions to be sealed and inclosed under a sealed cover, addressed to the register of the court, who is to deliver them sealed.

The vakeels may in like manner forward instructions to their constituents through the register

Cases in which the Board of Trade are to take upon themselves the prosecution or defence of suits or appeals.

XXV. In cases in which the Board of Trade may judge it expedient, or in which they may receive orders for the purpose from the Governor General in Council, they shall take upon themselves the superintendence of the prosecution or defence of any suit or appeal in which they or their officers may be engaged, either in a zillah court, or in the provincial court of appeal, or in the sudder dewanny adawlut, instead of leaving the superintendence of the conduct of the suit or appeal to the resident, or any of his officers.

Residents and their head officers not to derive any advantage from suits
Nor to sustain any loss if their conduct be approved.

XXXVI. Neither the commercial residents, nor their head officers of aurungs or kotees, shall derive any advantage whatever from suits in the courts of justice in which they may be engaged, or in anywise concerned in their official capacity. On the other hand, it is not intended that the residents, or their abovementioned officers, should sustain any loss in consequence of such suits, where their conduct may be adjudged to be conformable to the Regulations, or may be approved by the Board of Trade, or the Governor General in Council. The commercial residents, and their head officers of aurungs or kotees, will accordingly bring to the credit of the Company in their accounts all sums whatever that may be adjudged to them by any of the courts of justice, and will note, at the foot of their accounts, or in a separate account, or under a distinct head in their accounts, according as the Board of Trade may direct, all sums which they may disburse, or be adjudged to pay on account of suits in which they may be engaged, or be concerned in their official capacity; but no such disbursements or payments shall be considered as passed to the debit of the Company, until the previous sanction of the Board of Trade or the Governor General in Council shall have been obtained for that purpose; and until such sanction shall be procured, the residents or the officers making the disbursements or payments, will be held answerable for the amount.

Sums disbursed by residents and their head officers, not to be carried to the debit of the Company, without orders from the superior authorities.

Rules regarding commercial residents applicable to their assistants or other servants entrusted with the business.

XXVII. The rules in this Regulation respecting commercial residents, shall be considered equally applicable to their assistants having the charge of the business, or to any other person being a covenanted servant of the Company, and entrusted with the superintendence of the provision of goods for the Company's Investment at any aurung, whatever may be his official appellation.

Natives aggrieved under this Regulation by special orders of the Governor General in Council, or the Board of Trade, how to obtain redress

XXVIII. If a weaver or manufacturer, or any native employed in the provision of the Company's Investment, shall deem himself aggrieved by any act done in opposition to this Regulation by a commercial resident, or any covenanted servant of the Company having the charge of the business of an aurung, pursuant to special orders from the Board of Trade, or the Governor General in Council, he will be at liberty to seek redress in the mode prescribed for such cases in Section XV, Regulation II, 1803.

No. 10.
Regulations and Orders, of the Bengal Government, respecting The Weavers.

Reg IV. 1802.

A.D. 1805. REGULATION IV.

A REGULATION for extending to the Province of Benares, Regulation XXXI, 1793, entitled, "A Regulation for re-enacting, with modifications and amendments, "the Rules passed on the 23d of July 1787, and subsequent dates, for the conduct "of the Commercial Residents and Agents, and all Persons employed or concerned "in the provision of the Company's Investment;" and also, for exempting from duty all goods and articles provided in the Province of Benares, on account of the Investment of the Honourable East India Company.—PASSED by the Governor General in Council, on the 25th April 1805; corresponding with the 14th Bysaack 1212 Bengal era; the 12th Bysaack 1212 Fussily; the 14th Bysaack 1212 Willaity, the 11th Bysaack 1862 Sumbut; and the 24th Mohurrum 1212 Higeree.

WHEREAS it has hitherto been the practice to provide the Investment of the Honourable the East India Company in the province of Benares, by purchasing the goods brought for sale by the manufacturers with ready money; or by contracts made with native dullols, or dustooreeas, for the provision of the goods; instead of making advances to the manufacturers, for the provision of goods of specified dimensions, and of a certain quality; in the manner observed in the provinces of Bengal, Behar, and Orissa: And whereas the adherence to the said system has operated to prevent the desired improvement of the fabrics, and to render the provision of the requisite quantity of goods uncertain: And whereas, by making advances to the manufacturers for goods of the required quality and dimensions, under the rules contained in Regulation XXXI, 1793; and by extending the said Regulation to the province of Benares, the commercial officers of the Company will be enabled to effect the desired improvements in the quality of the manufactures; and to ensure the punctual delivery of the required quantity of goods; and the Company, the weavers, and other manufacturers, and the private traders of every description will, under the protection of the laws, be secured in their just rights, in the transaction of their respective concerns; according to the tenor of the agreements under which such concerns may be conducted: And whereas the objections which formerly existed against the exemption of the goods, provided on account of the Company's Investment, in the province of Benares, from the payment of duties at the custom-houses within that province, have ceased to exist, in consequence of the agreement concluded on the 27th of October 1794, with the Rajah of Benares, regarding the appropriation of the surplus revenues of the said province; THE following RULES have been enacted, and are to be in force in the province of Benares from the date of their promulgation.

Regulation XXXI, 1793, extended to the province of Benares; with alterations and modifications, regarding weavers and others applicable to Benares.

II. The Rules contained in Regulation XXXI, 1793, are hereby declared to extend to the province of Benares, with the alterations and modifications regarding the weavers and others employed in the provision of the Company's Investment, contained in Regulations V, 1800, and IX, 1801; as far as the same are applicable to the province of Benares.

providing goods for the Investment contained in Regulation V, 1800, and IX, 1801, as far as they are

Rowannahs to be taken out for the Company's Investment, such goods not liable to duty.

III. Commercial residents or agents, and others employed to provide goods for the Honourable Company's Investment, shall take out rowannahs to accompany the goods, which are to pass a custom-house station. Such rowannahs shall be granted upon official application for them being made in writing to the collectors, but no customs commission or fees shall be levied on such goods.

Part IV

OBSERVATIONS

On the State of Society among the *Asiatic* Subjects of *Great Britain*, particularly with respect to Morals; and on the means of improving it.—Written chiefly in the Year 1792.

Ordered, by The House of Commons, *to be printed,*
15 *June* 1813.

To the Honourable The Court of DIRECTORS for the Affairs of The East India Company.

HONOURABLE SIRS,

ACCORDING to the intimation which I lately took the liberty of giving, I have now the honour to submit to your consideration, a tract which bears upon a subject pressed by repeated proposals on your attention, namely, the communication of Christianity to the natives of our possessions in the East.

That this is a question of importance, will hardly be denied; and from the numerous letters which have been addressed to the Court, in favour of such communication, as well as from the share of general regard now bestowed on subjects of that nature, it appears to be a question on which an explicit determination, on the part of the Company, is become necessary.

It is therefore in different views, worthy of a full and candid discussion; and such I have been solicitous to give it, actuated solely by motives of duty, arising from the several relations in which I find myself placed. For, in becoming an advocate, as I profess myself to be, for making known to our Asiatic subjects, the pure and benign principles of our divine religion, I not only pay that obedience which is due to its authoritative injunctions, but, in my sincere opinion, highly consult the true interests of the Company, and the general welfare of the many millions living under its government. Nor can I doubt, that this will be the verdict of serious deliberation, however a hasty view of the subject, under some of its aspects, may have unnecessarily excited alarm.

In earlier periods, the Company manifested a laudable zeal for extending, as far as its means then went, the knowledge of the Gospel to the Pagan tribes, among whom its factories were placed. It has since prospered and become great, in a way to which the commercial history of the world affords no parallel; and for this it is indebted to the fostering and protecting care of divine Providence. It owes therefore, the warmest gratitude for the past, and it equally needs the support of the same beneficent Power in time to come; for the "changes and chances" to which human affairs are always liable, and especially the emphatic lessons of vicissitude which the present day has supplied, may assure us, that neither elevation nor safety can be maintained by any of the nations or rulers, of the earth, but through Him who governs the whole. The duty therefore of the Company, as part of a Christian community, its peculiar superadded obligations, its enlarged means, and its continual dependence upon the divine favour, all call upon it to honour God, by diffusing the knowledge of that revelation which he has vouchsafed to mankind.

In urging this momentous work however, I wish to be clearly understood, as connecting with the formation and execution of any scheme for the performance of it, every prudent care, every just precaution, which may be suitable to the nature of the undertaking, and to the wise, humble, mild spirit of that religion which is to be recommended. At present I presume to offer no specific proposal, contending only for the general principle; but if that is recognised, I shall be most ready to submit the ideas I entertain of the manner in which it might be safely brought into operation.

If the considerations already adduced, did not sufficiently guard me against the censure of launching beyond the ordinary lines of business, I might justly plead, that the office which you, Gentlemen, exercise, and which I have the honour to hold in common with you, summons, not unfrequently, your attention to subjects of the highest

highest nature,—to the principles of government, and the interests of nations; subjects upon which, having mentioned them, I may be permitted to observe, that even a deliberative voice, though to that you are not restrained, attaches a trust of great importance to the station of a Director.

But with respect to the execution of the treatise which is now offered to your perusal, I am sensible that I need the utmost indulgence. Incapable at best to do justice to the several topics which it embraces, I might yet in India, the centre of materials and information relating to them, have produced something less unworthy of notice; but though I held there the leading opinions now advanced, no idea of giving any publicity to them, by writing, ever occurred to me, until after my return to this country, when persuaded of the expediency of some attempt of that kind, and incited by a particular occasion, I several years ago, hastily drew up the substance of the present essay. It has however since lien by me unused, and my other avocations have allowed me only to revise it, not to form a new work, as would certainly have been desirable. To meet a variety of opinions, and to fortify the argument which is maintained in it, many things are introduced which must be already known to you, and indeed things which in my own first views, I should have deemed superfluous; for according to my apprehension, the main question is so clear as to need little auxiliary illustration. Under all these disadvantages, however, I am content to come forward, at the call of a greater interest, forming no pretension to literary merit, nor having on that score, any higher hope, than that you may be pleased to receive this tract on the footing of one of those many *Papers of Business*, with which the records of your governments have been furnished, by the observation and experience of men whose time and thoughts have been chiefly employed in the concerns of active life.

I have the honour to be, with the greatest respect,

GENTLEMEN,

Your most obedient humble Servant,

CHARLES GRANT.

East-India House,
August 16th, 1797.

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OBSERVATIONS,
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CHAP I.

Introduction—including a brief Review of British *Territorial Administration in* The East.

CHAP. I.
Introduction: British territorial Administration in The East.

WHATEVER diversity of opinion may have prevailed respecting the past conduct of the English in the East, all parties will concur in one sentiment, that we ought to study the happiness of the vast body of subjects which we have acquired there. Upon this proposition, taken as a truth of the highest certainty and importance, the following Observations, now submitted with great deference, are founded.

He who ventures to propose a plan which has an air of novelty, at a time when the wildest fanaticism in politics and philosophy is pursuing, with impious and inhuman success, the indiscriminate subversion of received principles and existing establishments, labours under peculiar disadvantages. Truth however, and reason, always the same, are not to be abandoned because they may sometimes be perverted and abused. Of late they have been perverted and abused in a way new in the history of the world The writer of these observations holds the spirit that has thus broken forth, in the utmost abhorrence, and would stand at the remotest distance from its influence. His aim is to promote the peace and happiness of men, by pacific and rational means, and where he is compelled to speak of past or present errors and defects, he mentions them with no disposition to censure, but solely with the view of doing good. He trusts, that if the opinions which he delivers, and the measures which he recommends in the subsequent pages, be patiently and impartially considered, they will neither be found inconsistent with right principles, nor pointing to any other than the most beneficial consequences.

Although in theory it never can have been denied, that the welfare of our Asiatic subjects ought to be the object of our solicitude, yet in practice, this acknowledged truth has been but slowly followed up, and some of the inferences which are deducible from it, remain, as it should seem, still to be discovered. Of late undoubtedly much has been done, and excellently done, to improve the condition of our subjects in the East; yet upon an attentive examination it may perhaps be found, that much still remains to be performed.

It is now five-and-thirty years since the English East-India Company, and through that Company the British Nation, acquired an extensive political power in Hindostan. Some time before this period, they had been compelled by the ambition of the French, to take a part in contests which had arisen among the Mahomedan Princes on the Coromandel Coast; for the representatives of that nation, the first among the people of Europe who conceived the design of procuring a dominion out of the broken empire of the Moguls, pursued their object by entering systematically into the politics of the Decan, and becoming hence the ally of one of the parties contending for the possession of the Carnatic, the English who foreseeing the success which would probably attend the unchecked prosecution of this ambitious enterprize, and in the consequent aggrandizement of their rivals, the ruin of their own commercial establishments, espoused the defensible pretensions of the other side. In this struggle they were finally victorious; they gave a Nabob to the Carnatic, who continued to depend upon them; and were thus advanced to a certain degree of military and political importance in the eyes of the natives of that part of India. But that prince was left by treaty in full possession of the internal government of his territories, and exercised all the powers of sovereignty over the people of them. The only pos-

A. D. 1757.

Mr. Grant's State of Society among the Asiatic Subjects of Great Britain.

session which the English retained for themselves, was a narrow tract of land along the Coast of Coromandel, chiefly in the vicinity of their principal settlement of Madras.

Bengal was destined to be the seat of British empire in the East. The first military operations however of the nation in that province, instead of being prompted by views of conquest, were employed solely for the defence of their principal factory, suddenly, when they thought only of the peaceable pursuits of commerce, wantonly attacked by the Nabob of the country, the recent successor of an usurper, with a numerous army. The English of Calcutta, having neither men nor means adequate to this unexpected service, fell an easy prey, and the survivors of the barbarous scenes then exhibited, were driven from their plundered settlement, and, destitute of every thing, forced to seek a wretched refuge on the water. At this crisis, the warfare and the political transactions into which the English had been led in the Carnatic, appeared of new importance. By the result of them, the government of Madras was itself in a condition to assert by arms the right of the Company and the Nation, to the settlements of which they had been dispossessed in Bengal, and to seek a compensation for the immense property of which they had been despoiled.

That right was unquestionable; it was derived from the lawful sovereign of Hindostan, when the empire was in the zenith of its power, and had long been quietly enjoyed. The struggle made for the recovery and security of it, which was on our part self-defence, ended in the ruin of the aggressor; for after once breaking with us, he never thought himself safe until we should be extirpated. Fresh plots for our destruction soon terminated a pacification, in which he had never been sincere; we were reduced to the alternative of suffering extirpation from our just and ancient possession, or maintaining by force our footing in the country against the oppressive ruler of it; and a handful of foreigners driven to this extremity, accepted the offers of confederacy, which his sanguinary tyranny impelled some of the principal persons living under his government to make, for his deposition, and the substitution of another Mussulman in his room. Perhaps the rigid casuists might not choose to defend the expedient of facilitating the progress of our arms, by leaguing with the subjects of the Nabob, imminent as our danger and theirs was. This point must be left to be tried upon its own merits; but whatever decision may be passed concerning it, two things are in fairness entitled to attention in the general consideration of this subject:—First, that it is probable the Company and the Nation, had they remained without confederates, never would have submitted to be wantonly stript of valuable rights; therefore the maintenance of them, with further accessions of force derived from their own resources, might have produced the discomfiture of their enemy, and by an easy consequence, his loss of power:—Secondly, that the confederation into which the English entered was no part of their original plan, but an incidental circumstance in the sequel of hostilities.

From this circumstance however, viewed in the most unfavorable light, prejudice has taken occasion to characterize the whole of their transactions of that period; and the French, who as has been said, first of the European nations, conceived the scheme of Indian war and conquest, and whose game of wanton ambition ended in the loss of all their possessions in the East, have not failed to describe the revolution in Bengal as originating in our lawless lust of wealth and dominion. Many of the inflammatory misrepresentations which envious disappointed rivalship has prompted them to make, our own countrymen have precipitately adopted, not examining whether, in their readiness to testify an abhorrence of injustice towards the natives of India, they were not inadvertently contributing to do injustice to the character of their own nation. But as in any serious inquiry into the duties which we owe to our subjects in that country, men of correct principles will naturally be led to carry back their view to the first steps by which we acquired power there, it is hoped that some brief elucidation of so important a question, both here and as it may come again into notice in the course of this essay, will be deemed no irrelevant digression.

By the deposition of Surajah Dowlah, the provinces which he had ruled, fell first under the control of the English, and subsequently under their immediate management. They acquired also among the conquests made from the French soon after this revolution, a tract of country on the Coromandel Coast, called from its relative situation, the Northern Circars; and at a later period, the celebrated district of Benares was annexed by cession to their possessions on the Ganges. These countries, thus acquired, and now held in full property by the British Nation, joining with them

Bombay

Bombay and Salsett, are reckoned by that able geographer, Major Rennel, to contain 182,000 square miles, that is 50,000 square miles more than are, according to him, contained in Great Britain and Ireland; and the population of these extensive regions may be estimated at about fourteen millions*. Besides these absolute acquisitions, the fertile territory of Oude, with its appendages, is to be reckoned among the states dependent on the British power, which are governed internally by their own princes; and all the territories which come under this description, are by the same author, computed to contain nearly 100,000 square miles. Supposing their population to be in proportion less than that of Bengal, it may be allowable to state it at six millions. The conquests lately made in the Mysore Country and on the Malabar Coast, are to be added to the account of the territorial property of the British Nation. They have not been directly comprehended in the foregoing enumeration, because it is intended to speak chiefly upon the authority of time and experience; but the observations which these suggest, respecting the people with whom we are already acquainted, will doubtless equally apply to those of the same race and principles, who are recently become our subjects. The number of these last may perhaps be estimated at two millions. Thus the whole aggregate of Asiatics who depend immediately and solely upon us for every comfort and happiness of good government, amounts to sixteen millions†; and those who indirectly and partially depend upon us, by living under princes subject to our control, and therefore considerably under our influence, if we chose to exert it, even in matters of interior regulation, amount, as has been stated, to six millions. Such a charge as this, a charge of no less than two-and-twenty millions‡ of people, must be allowed to be one of the most weighty and serious nature, as it constitutes also one of the largest divisions of the power which is distributed among the rulers of the earth.

What then has been the effect of our administration upon the countries which have thus fallen under our dominion? This is no unfair inquiry, nor is it proposed invidiously, but as having a relation to the main design of the ensuing pages; neither shall it be pursued upon conjectural positions or by problematical reasonings, but rested on the broad basis of general facts, many of which stand conspicuous in the records of our Indian transactions. That the same topics have already been handled by persons of distinguished situations, and especially that abilities have been employed upon them far transcending the humble pretensions of the present writer, would invincibly determine him to abstain from treating of them, if his design did not impose this task upon him, and impose it with a view which other writers have not exactly proposed to themselves. Happily this undertaking calls not for the powers or the details of regular history; nor on the other hand would it be answered by the exhibition of mere results, which would carry more the air of assertions than of facts. Facts therefore so far circumstantiated as to be seen in their truth and their connection, it will be his endeavour to trace with simplicity, and with moderation.

The account of our territorial management in the East, or of the internal exercise of our power in those countries which are now held directly by us, may be conveniently arranged into four distinct periods, of which it will be sufficient here to sketch the prominent features; and as Bengal with its appendant provinces forms both the main portion of our possessions, and the scene of our greatest exertions, experience, and progress, *that division* shall be the subject of our present brief review, with only such concluding notice of the other parts, as may serve to indicate the state to which they have hitherto advanced.

In the first period, comprehending eight years, from 1757 to 1765, the provinces (excepting a few districts ceded to the Company in the course of that time, with the sanction of the Mogul Emperor) were continued under the government of Nabobs, to whom the administration of civil and criminal justice, the collection of the revenues, and the general powers of internal superintendence and regulation, were left. The English reserved to themselves the direction of foreign policy, a controlling military power, a considerable tribute, and advantages in trade more extensive than the grants of the Emperors, or the past usage of the country, had conceded to them. *A. D.* 1757 to 1765.

The

* The latest estimates would make Bengal, Behar, and our part of Orissa, to contain at least twelve millions. If they do, the whole population of these different possessions may amount to sixteen millions.

† Or according to the preceding note, eighteen millions.

‡ Or according to the same note, twenty-four millions.

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The circumstances of the first revolution seemed to dictate such a division of power; of which, the share vested in the Nabob, is usually called in the writings of that time, the *Country* or the *Native Government*, as when the mass of both divisions, or the complex power, Native and European was spoken of, it was termed (sometimes in a way of censure) the *Double* Government. To this arrangement the orders of the Company seem to have at first restricted their servants, who if they had felt themselves more at liberty, would perhaps have deemed it unsafe or inexpedient to enter at once upon the direct charge of a government, to the details of which they were entire strangers.

But plausible as the system, viewed in some lights, appeared, it proved in practice, unsatisfactory to all parties, and especially detrimental to the people. The Eastern governments are in general careless as to the interests of their subjects, and this is particularly true of Mahomedan rulers. The Nabobs created by the English in Bengal, foreign adventurers suddenly raised to power, dependent, suspicious, and rapacious, could have little concern for the lasting prosperity of a country, with the government of which, their connection was so casual and precarious. Whilst they saw with secret indignation the chief attributes of sovereignty in the possession of a handful of commercial men, every way alien to the Asiatic world, and so large a share of the riches of the country, devoted through them to a distant land; whilst they believed also that the favour of these people was uncertain, they could scarcely have any other aim, than to use the time present in making the most of their situations.

And indeed such seems to have been the temper of the other princes more remotely placed, who were stiled the allies, but who in reality were the dependents of the East India Company. Feeling that the same power which supported could also dispossess them, and habituated by the whole history and the manners of Hindostan to the ideas of perfidy and of change, they could have no settled confidence in the solidity of their tenures, but be on the contrary indisposed to that study to which Eastern rulers at the best need a stimulus, the permanent good of their subjects. Asiatics, accustomed either to absolute command or implicit obedience, do not seem well qualified to make a beneficial use of delegated or mixed power. The policy of our dependent allies has in general been directed only to secure themselves in their situations: it has been their aim to please the immediate arbiters of their fate, and they have found either sagaciously or by incidental discovery, that even running largely in debt is one means of interesting many in the stability of their government. But this policy is pursued at the expense of their subjects, and the people, both of Arcot and of Oude, are with too much foundation represented to be in a wretched condition. A state of dependence seems also to unfit or indispose the princes who stand to us in this relation, for any vigorous co-operation in the external defence of their own territories. Perhaps that species of protection to which they have been used, has enervated them, made them unwilling to contribute the funds requisite in such cases, and persuaded them that the English will not suffer those countries of which they are in effect the paramount lords, to be possessed by any other power. Another evil, more formidable possibly than our experience has yet discovered, flows from this system; it enlarges the sphere of advantage to the servants, especially the military servants of the Company, it enlarges the military establishment, military emoluments, and perhaps encourages, in its consequences, the spirit of military independence. The experience we have acquired, may probably establish an opinion of the impolicy of forming any new connections of this nature; but with respect to those which already subsist, as it is our power which maintains the authority of our dependent allies over their subjects, it seems incumbent on us to exert every possible endeavour, consistent with the just sense and faith of treaties, that the governments which we thus uphold may render the people easy and happy.

Where the controlling power of the English and the derived power of the dependent Nabob met in one place, as in Bengal, they could not long exist together without collision. The unwilling submission of the weaker party, and the dominating temper of the stronger, soon became too plain; mutual distrust and aversion succeeded; the excesses of individuals inflamed the animosity on each side, and the country became the unfortunate scene of war. The cruelties, the rapacity, and the expulsion of Cossim Ali, whom an unhappy policy had elevated to power, are sufficiently known. Whether we ascribe his conduct to unprincipled ambition, or the licentious encroachments of Europeans and their dependents upon his proper authority, or with more probability

probability to both of these causes, and the maddening effect of events hurrying him to lengths he had not deliberately purposed, it still exhibited this striking spectacle, the English obliged to fight with the creature of their own power, for the continuance of that power, nay even for their existence in Bengal; and the country, instead of being better protected under co-existing authorities, suffering grievously by both, and in their shock convulsed and torn. What had thus happened, however blameable the cause, might happen again; and this experience purchased at so dear a rate, naturally led the way to the acquisition of the Dewannee of Bengal, Behar, and Orissa.

This may be considered as a point at which a second period of territorial management commences. The Dewannee is the office of the Dewan, the title of the provincial collector of revenues under the Mogul Emperors, whose policy it was to place the financial administration of the several divisions of the empire, in hands distinct from those entrusted with military command and judicial authority. *A. D.* 1765.

The adventurers who upon the decline of the empire, assumed the powers of government in the provinces, assumed also the exclusive administration and appropriation of the revenues, as most essential to their views. The rights of the reigning emperor however, though disregarded, had never been denied. He was induced, in consideration of an annual tribute to himself, and a handsome stipend to the reigning Nabob, who was also a party in this treaty, to grant in perpetuity to the East-India Company for their own benefit, the Dewannee, that is in other words, the revenues of those three provinces. He had not at that time, nor was likely ever to have the least power to assert his rights; his bestowing that grant therefore, on the condition of an ample compensation, was making the most advantageous use he possibly could make of his pretensions. No other power in Hindostan would have given him such favourable terms; and his consciousness of this led him voluntarily to propose a cession of the Dewannee. It is thence to be concluded, that in this transaction he was guided chiefly by the exigencies of his own situation; for his remote distance from the seat of the Company's government must have rendered their influence over him proportionably weak. But at the same time it ought to be acknowledged, that the subsequent proceeding with him, by which the payment of the stipulated tribute was discontinued, appears to be of a more dubious character. This remark also is interjected for the sake of those who question the principles on which our acquisitions have been made.

The Company having before held a controlling military power, were thus put in possession of the finances of the country, which as an immense estate they were henceforth to manage, and to manage for themselves. The collection of the revenues there is known to have been till of late a business of extreme intricacy and detail; the causes of which have been explained in a variety of masterly productions, particularly the excellent writings of Mr. Shore* on this subject; into which, however, it will not be necessary to go farther here than the statement of certain usages which form the first lines of the Indian system of finance. In Hindostan, far the greater part of the revenue of the sovereign arises from land; and it has long been the universal practice to form the assessment of government upon the actual produce of the soil, and to do this annually. Not unfrequently the share of government has been paid in kind. In like manner the land-holder regulates the rent of his inferior tenant annually, and according to the value of the articles which he raises, whether rice, cotton, sugar, or any other of the many productions which the soil furnishes. It will easily be perceived, that this system as it naturally leads to concealment on the one side, requires a constant course of vigilance and laborious local investigation on the other, in every rank of persons employed in the revenue, from the first officer to the lowest farmer of a village. Again, the sovereign is arbiter of the share which he himself shall enjoy of the produce; and though anciently his proportion seems to have been moderate, in modern times it has usually been very large. Despotism being the principle of government, force is the real, though sometimes latent instrument which procures acquiescence in his allotments. Without a compulsory power, ever ready to act, little revenue would be obtained. Arbitrary demand, peremptorily enforced on the one hand, sharpens all the arts of evasion, concealment, and fraud, on the other.

Since

* Now Sir John Shore, Governor-General, in which high station he has largely added to the important services he had before rendered to the Company.

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Since the fall of the Mogul Empire especially, and under the Asiatics, Hindoos, or Mahomedans, who have usurped power, the business of collecting the revenues has been a most debasing struggle between the superior and inferior in every gradation. New taxes upon a thousand pretences, often false and preposterous, have been imposed even in direct breach of agreements before made. The revenue officers of every rank, have exacted for themselves besides collecting the demands of government; and from this fruitful source of injustice, severity, chicane, and meanness, have flowed innumerable evils to the community. Want of principle in the landholders and occupants of the soil, has led the government to give them as little credit for their rents as possible; so that payment may in some places be required at the end of every month, or more often, by eight instalments in the year. From the inferior occupants of the soil, care is taken to secure arrears before the crops are removed from the ground, for otherwise from the property and artifices of that description of persons, those arrears will generally be in effect lost; because if they are recovered at a future period, it is in reality by an application of the produce of a new year, which having its own exigencies, will thence probably also owe a balance at the close. And as hence the necessity of summary proceeding with the renters has been pleaded, their complaints have not been allowed to suspend the payment of the demand on them; but this unremitting exaction has afforded the agent the opportunity of keeping his own malversations covered.

These elucidations may convey a faint idea of the vast detail and attendant difficulty of the Indian system of finance; notwithstanding the apparent simplicity of its fundamental principle*; but they also suggest that the power which enforces the payment of the revenues, as it is operative at all times and comes home to all persons, must be the first in the consideration of the people†.

The Company therefore were now not only to reap the produce of the country, but were virtually invested with the interior government of it, none of the prerogatives of dominion remaining to the Nabob‡, excepting the judicial power which was attended with no political importance. It was not however the policy of their servants, nor did they at first think themselves able to exercise all this power; but in entering upon their new privileges they made use of ministers who had served the Nabob in the affairs of the revenue. The people were taught henceforth to regard the Company as their masters; but they were treated with through the medium of the same persons with whom, as agents of the Nabob, they had before transacted. No Englishman was employed in the districts, or in the details of the collections, that is to say of the Dewannee lands§ The Mahomedan and Hindoo ministers of the revenue managed the whole, appointing all the subordinate officers, laying their general schemes of assessment before the principal servants of the Company, reporting to them the state of the collections from time to time, and disposing of the money received into the exchequer, according to their orders. The only persons who in the districts represented the Company in the exercise of the new powers they had acquired, were the same persons who on behalf of the native government exercised the like powers in them before; nevertheless, the effects of this change, besides the transfer of the financial rights and profits of the country to new hands, were many and important.

The

* The most methodical and full exposition extant of the Mogul system of finance is to be found in the *Analysis of the Revenues of Bengal* by Mr. *James Grant*, a work which though it ought to have been set on foot by government at the moment of acquiring the Dewannee, was never attempted till he, from private curiosity, entered upon it many years afterwards, when the obtainment of accurate information on such a subject was become peculiarly difficult. In this elaborate treatise, he has developed with minute detail, both the principles of the Mogul system of finance and the sources and amount of the revenues collected from every division, great and small, of the soubah of Bengal, as well in remote periods as in the year preceding the assumption of the Dewannee. It contains a more complete account of the lands of Bengal than that rendered to our government by the native ministers in 1765, but is little known, being being in manuscript among the records of the Company, and too much loaded with technical and involved language, the fundamental principle also of the Mogul system of finance having since been superseded in our practice; but it is the product of extraordinary disquisitory powers employed upon a curious and interesting subject

† Strictly speaking, it must be supreme. The power of the Emperor went along with his Dewan. The English possessed the Dewannee only because they had power (which was not used before) to assert the grant.

‡ Who was the descendant of Jaffier Ali Khan, the first Nabob raised by the English, with whom a treaty had been made, in virtue of which, the succession was continued in his family.

§ Some districts, as observed above, were by cession before in the hands of the Company; who also had possessed commercial factories in the provinces above a century.

The wants and desires of the Company at home seemed to grow with this immense acquisition. Their servants abroad were suspicious, and not without reason, that all the sources of revenue might not be fairly disclosed to them; and they were alarmed lest the amount of it should decline under their management. The progressive accessions of the Company also enlarged the views of every European in the provinces, and of the native dependents of Europeans. Power was not, as in the former system of government, inherent in one person only, but in many persons, all of whom therefore it invested with a portion of its consequence. The native ministers of the revenue wished to gratify the eager views of the Company, and to conciliate the general favour of the English. They had likewise their own interests and their numerous dependents to serve, and to serve whilst opportunity lasted; but whatever extraordinary funds they might with these aims seek to possess, as all parties concurred in the urgency of keeping up the standard of the public income, the only means left them, exclusive of the salaries they enjoyed, were private imposts, monopolies, or appropriations of one kind or another; and if, as has been affirmed with great appearance of truth, certain portions of the government lands were omitted in the accounts presented to their new masters, the burthen upon the rest must from this cause, as from others, have fallen the heavier.

Difficulties began to be experienced in realizing the assessment. A set of coercive officers or rather farmers of the revenue were employed in the districts to ensure and quicken the payment. These men, chiefly adventurers from Tartary or Persia, executed their business rigorously. Unfeeling and rapacious, uncertain of holding their employments beyond the year, they lost no time in amassing money for themselves; and the Zemindars, or principal land-holders, made every extraordinary demand upon them, the ground of still more excessive demands upon the inferior tenants.

Compulsory measures came also to be used in providing the investment of the Company. As the new wealth poured into their treasury could be realized in Europe only by the medium of commerce, the orders for that investment were at once augmented two or three fold. The produce of every country and the demand for that produce having a certain relation to each other, it was impossible that the funds now destined for the purchase of commodities on account of the Company, could be invested at once without extruding private merchants. European individuals also, confident now both of protecting and controlling their native agents, employed them in trade all over the country; and the foreign European companies and their dependents, availing themselves of the substitution of the milder genius of English rule, for the prompt despotism of the Mahomedans, every where encreased their pretensions and activity. The manufacturers were not unfrequently obliged to accept the English Company's employ, and even those private agents required a preference to other traders. Some of the native dealers retired. Both natives and foreigners, especially those attached to the other European companies, complained; though the latter not always reasonably nor temperately; and in a word, violence and disorder became too prevalent.

Wherever the native agents of the English traders went, they assumed power; they interfered in the affairs of the country, and even in the proceedings of the courts of justice, which the Company still left solely under the control of the Nabob These courts, which ought to have been the sure refuge of the oppressed, were before systematically venal, and in a time of divided power and general relaxation, were become so scandalously corrupt, as to constitute one of the most intolerable evils under which the country groaned.

All these causes operating with the energy of a new revolution, produced a great and unhappy pressure upon the country. It was in fact without a proper head. The English administration left the internal government to the native ministers, and these, little under the influence of public spirit, (a rare quality among the Asiatics,) intent chiefly on the affairs of the revenue, were unwilling to offend by honestly resisting the licentiousness of individuals.

With respect however to the Company and to Europeans in general, these various evils proceeded more from the elation of new success, from extravagant notions of the resources of the country, and unreflecting eagerness, than from intentional rapacity. They did not feel that the cognizance of the internal affairs of the country was a duty resting upon them, and they may have implicitly given credit to the ministers, more

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intelligent than themselves, for a regard to that important concern. From these causes, and the remoteness of the seat of English government, placed near one of the extremities of the country, they remained ignorant of the true state of the interior. nor were they fully aware that the natives whom they employed would exercise against their own countrymen any power, even falsely assumed, in the most unfeeling and iniquitous manner. They had not in fine, at all preconsidered the probable effects of so great a change as the assignment of the Dewannee to the Company*.

A. D. 1769. In less than four years these effects showed themselves very plainly. The country exhibited unequivocal signs of impoverishment and decay. The trade to the other parts of India was reduced, and the revenues, with encreased exertions, could not be kept up to their first standard. In truth, upon a comparison of the state of the country in the year 1757, after the battle of Plassey, and in 1769, when the power of the English, in one form or another, had predominated twelve years, the result is extremely against the revolution. The English are not directly chargeable with the misconduct of the Nabobs and their ministers to whom they entrusted authority, especially with the ruinous enormities of Cossim Ali; but in the transfer of the country to a set of European merchants, consequences were involved unfavourable to its prosperity. The specie which those merchants and others had for a long series of years annually imported, ceased to flow in. The English Company bought their large investment, encreased to three times the amount at which it stood when bullion was brought to pay for it, with the revenue of the provinces; other companies made their purchases with money received from English individuals, who also derived it from the country; and this was to be the system thence forward, at least for the greater part of the exports. Neither did the evil stop here. Both the Company and private persons exported large sums of specie collected there. The quantity thus extracted from the country, even within the period spoken of, was astonishing. A want of circulating medium began to be felt. These drains, added to the immense treasures which the extortion of Cossim Ali enabled him to carry off, exceedingly reduced the stock of the country, and the disorders which had arisen in the districts threatened to impair its annual produce. The first person who had the integrity and resolution to call the attention of government to the unhappy state of the country, was Mr. Becher, resident at the Durbar.

Certainly a great deal was due from us to the people in compensation of the evils which the establishment of our power had introduced among them; and in return for the vast advantages which we reaped from the change, it was but fit that what the country had suffered, or was subjected unavoidably to lose by being dependent upon us, should be repaid by all the benefits which good government, in consistency at least with that dependence, could bestow. And there was in the national genius of Britain, formed by superior lights and juster principles, and possessed of higher energies, what might still render that country happier than it had ever been before.

To discover and suppress the abuse of trust and power in the collection of the revenues, in the purchase of the investment, and in the conduct of the courts of *A. D.* 1769. justice†, were the objects of another institution, which forms the commencement of a third period of territorial management. English servants of the Company were sent as supervisors into the districts, and the coercive officers whom the ministers had employed, were withdrawn. The supervisors were furnished with a commission of investigation and active superintendence over the various departments of provincial administration, the state, the peace, and order of the country; but without the direct charge of any department. To many persons in Europe these progressive assumptions of power may have appeared as so many exorbitant encroachments; but whatever may have been thought at first even by judicious men, if we determined to retain the country and to govern it either to the benefit of the people, or to our own, they were necessary. From the first acquisition of a controlling power to the possession of the entire executive government of those provinces, it has been found that there was no point at which to rest. Experience evinced that in every intermediate stage, the interest of the country was neglected, and the abuses of power more felt than its protection. Our national standard of sentiments and morals,

* Mr. Verelst, who was Governor of Bengal during this period, was certainly a man of fair intention and correct in his personal conduct. His successor, Mr. Cartier, was also a very honest and amiable man.

† Private European traders and the Native agents of Europeans, who had in the beginning of the Company's power been guilty of such disorders in the districts, were by this time brought under considerable restraint.

morals, undoubtedly gives a comparative elevation to the character of those who are reared under it. The European servants of the Company therefore, who were also held by greater responsibilities, were worthy of more confidence than transient adventurers, ignorant and barbarous, from the upper Asia. This institution was the first step towards an English provincial administration, and the remote beginning of a new system, more open to the influences of the British genius and principles.

The supervisors rendered considerable service. Their presence in the districts imposed a restraint upon the native officers, and their inquiries and interferences, whilst they evinced the wretched state of the interior, checked many evils. But they had acted only a very short time when the country began to suffer from another calamity, which in the end overwhelmed it in misery, incomparably more dreadful than all it had before endured. This was the famine that began in the year 1769, and continued through the greatest part of 1770; of which, as few circumstantial relations have been given, perhaps the following account may not be unacceptable. *A. D.* 1769 1770

The principal food of the great body of the people who inhabit our provinces, is rice. Of this, from the fertility of the soil, the joint effect of an ardent sun and of saturating periodical rains, they have annually two crops, besides a variety of other grain and pulse. The first crop of rice is gathered in about the end of August, the second (which is the greatest) early in December; and the other inferior articles from the month of February till the end of April, so that the ground brings forth almost all the year round. In general the produce is so abundant as to render Bengal the granary of India, and it is but at considerably distant intervals that a season fails. The natives indolent, improvident, fatalists, and exposed till of late to be taxed in proportion to the produce they raised, or even to have any apparent superfluity invaded, by their brethren in power, had never adopted the practice of keeping a stock of grain in case of dearth. When a season of drought therefore occurs, the sun, usually the great agent in fertility, parches the ground. Scarcity ensues; a scarcity aggravated by the eagerness which people then show to purchase rice, and by the artifices of the grain dealers, who are skilful in taking advantage of the public apprehension. If drought extended through two successive seasons, it would almost inevitably follow that the quantity of grain in the country would not be equal to the consumption of a people whose lives depend on the supply of this article; for extremity of want will not induce the Hindoos in general to resort to animal food, especially the flesh of the cow, because of the horror with which they regard an act that they are taught to believe would incur the dreadful punishment of loss of caste in this life, and torments or degrading transmigrations in the next. The periodical rains begin early in June, and continue with intermissions till late in October, commonly falling more plentifully in the two last months.

The crops of December 1768 and August 1769, were both scanty; and throughout the month of October 1769, the usual period of heavy rains, which are absolutely necessary for the latter crop of rice, hardly a drop fell. The almost total failure of a third crop, after the deficiency of the two preceding ones, filled all men with consternation and dismay. Some hope was still placed in the crops of inferior grain, usual reaped between February and April, which every endeavour was exerted to increase; but the refreshing showers that annually fall in what are called the dry months, between January and May, also failed, and in the fatal year 1770 there was scarcely any rain till late in May. The heat was insufferable, and every kind of grain or pulse then growing was in a great degree dried upon the ground. Nothing appeared but universal despondence and unavoidable destruction; for the same calamity extended to the upper India, and there was no neighbouring country that had been used to furnish Bengal with rice by sea, or that could afford an adequate supply.

The Company's administration and the native ministers early took the alarm, and entered upon such precautionary measures as were within their power. In September 1769 the English and all their dependents were absolutely prohibited from trading in rice; not because they or any other set of people were at all suspected of having been monopolizing that article, but lest on the temptation of very high prices, European influence should in any form operate to collect such undue quantities as might aggravate the scarcity. General and strict injunctions were also published against hoarding grain, buying or selling it clandestinely, or carrying on any dealings in it but at the public markets; and a stock of rice, amounting to 60,000 maunds,

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was laid in for the use of the army, a measure to which the preservation of our military power and indeed of the country may be ascribed; for it is not to be doubted that want would have made the soldiery throw off all command, and seek subsistence with their arms in their hands, which must have produced total anarchy The prime mover in all these measures also was Mr. Becher*, resident at the Durbar.

The famine was felt in all the northern districts of Bengal as early as the month of November 1769, and before the end of April following, had spread desolation through the three provinces. Rice rose gradually to four, and at length to ten, times its usual price, but even at that rate was not to be had. Lingering multitudes were seen seeking subsistence from the leaves and bark of trees. In the country the highways and fields were strewed, in towns the streets and passages choaked, with the dying and the dead. Multitudes flocked to Moorshedabad, the capital. It became more necessary to draw supplies to that city, and no endeavour was spared to bring all the grain in the country to market. Subscriptions were set on foot. The Company, the Nabob, the Ministers, European and native individuals, contributed for feeding the poor. In Moorshedabad alone 7,000 were daily fed for several months, and the same practice was followed in other places; but the good effects were hardly discernible amidst the general devastation. In and about the capital, the mortality increased so fast, that it became necessary to keep a set of persons constantly employed in removing the dead from the streets and roads, and these unfortunate victims were placed in hundreds on rafts and floated down the river. At length the persons employed in this sad office died also, probably from the noxious effluvia they imbibed; and for a time, dogs, jackalls, and vultures were the only scavengers. It was impossible to stir abroad without breathing an offensive air, without hearing frantic cries, and seeing numbers of different ages and sexes in every stage of suffering and death. The calamity was not less in other quarters; in many places whole families, in others, the people of entire villages had expired. Even in that country there were persons who fed on forbidden and abhorred animals, nay, the child on its dead parent, the mother on her child. At length a gloomy calm succeeded. Death had ended the miseries of a great portion of the people, and when a new crop came forward in August, it had in some parts no owners. The number which fell in this period of horror has been variously estimated, and may perhaps be moderately taken at three millions.

It must be very evident from a simple review of this desolating event that it was the visitation of Heaven, not the work of man. Those Eastern countries have unhappily been too well acquainted with this species of calamity in all ages. Upon turning to the last century only, the records of the Company mention a destructive famine in Surat and the neighbouring countries about the year 1630. Dow gives an account of a prodigious one almost general in the Mogul empire, anno 1661. Instances might easily be multiplied by a more particular research; in our time, we have seen several on the Coast of Coromandel, the last of which a few years ago destroyed multitudes. Since the awful æra of 1770, there have been two seasons of great scarcity in Bengal, the years 1783 and 1788. The dearth in those years was only partial, but the common people were driven to great distress and some perished. Lord Cornwallis seeing how much the country was exposed to calamities of this sort, instituted public granaries in Bengal, in which a stock of grain should always be preserved against emergencies. Indeed if we could suppose that any man or set of men, especially European servants of the Company who had easy means of acquiring wealth, could have been so iron-hearted as to form the design of enriching themselves by with-holding sustenance from their fellow creatures, if we could suppose they could have borne the sight, even for the first week or day, of the miseries under which a whole people were sinking, if we could suppose further that after

* A man noted for his honesty and humanity; whose anxiety and exertions for alleviating the miseries of that whole period ended in an illness that almost cost him his life. Yet on his return to England he found himself traduced as the author of the famine. This calumny is said to have had its rise at the French settlement of Chandernagore, in the vicinity of which an agent of his had in the year 1769, before things came to extremity, some articles of the *provisions of the former year* selling off, and among them a parcel of rice, in value about 20,000 rupees. Perhaps the purchase of a stock of rice for the Company's troops may also have contributed to suggest the idea of a monopoly. It is from a MS. account, of which the materials were furnished by him when the event was recent, that this relation (of the facts stated in which the writer hereof was also an eye-witness) is chiefly taken.

Another gentleman, still living, was also accused of being the author of the famine, though he was in England when it commenced.

after denying every thing human for the sake of gain, they could so far forego their own object as instead of accepting a four-fold, nay ten-fold price, to allow those who would purchase, to die in immense multitudes for want; if we could entertain all these extravagant suppositions, and the equally extravagant one of a general monopoly of the produce of a great country, still a little cool reflection upon the means of accomplishing a scheme so flagitious, would show that the execution of it would be absolutely impracticable.

It is perfectly established that the dearth was general over the three provinces, and in all ruinously severe. A monopoly therefore, if that had been the cause, must have been general also. It is easy to conceive how one quarter could be deprived of its produce to supply another, but when in all quarters there was a like destitution, if we suppose this to have proceeded from monopoly, we must also suppose not a simple operation of emptying one district to fill another, still less to surcharge any other, because that would be to go from a better market to a worse one; but a local monopoly in every township, *keeping up*, not *sending away*, the grain found within its circle. Let us now enquire into the lowest quantity of grain that can be supposed to have been hoarded. In the course of twelve months, three millions of people are estimated to have died; that is, nearly one-third of the whole population; but as a third of the usual allowance of food might have preserved life, we should hence be led to conclude that the grain retailed in that year was two-thirds at least below the quantity usually vended. As, further, the failure would fall chiefly on those who in times of common plenty earned only a subsistence, and these may be computed at eight in ten of the community, the deficiency in the supply of the markets that year may well be rated at two-thirds of the usual consumption of eight millions of people, that is somewhat more than one-half of the whole quantity brought to market in ordinary times; and if this was occasioned by monopoly, so much must have been kept up. But let us assume what would be the most plausible theory, that a real scarcity, to a certain extent, was rendered severely fatal by the supervention of monopoly; of what magnitude must we conceive the monopoly to be, in order to become thus operative? Here we must go on an ample supposition; for if monopolists had thought of contenting themselves with collecting, for instance, only a month's demand at a time, their main purpose would have been defeated, because in the mean while the rest would have found a distribution in the usual way. They must therefore have bought up largely at or before the reaping of a crop, and bought up more than they withheld, because part of their purchases we must suppose would be resold. If then we admit a real scarcity which would have occasioned a mortality of a million of people, (which prejudice has never granted,) and ascribe the mortality of the other two millions who perished, to monopoly, concluding as we are obliged, that this monopoly consisted only of two great operations, that is, on the December crop of 1768, and the August crop of 1769, then the quantity of grain hoarded up will turn out to have been one-third of the market supply of ordinary years: and assigning in such years to ten millions of persons, the young and the adult taken together, half a seer (or a pound) of rice per diem, which is a moderate allowance, that third will amount to six hundred and four millions of seers, or fifteen millions of maunds; which at a rupee each, a probable purchase-price in a time of real scarcity which we here suppose, will amount to fifteen millions or a crore and a half of rupees, one half perhaps of the whole circulating medium of the provinces at that time, and such a capital in the hands of those suspected of being concerned, as no extravagance of credulity can hold to be supposable.

But we have not yet seen all the difficulties. The three provinces contain 150,000 square miles, and if we reckon fifteen square miles for the sphere of one monopoly agent, (which surely, after allowing for water, is an average full as much as he could compass,) and reckon further two assistants only to each agent, we shall have thus ten thousand monopoly stations, and thirty thousand persons employed at them. Such a set of operations, or the hundredth part of them, and operations continued through a whole year, would have furnished uncontroulable evidence to all men. The natives are indeed patient in suffering, when they think suffering inevitable; they suffered in that calamity with wonderful passiveness; but if they had traced their miseries to any source like this, the country would have soon rung with their complaints. They are known to be clamorous even on trivial occasions where any redress is possible. They have been known in a time of scarcity, merely apprehended or artificial, to have carried urgent representations against the grain dealers; they did so at the period spoken of, as long as they thought that those dealers

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secreted any grain, which according to their usual practice, they may have done, thereby unnecessarily adding to the evil. But very probably, if the people had seen that the calamities of that period proceeded from human hands, they would not have borne them; they would have helped themselves to grain; perhaps have risen upon their European masters. No, they well knew and acknowledged whence their distresses came; they foresaw them in the drought of successive seasons, a drought not confined to their provinces; and felt in them the dispensation of a superior Power. This was one of those severe inflictions of the Almighty, by which offending creatures, who forget their Maker, are reminded of his being, and of his government of the universe. Those poor people sought by superstitious observances to propitiate their deities, but they were "*Gods that could not save,*" and their votaries remained without any moral change.

The members of administration appointed from England by Parliament in 1773, a few years after the famine, with a special view to the discovery of abuses, men zealous in the execution of their trust, and free in expressing the most unfavourable opinions, never intimated the suspicion of monopoly; but always spoke of the famine as a natural evil of most destructive consequences, still visible in the country. Lord Cornwallis, if he had not judged in the same way, would not have contented himself with proposing only the simple preventive of an establishment for storing part of the surplus produce of plentiful years. Yet wonderful to consider, without any proof, without investigation, without one well authenticated adequate fact, the belief of a monopoly by some servants of the India Company has been, and perhaps may still be, very general in the western world. The French of Chandernagore, like the rest of that nation, too ready to blacken the British conduct in India, are accused, and with apparent reason, of being the authors of this tale. From Chandernagore it first passed to Calcutta, and from these places it was then transmitted to Paris, to London, and to all Europe. It has been registered as truth in the page of history, has been the public subject of religious lamentation, has been embalmed in verse, and still remains such a foul stain upon the British character, as the annals of any people can hardly parallel. Such is the power of credulity. In this case it not only "gave to airy "nothing a local habitation and a name," but it ascribed to a phantom, effects, which had that phantom been a reality, it was incapable of producing. Nothing short of an absolute want of a sufficient stock of food in the country, could have occasioned so dreadful a devastation of the human race. The whole idea of a monopoly of any kind or degree, (unless such a natural aggravation of real scarcity as the eagerness of the people to lay in some store, and the retention of native grain dealers may have created,) the present writer, himself an eye-witness of that dire calamity, and with particular means of information, most assuredly believes to be without foundation, and to have originated in calumny or in error. This testimony, due to truth and to the British character, he is able deliberately and conscientiously to deliver; and though his main design may not have called for so full an exposition of a collateral subject, yet since the current of time swiftly removes the opportunities of giving and receiving information, he hopes he shall be pardoned in availing himself of the present occasion, to perform what he thinks an act of justice and of duty.

A. D. 1772 The subject of territorial administration shall now be continued. In 1772 the principle of sending English supervisors into the districts, considered here as introducing a third period, was enlarged by a very important measure which completed the change begun in the adoption of that principle The Company stood forth as *Dewan:* hitherto the office continued to be executed by native ministers who resided at Moorshedabad, the old seat of government and of the public Exchequer. These ministers, with the officers whom they employed in the districts, were now laid aside, and the Company by the agency of their own servants, took upon themselves the entire care and collection of the revenues. The Governor and Council with their former controlling power, joined that of cognizance and executive management, which had been till then vested in those ministers. They removed the ostensible seat of Government and of the Exchequer to Calcutta, the principal English settlement; they divided the three provinces into collectorships, and stationed an European servant of the Company in each of those divisions as collector.

This change threw also the judicial administration of the country in civil affairs, into the hands of the English. Under the government which the Mahomedans had for many centuries maintained in Bengal, they established also their own system of laws, and it was the standard of decision in all cases civil and criminal, exclusive of those

those between Hindoos, which were determined by the code of that people. The Nazim, or ruler, in person executed the office of supreme criminal judge. By deputy he also administered in the principal civil court appointed for the cognizance of all matters of property, excepting claims of land and inheritance, which fell within a third department called the *Dewannee Adawlet*, or Court of the Dewan, to whom as the Emperor's officer for the collection of the revenues, all causes relating to the details of that extensive province, and particularly to property in land, were referred. From the time of the Company's accession to the office of Dewan, the authority of the Dewannee Court naturally enough encreased, till at length it became in effect, the sole tribunal for civil suits. In this state, as appertaining to the department of the revenues, it fell into the charge of the Company's servants when they assumed the executive management of that branch; and they immediately proceeded to make various regulations and improvements in the administration of civil justice. They appointed a Provincial Dewannee Court in every collectorship, over which the English collector was to preside; they even modified, in some respects, the administration of criminal justice, which was peculiarly the province of the Nabob; appointing inferior criminal courts in the districts, and subjecting them, as well as the principal criminal court, to English superintendence. Thus every interposing medium between the English and their Indian subjects was removed; they came then to transact immediately with each other. The direct authority of the English pervaded the interior of the provinces, and the *Native* or *Country Government*, saving only the prerogative of the Nabob as chief criminal magistrate, was in form and in fact done away.

Many obstacles to good government were dissipated by this change. The English administration entered upon their new functions with a tone of intelligence and vigour. Besides introducing more method and order into the conduct of the public business, they set themselves to correct some of the most prominent of those abuses by which the country had been so long oppressed. In collecting the revenue for instance from the ryots or husbandmen, there was no fixed standard. Agreements did indeed pass between the landholders and their tenants at the beginning of the year (for their leases extended only to one year), but as before hinted, those agreements were commonly broken by the stronger party upon a thousand pretences, of which the superior made himself the judge, and this practice opened a door of exaction to every subordinate officer of the revenue. Hence the people never knowing what portion of the produce of their labour would be left to them, were not only impoverished but discouraged from exertion.

Exactions still more scandalous were practised in the judicial courts. The *Phousdary*, or criminal court, raised a revenue by the imposition of fines upon crimes and misdemeanors tried before it, having thus a direct interest in the multiplication of accusations, and in finding the accused guilty. The government of 1772 styles its exactions, "detestable and unauthorized, but yet imitated by every farmer and "aumil in the province."

The *Dewannee*, or civil court, in like manner, wherever it could, had recourse to heavy arbitrary fines. Things however *sanctioned by the native government* even down to the period now spoken of, may give a more striking idea of the state of the country. In law concerns the civil courts were allowed to take a commission, sometimes amounting to one-fourth, upon the sums recovered on their awards; in the revenue, the inhabitants of a town or district, however reduced in number, were obliged to make up the assessment at which that division had been rated by government, that is, to pay the rents of those who were dead or fled, as well as their own. This principle, which must surprise persons unacquainted with that country, was acted upon even after the famine; and the greatest wonder is, how the people could subsist under such accumulated barbarous impositions.

The English government of 1772, appears to have set out in the sincere desire of alleviating the sufferings of that people. But the first great financial measure which they adopted, produced most unhappy effects. In opposition to the annual leases, which were certainly very exceptionable, the idea of farming the lands for long terms of years had been frequently suggested, and came at length to be regarded as a remedy for many existing evils. Sufficient attention however was not paid to the wide distinction which exists between the landholder having an interest in the soil, and the revenue farmer, whose principal object it must ever be not to consider the permanent

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welfare of a district or an estate, but the best return he can draw from it within the term of his engagement. The desire of keeping up the collections as near as possible to their former standard, still haunted the councils of the Directors at home and of the servants abroad. Under the idea that there were hidden resources in the country, (which might be so far justified, that early subductions and alienations had been made from the exchequer lands, but the resumption of them was become extremely difficult, whilst the general circumstances of the country had decayed,) and in the view of uniting increase of revenue with ease to the people, it was determined to lease the lands of Bengal on farm for five years; and that their utmost value might be ascertained, these farms were put up to public auction. Calcutta banians, money dealers, and adventurers, were among the highest bidders. The country was hence given into their hands, under a positive condition indeed for the equitable treatment of the occupants of the soil; but the ancient usage of collecting the instalment of the month, within the month, was still followed by the farmers; and if there was any interference with even the most violent exercise of their authority, they had to plead the impossibility of realizing the revenue and making good their engagements. The English collectors, afraid perhaps of having a failure in the revenue ascribed to them, were seldom willing to interpose except in flagrant cases; and the poor people preferring often the first loss to subsequent litigations, or wearied out by the protractions of the other party, had little redress. At the end of five years, an immense balance of the stipulated revenue was due by the farmers, and the country having been in effect delivered again into the hands of natives, still continued to suffer.

It has been said in favour of the English government, that under it, and even within the period of which we now treat, Bengal has enjoyed a tranquillity from hostile assaults and commotions, rarely experienced under its former masters. But though little disposed to panegyrize Mahomedan governments, we must observe, that this comparison can hardly be meant to extend to the times anterior to the dismemberment of the Mogul Empire. The usurpation of Aliverdi Khan, who waded to power through perfidy and blood*, provoked the court of Delhi to encourage an invasion of the country by the Mharattas, and for several years they harassed the districts west of the Ganges, the far larger divisions on the eastern side of that river remaining all the time perfectly safe. But from the establishment of Aurungzebe on the imperial throne, until the invasion of Nadir Shaw, a period of eighty years, Bengal enjoyed profound peace without, and experienced only few, and these transient disturbances, within.

If however, a comparison of this kind is to be instituted, it must be carried much further. Under the government of the last two regular viceroys, Jaffier Khan, and Shujah Khan, who ruled in succession near forty years†, the state of the country was eminently flourishing, and is yet a subject of celebrity. Jaffier Khan indeed appears to have been culpably as well as unnecessarily severe in inflicting personal punishments upon the zemindars, and this part of his conduct has brought reproach upon his memory; but he strenuously protected the common people, and most ably administered the affairs of the soubah. His successor is represented to have been a man singularly beneficent and humane. Under both, the taxes were little felt, and in the time of the latter, though the annual tribute remitted to Delhi was usually a crore of rupees, local collectors were seldom requisite, the zemindars paying their rents immediately into the royal treasury. Even after the usurpation of Aliverdi Khan, that class of persons was so opulent, as at one time to give him a donation of a crore of rupees, and at another time fifty lacs, towards defraying his extraordinary expences in repelling the Mharattas. The general power and authority of the empire were a protection to this dependency of it; its military force, especially during the long administration of Jaffier Khan, was inconsiderable, its civil administration simple and economical, and it had no separate political relations to maintain with neighbouring or foreign countries. Easy, in short, in its finances, moderate in its expenditure, and free from the state, the charges, and cares of independent dominion, its inhabitants enjoyed in the occupations of agriculture and commerce, public peace and abundance. Under the violent assumption of Aliverdi Khan, its connections of a political nature were

* *A. D.* 1741.

† Sujah Khan died in 1739, and was succeeded by his son Sirferaz Khan, who was deposed and slain by Aliverdi Khan in 1741. Aliverdi Khan possessed the government fifteen years, and was succeeded by his grandson Surajah Dowlah, who was deprived of the musnud and his life in consequence of the battle of Plassey, anno 1757; so that from the death of Shujah Khan to the ascendency of the English power, was only eighteen years.

were still very limited, for it had nothing to fear from its neighbours, except on the western side, and he seems never to have cast an ambitious view beyond the provinces which he wrested from the family of his ancient master. But Bengal, as held by us, possesses the rank of a sovereign state; it is the head member of an empire whose parts are remotely separate from each other, and intermix with the territories of several powerful princes; it contributes to the support and defence of the other divisions of British Asia; and supposing its system of foreign policy to be entirely pacific, it is liable to be affected at so many points, that the government of it requires far greater resources than were necessary when it was merely a dependent province. The tribute then which it pays to us, being at least equal to what the Mogul Emperors derived from it, and neither its population nor produce, as we have already found reason to conclude, greater than in their time, it will follow that the inhabitants must now be more highly assessed than they were under their former rulers, not excepting even the usurpers. And if this state should pursue plans of offensive policy towards its neighbours, it might multiply beyond calculation its exigencies and dangers, and thus aggravate still more the disparity between its actual and preceding situation. It is indeed possible, as has been already observed, to render the country happier under our government than it ever was before; but after it had experienced so many convulsions, we need hardly look even for an equality, in the earlier unsettled stages of our management.

The time of which we now speak may be called a period of experiment. It is evident that with respect to the revenues, on the due regulation of which the ease of the people so much depended, the great desideratum was to fix a just standard for their amount, and to provide for the certain unoppressive realization of that amount. This was soon perceived; but there were various opinions concerning the best mode of attaining that, in the propriety of which all agreed, and whilst discussions were continued, current exigencies frequently decided. It can be no presumption to assert, that our first and main duty then was to establish a just and comprehensive system of domestic policy, to cherish our subjects, promote internal improvement, and according to the maxim recommended, and thence dignified, by Lord Clive, "to cultivate our garden."

The remote distance of the supreme directive seat of our authority was an obstacle to the settlement of wise plans of internal government. Persons at home could seldom act but upon transmitted information. Distrust produced hesitation. The constitution of the Company left the executive body without sufficient controul, and divisions weakened its energy. Official changes, both here and abroad, interrupted the progress of measures, and though the objects which ought to be pursued were understood, there was still uncertainty as to the sacrifices which might be hazarded in new attempts.

Such considerations as these may, probably, among others, have produced the legislative interference of 1773; by which a new constitution was given to the government of Bengal, and a majority of the members which were to compose it, sent from England, the rest being selected from the former administration. *A. D.* 1773.

Whatever may be the views which the conviction of the writer has led him to entertain of the affairs of this period, he will surely be pardoned in wishing to avoid, as far as can possibly consist with any fairness to his subject, the introduction of controversial topics, always unpleasant, upon an occasion like the present. Where he is led to notice events which come within that description, his aim will be to consider them, not with relation to the motives which may have produced them, or their intrinsic character, but to their influence upon the condition of the people of our eastern dominions, and as articles of a national account, between those possessions and this country. Instead then, of entering into the merits of the contests which soon arose in the new government of Bengal, we may be allowed to remark, that however well intended the institution of that government might be, it was at first unhappily compounded. Only upon the supposition of a coincidence of opinions respecting past as well as present measures, which from the circumstances of that institution seems not to have been expected, could dissentions have been thought avoidable; and if they should arise, as may more particularly have been apprehended, concerning former acts, a disapprobation of which must implicate the credit both of the preceding administration, and of those connected with it, a divided government and state were naturally to be looked for. That these consequences, proceeding from criminatory retrospections, and the utmost discordance of opinion upon various important ques-

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tions, did soon follow, is well known. And they produced unhappy effects upon the administration of affairs, upon the European service of the Company, and upon the people. The relief of the country was still suspended; and the failure of the first great measure adopted at home for this end, may have prevented a progress to others of executive and official regulation, probably at that time seen to be requisite, and subsequently included in the parliamentary provisions of 1784. Into the subjects of these we forbear to enter, although after all the candour and discrimination which would be solicitously exercised in treating of them, doubtless they would be found to discover a distinct source of pressure upon the country.

Hitherto, from the period of the revolution in 1757, we have not seen the English, on the side of Bengal, engaging in any offensive alliances or wars with the neighbouring country powers. The system recommended by Lord Clive and inculcated by the Company, was, to avoid schemes of conquest, and political intrigues with the native princes, improving our domestic state, and making ourselves respected for our moderation and good faith. Upon these principles, his Lordship and his Select Committee * had the magnanimity to restore to Shujah Dowlah the dominion of Oude, after victory had chastised an unprovoked aggression of that prince, and made
A. D. 1774. us the arbiters of his fate †. A deviation from this system began in 1774, having professedly for one object, the pecuniary advantage of the Company; and a much
A. D. 1778. wider departure from it was made in 1778, by carrying offensive war, with a view to the acquisition of territory, into the west of India. The long duration, the external effects, and the issue of this war, are sufficiently known. At home it plunged the government into a sea of military and political cares, that left little time or opportunity for the study and application of those protecting cherishing measures, which the state of the country required; it incurred an enormous expense, a heavy load of debt; and, when the public resources were greatly exhausted, to all these evils succeeded the attacks of Hyder Ali in the Carnatic, and a defensive war against him and the French, the support of which chiefly fell upon Bengal.

Such were the necessities to which our affairs were then reduced, that although we had before acquired a very forbidding experience of the farming system, a temporary recourse was again had to it in several districts, some of which were swept by the renters with a rigour that became afterwards a subject of public inquisition. Thus, notwithstanding the useful regulations begun in 1772, through errors or defects in carrying the designs then adopted into execution, through the effects of intestine divisions, fluctuating counsels, foreign wars, and real or conceived exigencies of government, added to its common cares, a series of twelve years past without the application of any effectual relief to the state of the country, without acting steadily and systematically upon the acknowledged necessity of fixing on just principles the extent of our demand upon the territorial possessions, and giving the people, once for all, rest and exemption from every species of arbitrary taxation.

About this time the legislature again interposed. The parliamentary regulations
A. D. 1784. of 1784 went upon principles well adapted to the correction of the evils which prevailed in our Indian governments and possessions, and to the invigoration of the authority of the home administration over them. If they established a new power in giving the state a controul respecting the affairs of India, they established new responsibility. But after all, it is to be acknowledged, that whatever laws may be enacted for the government of those distant dependencies, inhabited by a people so dissimilar to the European nations, the efficacy of those laws must ever essentially depend on the character of the persons to whom the execution of them is entrusted ‡.

The

* Consisting of Messrs. Sumner, Carnac, Verelst, and Sykes.

† In 1764 A time may perhaps come when it will seem less extravagant than it might now be thought, to insinuate, that it had possibly been well for us, notwithstanding the private wealth and even public subsidies derived from our connection with Oude, if we had to the present day adhered to the general spirit of Lord Clive's policy. The late war with Tippoo was a forced departure from the pacific system, and the ambition and perfidy of Indian powers may possibly expose us to new necessities of the same kind, until they are taught a better conduct, by our continued superiority and moderation. But this probable necessity of extending our conquests is one of the disadvantages attaching to our dominion in Hindostan, for the wider it spreads the more vulnerable we become. It was the unwieldiness of the Mogul Empire that accelerated its fall; the loss of distant provinces being the rise of new enemies, and loss of reputation also.

‡ If the sole object of this review were not to treat of measures immediately affecting the natives, an economical retrenchment made at this time in the different departments of the Bengal government, under Sir John Macpherson, would deserve to be introduced here with applause.

CHAP. I. *Introduction. British territorial Administration in The East.*

The fourth and last period of which it was intended to speak was now approaching, and brought with it a great and happy change for the natives of Bengal. Under the auspices of the parliamentary system just alluded to, administered at home with enlarged and upright views, and seconded abroad by the excellent conduct of Lord Cornwallis, the objects till then ineffectually proposed, have been fully attained. A new constitution has been established for the land tenures of Bengal, whereby hereditary property in them is secured, the tax payable by the proprietors to government is equitably and unalterably settled, industry and improvement are hence encouraged, and provision is made for the extension of the same encouragement, the same enjoyment of rights, to every inferior occupant of the soil. This is in effect the foundation of a constitution for the country, because the government is bound by it as well as the subject. Very essential reforms have also been made by his Lordship in the administration of justice. The office of supreme criminal judge remained still vested in the Nabob, represented by some Mussulman delegate, by whom the inferior courts were filled with mean retainers of his own, who paid for their places. Nothing can be conceived more defective, oppressive, and scandalous, than the administration of these persons. The country groaned under it, the government was reproached by it, yet reluctant to touch the remaining prerogative of the Nabob, it endured this evil long; but seeing no other measures of reform could prosper whilst such a source of flagrant abuse was tolerated, the good of the people at length absolutely demanded an interference, and the Nabob appointed the Company his delegates in the office of supreme criminal judge. The Governor General and Members of Council then took upon themselves the execution of this office. The chief criminal court was removed to Calcutta, the collectors in the districts were invested with the powers of magistracy, for the apprehension and confinement of delinquents. Courts of circuit for the trial of criminals were established in the principal divisions of the country, and filled with English judges selected from the most experienced of the servants of the Company. In a word, this great department, which was before made up of the vilest perversions of legal power, was composed anew, and filled with men of principle and ability, placed under the strongest responsibilities, and acting upon a system which was to carry the inspection and the dispensation of the laws regularly into every section of the country. Even Europeans in the districts were subjected to the authority of the provincial laws, and in civil affairs the Dewannee Court, properly so called, that is the court of the collector for the trial of revenue causes, was abolished: that officer was no longer allowed to judge where he was a party; but all revenue cases, as well as other civil suits, were to be referred to the civil judge of the district, who was to have no concern with the collections, but to be employed solely in the administration of justice; whereby delay in decisions, the consequence of divided attention, and a grievance almost equal to a denial of justice, would be prevented. To his court also, the commercial agents of the Company, who had been, in consideration of the nature of their business, exempted in some degree from the ordinary routine of court processes, were henceforth regularly to refer all matters of litigation occurring within their departments. The law, in a word, is now made the arbiter in all matters of property, even between the government and its subjects*. With regard to the rules by which justice was to be administered, the Hindoo and Mahomedan codes were in general to be the standard for the respective subjects of them, but tempered, in some instances where they are barbarous

Commencing in 1786.

* It is to be remembered, that nothing said here or elsewhere in this treatise respecting the administration of justice, has relation to the *Supreme Court of Judicature*, established by his Majesty at Fort William. That tribunal seems to have been instituted with two views; the first to answer more effectually the purposes for which the municipal court, called the *Mayor's Court*, had been established at Calcutta in the merely commercial times of the Company, namely, to administer justice to British subjects, and to all persons living under the British flag, the second to answer another purpose, which the acquisition of territory was thought to have rendered necessary, the affording of an asylum to the natives of the acquired provinces who might be aggrieved by the English. The jurisdiction of the Supreme Court therefore, now extends over all British-born subjects residing within the provinces, for all acts done by them against each other or against natives, it extends over some of the immediate native dependents of the English, and over such other natives as may by voluntary agreement, in any case submit themselves to it, and it extends also over all persons, of whatever nation, living within the limits of the English flag, as they were defined prior to our acquisition of territorial possessions. But the Judicial Courts, which the Mogul Emperors had established in those possessions, were continued after the transfer to the Company, and the regulation and controul of those Courts are now vested in the British government of Bengal, independent of the Supreme Court of Judicature, over them that Court has no power; to them only the natives of the provinces, not in the service of the English, that is to say, the great body of the people, are amenable, and it is of them only, and of the reforms made in them, that we all along here treat.

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barbarous and cruel, by the mildness of British sentiments, and improved in others which have relation to objects of political economy. "These codes," says Lord Cornwallis in his minute introductory of this great reform, "are still in force, as far "as regards religious tenets, marriage, caste, inheritance, and some other points."

Thus by the measures of his Lordship's administration, important rights of property, never before enjoyed, and a meliorated legal constitution, really adequate to the protection of those rights, have been conferred upon our Asiatic subjects in Bengal.

Nor are these the only grand events by which the government of Lord Cornwallis has been marked as a providential blessing, and has become an epoch to that country. He has given a new tone, a new principle of purity and vigour to the British administration there; order and economy, integrity and zeal, pervade all its departments; for, exhibiting in his own conduct an example of equity on the part of government, he has been solicitous that all inferior authorities should follow it; and no where, it may be safely affirmed, throughout his Majesty's dominions, has public business been transacted, so far as the civil servants of the Company are concerned, with more public principle than in Bengal, under the influence of the spirit and the conduct of that illustrious nobleman. Distinguished among many other valuable qualities by good sense and magnanimity, which enable him with ease to meet the most trying exigencies, yet capable of descending to the smallest concerns, acquainted himself with all affairs and with the officers employed in them; by his intelligence and the uprightness of his own character he has overawed corruption, and by kind conciliating manners, flowing from a generous and modest mind, has produced, in the midst of a system of reform, attachment both to himself and to that system.

It would be easy and gratifying, if it came within the scope of this essay, to dilate upon other parts of his Lordship's character; his justice and good faith towards the Indian powers, his atchievements in war, and his moderation in victory: but it may suffice to say, that whether we look to his internal administration or to his foreign policy, to his talents for civil government or for military affairs, to his conduct towards the Natives or Europeans, towards enemies or friends, we must rejoice that such an example of character, and of British character, has been displayed to the inhabitants of the East. Let it not then be imagined that any remarks which are made in the following pages are intended to derogate, or can justly be conceived to derogate from the merit of his administration. Even had there been any grounds which could give colour to such an attempt, one who can neither speak of his government, nor of himself without sentiments of respect and attachment, would have been among the last to engage in it.

It will now be fit to advert to the other Indian possessions held by the Company in full property; and after what has been said, a very brief notice of their state will be sufficient. Benares, which is completely incorporated with our dominions on the Ganges, has received the full benefits of the improvements made in Bengal. The Northern Circars have continued, until very lately, in a situation similar to that of Bengal under the second period of our management, and have suffered extremely from the mal-administration of the natives. The Bengal system, as nearly as it can be adapted to them, is, we understand, intended to be established in them and in the Company's jaghire lands, which have been more under European inspection. The same system, we may presume, will also, as speedily as possible, be extended to our newly acquired lands in the Carnatic and on the Malabar Coast.

If after this review, in which it will not be asserted that any excess of colouring has been employed, we proceed to form an estimate of the general effect of our early conquests, upon the state of the countries and the happiness of the subjects acquired by them, however we may be inclined to avoid censuring individuals, we can hardly fail, on the whole, to admit some humiliating conclusions. The history of our rule in Bengal is in great part a history of our own errors, or of the abuses public and private of power derived from us; and the brightest portion of our administration there, is that which has been employed in applying remedies to the political diseases, which either have arisen, or become more inveterate, in the country, in our time. Our accession to the government of it has been productive of prodigious changes; and if we take the result of them for thirty years together, from the elevation of Mhir Jaffier, we shall be compelled to allow, that at the end of that long period, the country and the people were not in so good a condition as that in which we found them. Doubtless the ravages of the famine greatly reduced the cultivation for a time,

time, as well as the number of inhabitants, which will account for a decrease of the national revenue, but not for decay in the circumstances of surviving individuals, either of the poorer sort or middle classes; because the natural effect of great depopulation was rather to enhance the value of labour and lessen the cost of subsistence, as also to leave the field of traffic in fewer hands.

Persons who remember the state of the country in the beginning of 1769 and in 1787, (the thirtieth year of the revolution,) think that it exhibited more appearance of opulence at the former period than at the latter; and it is clearly acknowledged in the Bengal records, not only that the country declined considerably in the twelve years anterior to 1769, but that various causes of its decline continued to operate after the calamity of the famine, though perhaps with less activity*. It will likewise be granted, that the wars in which we were engaged subsequent to that event, were unfavourable to internal prosperity, and whatever may be urged in vindication of our governments, as to the grounds on which they were undertaken, yet with respect to wars of offence, not even a remote necessity or interest of the people of Bengal, can be pleaded for making that people parties in them.

But exclusive of all local mismanagement, the nature of that subjection in which Bengal is placed to this country, will alone account for a wonderful change in its internal state. All the offices of trust, civil and military, and the first lines of commerce, are in the hands of foreigners, who after a temporary residence remove with their acquisitions in constant succession. The government is foreign. Of *native* rulers, even the *rapacious* exactions went again into circulation, and the tribute formerly paid to Delhi, passing chiefly by the medium of private commerce, when a general communication throughout the empire gave Bengal great advantages, was little felt. But the tribute paid to us extracts every year a large portion of the produce of that country without the least return. It may not perhaps be too much to say, that in the thirty years following the acquisition of the Bengal provinces, this nation, by public and private channels, derived from them alone, exclusive of its other Eastern dependencies and of the profits of goods remitted, fifty millions sterling.

These observations and the review which precèdes them, are intended forcibly to impress upon the mind, the sense of those peculiar obligations under which we lie to the people of our Asiatic territories, on account of the benefits we draw from them, the disadvantages they have suffered, and must still in certain ways suffer from their connection with us, and the relation in which they stand to us as our subjects. True, we have corrected abuses in the internal government of these possessions, we have encouraged our Hindoo subjects, we have at length given to them the secure enjoyment of property, both inherited and acquired. All these events were most desirable and important, and to accomplish them was a work singularly arduous. But does nothing further remain to be done? In decreeing that our subjects shall be delivered from oppression and injustice, in setting an equitable limit to our own demands, and in establishing rights of property never well ascertained nor respected before; have we done all that the circumstances of the Hindoos require, all that is incumbent upon us as rulers? That by many this inquiry has not been seriously made, nor our obligations deeply considered, may be ascribed to several causes. There is a description of persons to whom the whole subject of India is confused and obscure. They know not what to believe or conclude; and a few there have been, who with very good meaning have thought of eluding all difficulties by giving back our territories to the natives, not reflecting that we should thus abandon them to new distractions, to adventurers of less pretensions than ourselves, and most probably to a rival European power. No, we cannot now renounce them without guilt, though we may also contract great guilt in the government of them.

It was long before our acquisitions in India, even those provinces which we professedly held in perpetuity, came to be regarded here as permanently our own. A secret idea of their insecurity prevailed, and our conduct towards them was perhaps influenced by this apprehension. We were eager to acquire, but slow to cherish. A better acquaintance with their natural and political advantages, and the experience of thirty years passed under trying vicissitudes, have now established an opinion,

* See the letters of Governor Verelst and Mr. Beecher, in 1769, in the Appendix to Verelst's View of Bengal; in Mr. Francis's Original Minutes, page 100; and Bolt's Considerations, Vol. III. page 199. See also Lord Cornwallis's Letter to the Court of Directors of August 2d, 1789.

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opinion, not only of the practicability of maintaining them, but with many, a confidence approaching to presumption that they cannot be lost. Were we indeed to become secure in this notion, it would be one of our greatest dangers. We are no doubt internally strong, especially in Bengal, and whilst we retain our superiority at sea, we have a peculiar and essential advantage over all enemies, European or Indian. But we ought still to remember that Hindostan is the region of revolutions. A few more successful turns in Benares on the part of so inferior a chief as Cheyte Sing*, would have put all Bengal in commotion. We ought also to remember how much the authority of a handful of strangers depends on *opinion*. To reduce the sources of prejudice against us, and to multiply impressions favourable to us, by assimilating our subjects to our modes of thinking, and by making them happy, and teaching them to understand and value the principles of the people who confer happiness upon them, may be some of the surest means of preserving the footing we have acquired. Under the influence of their original notions, it is impossible they can regard any foreign yoke with a greater degree of predilection than may arise from their deeming it preferable to some other foreign one.

It is indeed no uncommon idea among us, that our only duty towards our Hindoo subjects is to protect them from oppression, and that doing this, the more we "leave them to themselves" the better. But to evince that this vague hypothesis, like some others which have a currency on Indian subjects, must have been hastily adopted from its show, without serious examination, it may be sufficient to observe, that the code of the Hindoos, which they regard as divine, and which establishes not only principles but a multitude of positive minute laws, all held to be immutable, has received no addition for many ages; and as in all societies and affairs of men, the course of time must produce many changes, many new circumstances and combinations, which will require a succession of legal provisions, a code formed in an early stage of society in many respects rude, can never be adequate to the exigencies of all future generations. "These codes," (the Hindoo and Mahomedan) says Lord Cornwallis in the minute before quoted, "are in many respects inapplicable "to the internal government of the country." The Institutes of Menu seem to leave a latitude to the sovereign (who was to be of the kheteree or military caste), with the advice of his Brahmins, to make new regulations according to occurrent necessities. But the Hindoos with whom we have chiefly to do, have had no sovereign of their own faith for many centuries; nor is it to be supposed that their original code has hitherto proved sufficient, even in causes between parties; for the institutions, or personal decisions of their Mahomedan conquerors, must have superseded an appeal to it in many cases. And there is reason to believe that the Hindoo rajahs, whom those conquerors found in possession of the provinces which had before formed a Hindoo empire, as lately they formed the empire of the Moguls, dispensed justice in cases not provided for by the code, according to their own discretion, by a summary verbal process and decision; a practice† not unusual with rulers in Hindostan, which tended however to derogate from the dignity of the courts of justice, and may account in part for our meeting with no ancient judicial records or precedents. From these considerations then it may be concluded, that when the state of society among the Hindoos calls for any new provision, it must be proper and even necessary for us to interfere.

But not to pursue these incidental discussions, since we treat our Indian possessions as permanent and consolidated parts of the British empire, and the impolicy of governing them on any other principle, even if the tenure were uncertain, is well understood, doubtless we stand charged with the duties resulting from a permanent relation: and surely a relation of so serious a nature cannot fail to be productive of numerous duties. It must involve in it various points highly important to the happiness of our subjects, and therefore various corresponding obligations.

If we have appropriated those territories in perpetuity to ourselves, if we have assumed the sovereign dominion of them, if we apply a large portion of their annual produce to the use of Great Britain, if we are avowedly resolved to maintain our possession by arms against all pretensions, foreign or local; if by these measures, as well as by specific declarations, we show that we regard the inhabitants as exclusively and absolutely our subjects,—all the duties of rulers must be incumbent upon us. We

* *A. D.* 1781.

† The Brahmins, in countries under foreign rulers, are often made referees; but from their general character are little competent, excepting in cases respecting caste.

CHAP I.
Introduction: British territorial Administration in The East.

We are not only concerned to free the people placed under our dominion from evils connected with taxation, such as feudal oppressions and official abuses, which may be termed extraneous grievances, but to look into evils and disorders which arise among themselves, which prevail in their society, and destroy their peace; to enact and enforce wholesome laws for their internal regulation, and in a word, with the affection of a wise and good superior, sedulously to watch over their civil and social happiness. No laboured argument drawn from the nature of government, is necessary to prove this position; the consideration which has been just adverted to, seems naturally to establish it; nor could it ever suit the principles of this nation to hold the Hindoos under its power as slaves, whose labours are exacted without a due return of benefits. Besides, such a system would soon defeat its own end, by reducing the value of the subjugated country. It is a truth perfectly obvious, that our own interest recommends the happiness of that people. The primary object of Great Britain, let it be acknowledged, was rather to discover what could be obtained from her Asiatic subjects, than how they could be benefited. In process of time it was found expedient to examine how they might be benefited, in order that we might continue to hold the advantages which we at first derived from them; and now when we have wisely and for ever fixed a limit to our demand upon them, duty calls upon us to accomplish the remainder of our progressive work, and to exert that solicitude for the gradual improvement of their condition in all points wherein it is still capable of amendment, which is due to them as useful subjects and as fellow creatures, whose happiness is committed to our care.

To elucidate some of those points which thus demand our attention, and to suggest such means of melioration as we may with safety use, is the design of the ensuing pages; in which the method of proceeding shall be; first, to give a view of the present state of our Hindoo subjects with respect to society and morals, illustrated by authentic documents; secondly, to enquire into the causes which have produced that state; and thirdly, to propose remedies for the evils of it, with answers to such objections as are likely to be made to the plan which shall thus be offered to consideration.

CHAP. II.

View of the State of Society among the Hindoo *Subjects of* Great Britain, *particularly with respect to Morals.*

CHAP. II.
View of the Morals of the Hindoo Subjects of Great Britain.

IN prosecuting the proposed inquiry, the state of society and manners among the people of Hindostan, and more particularly among those who inhabit our territories, becomes in the first place a special object of attention. It is an object which perhaps has never yet received that distinct and particular consideration, to which from its importance in a political and moral view, it is entitled.

It has suited the views of some philosophers to represent that people as amiable and respectable; and a few late travellers have chosen rather to place some softer traits of their characters in an engaging light, than to give a just delineation of the whole. The generality however of those who have written concerning Hindostan, appear to have concurred in affirming what foreign residents there have as generally thought, nay, what the natives themselves freely acknowledge of each other, that they are a people exceedingly depraved.

In proportion as we have become better acquainted with them, we have found this description applicable, in a sense beyond the conception even of former travellers. The writer of this paper, after spending many years in India, and a considerable portion of them in the interior of our provinces, inhabited almost entirely by natives, towards whom whilst acknowledging his views of their general character, he always lived in habits of good will, is obliged to add his testimony to all preceding evidence, and to avow that they exhibit human nature in a very degraded humiliating state, and are at once, objects of disesteem and of commiseration. Discriminations in so vast a body as the whole Hindoo people, there must be; though the general features are very similar.

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Among that people, the natives of Bengal rank low; and these as best known and forming the largest division of our Asiatic subjects, are held more particularly in view in this essay. The Mahomedans who are mixed with them, may, in regard to manners and morals, often be comprehended under the same observations; but something distinct shall afterwards be subjoined concerning them.

Of the Bengaleze then, it is true most generally that they are destitute, to a wonderful degree, of those qualities which are requisite to the security and comfort of society. They want truth, honesty, and good faith, in an extreme, of which European society furnishes no example. In Europe those principles are the standard of character and credit; men who have them not are still solicitous to maintain the reputation of them, and those who are known to be devoid of them sink into contempt It is not so in Bengal. The qualities themselves are so generally gone, that men do not found their pretension in society upon them; they take no pains to acquire or to keep up the credit of possessing them. Those virtues are not the tests by which connections and associations are regulated; nor does the absence of them, however plain and notorious, greatly lower any one in public estimation, nor strip him of his acquaintance. Want of veracity especially, is so habitual, that if a man has truth to defend, he will hardly fail to recur to falshood for its support. In matters of interest, the use of lying seems so natural, that it gives no provocation, it is treated as an excusable indulgence, a mode of proceeding from which general toleration has taken away offence, and the practice of cheating, pilfering, tricking, and imposing, in the ordinary transactions of life are so common, that the Hindoos seem to regard them as they do natural evils, against which they will defend themselves as well as they can, but at which it would be idle to be angry. Very flagrant breaches of truth and honesty pass without any deep or lasting stain. The scandalous conduct of Tippoo, in recently denying to Lord Cornwallis, in the face of the world, the existence of that capitulation* which he had shamefully broken, was merely an example of the manners of the country, where such things occur in common life every day.

In the worst parts of Europe, there are no doubt great numbers of men who are sincere, upright, and conscientious. In Bengal, a man of real veracity and integrity is a great phenomenon; *one conscientious in the whole of his conduct*, it is to be feared, is an unknown character. Every where in this quarter of the globe, there is still much generous trust and confidence, and men are surprised when they find themselves deceived. In Bengal, distrust is awake in all transactions; bargains and agreements are made with mutual apprehensions of breach of faith, conditions and securities are multiplied, and failure in them excites little or no surprise.

A serious proposal made to a native, that he should be guided in all his intercourses and dealings by the principles of truth and justice, would be regarded as weak and impracticable. "Do you know," he would reply, "the character of all those with "whom I have to act? How can I subsist if I take advantage of nobody, while "every person takes advantage of me?" Frauds, deceptions, evasions, and procrastinations, in every line of life, in all professions, perpetually occur, and forgeries also are often resorted to with little scruple.

If confidence is from necessity or credulity at any time reposed, it is considered by the other party as the season of harvest. Few will omit to seize such an opportunity of profit. The chief agent or steward of a landholder, or of a merchant, will commonly endeavour to transfer to himself what he can gradually purloin of the property and the influence of his principal; this agent is in the mean time preyed upon in a similar way, though on a smaller scale, by his dependents, especially if prosperity has rendered him less vigilant. But suppose him, by a slow, silent, and systematic pursuit, to have accumulated a large fortune, and to leave it on his death to his son; the son, rich and indolent, is in turn imperceptibly fleeced by his domestic.

Menial servants who have been long in place, and have even evinced a real attachment to their masters, are nevertheless in the habitual practice of pilfering from them. If a nephew is entrusted by an uncle, or a son by his father, with the management of his concerns, there is no certainty that he will not set up a separate interest of his own. Wardships and executorships, trusts of the most necessary and sacred kind, which all men leaving property and infant children must repose in surviving

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Through the influence of similar principles, power entrusted to a native of Hindostan seldom fails of being exercised tyrannically, or perverted to the purposes of injustice. Official, or ministerial employments of all sorts, and in all gradations, are generally used as means of peculation.

It has already appeared that the distribution of justice, whenever it has been committed to natives, whether Hindoos or Mahomedans, has commonly† become a traffic in venality; the best cause being obliged to pay for success, and the worst having the opportunity of purchasing it. Money has procured acquittance even for murder. Such is the power of money, that no crime is more frequent, hardly any less thought of, than perjury. It is no extraordinary thing to see two sets of witnesses swearing directly contrary to each other, and to find, upon a minute investigation, that few probably of the evidences on either side have a competent knowledge of the matter in question. Now as these corruptions begin not in the practice of the courts of law, but have their origin in the character of the people, it is just to state them in illustration of that character; for although the legal reforms introduced by Lord Cornwallis will purify, it may be hoped, the fountains of justice, yet the best administration of law will not eradicate the internal principles of depravity.

Selfishness, in a word, unrestrained by principle, operates universally; and money, the grand instrument of selfish gratifications, may be called the supreme idol of the Hindoos. Deprived for the most part of political power, and destitute of boldness of spirit, but formed for business, artful, frugal, and persevering, they are absorbed in schemes for the gratification of avarice.

The tendency of that abandoned selfishness is to set "every man's hand against every man," either in projects, or in acts of open force. From violence however, fear interposes to restrain them. The people of the lower provinces in particular, with an exception of the military caste, are as dastardly as they are unprincipled. They seek their ends by mean artifices, low cunning, intrigue, falshood, servility, and hypocritical obsequiousness. To superiors they appear full of reverence, of humble and willing submission, and readiness to do every thing that may be required of them; and as long as they discern something either to expect or to fear, they are wonderfully patient of slights, neglects, and injuries. But under all this apparent passiveness and meanness of temper, they are immoveably persisting in their secret views. With inferiors, they indemnify themselves by an indulgence of the feelings which were controuled before; and towards dependents, especially towards those whom an official situation subjects to their authority, they carry themselves with the mean pride of low minds. In the inferior, and by far the most numerous class of the community, where each man is nearly on a level with his neighbour, the native character appears with less disguise. The passions have a freer range, and new consequences are seen to result from the absence of the primary virtues of society. Discord, hatred, abuse, slanders, injuries, complaints, and litigations, all the effects of selfishness unrestrained by principle, prevail to a surprising degree. They overspread the land, they come perpetually before all men in authority. The deliberate malice,

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† There may be exceptions; Ibrahim Ali Khan of Benares is reckoned a man of probity.

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malice, the falshood, the calumnies, and the avowed enmity with which the people pursue each other, and sometimes from father to son, offer a very mortifying view of the human character. No stranger can sit down among them without being struck with this temper of malevolent contention and animosity, as a prominent feature in the character of the society. It is seen in every village, the inhabitants live among each other in a sort of repulsive state, nay it enters into almost every family. Seldom is there a houshold without its internal divisions, and lasting enmities, most commonly too on the score of interest. The women partake of this spirit of discord. Held in slavish subjection by the men, they rise in furious passions against each other, which vent themselves in such loud, virulent, and indecent railings, as are hardly to be heard in any other part of the world.

Though the Bengaleze in general have not sufficient resolution to vent their resentments against each other in open combat, yet robberies, thefts, burglaries, river piracies, and all sorts of depredations where darkness, secrecy, or surprize can give advantage, are exceedingly common, and have been so in every past period of which any account is extant. There are castes of robbers and thieves, who consider themselves acting in their proper profession, and having united their families, train their children to it. No where in the world are ruffians more adroit or more hardened. Troops of these banditti, it is well known, are generally employed or harboured by the zemindars of the districts, who are sharers in their booty. They frequently make attacks in bodies, and on those occasions murder is very common. But besides these regular corps, multitudes of individuals employ themselves in despoiling their neighbours. Nor is it only in large and populous places and their vicinity, that such violences are practised; no part of the country, no village is safe from them. Complaints of depredations in every quarter, on the highways, on the water as well as the land, are perpetual. Though these are the crimes more immediately within the reach of justice, and though numbers of criminals have been, and are executed, the evils still subsist. Doubtless the corrupt administration of criminal justice in Bengal, for many years under the authority of the Nabob, has greatly aggravated disorders of this nature; but they have their origin from remoter springs. Robbers among the Hindoos, and frequently thieves also, are educated from their infancy in the belief that their profession is a right one. No ray of instruction reaches them to convince them of the contrary, and the feeble stirrings of natural conscience are soon overborne by example and practice. Besides this, they hold, in common with other Hindoos, the principle of fatalism, which in their case has most pernicious effects. They believe that they are destined by an inevitable necessity to their profession, and to all that shall befal them in it; they therefore go on without compunction, and are prepared to resign life, whenever the appointed period shall come, with astonishing indifference; considering the law that condemns them, not as the instrument of justice, but as the power of a stronger party. And here again it is evident, that a radical change in principle must be produced, before a spirit of rapine, thus nourished, can be cured.

Benevolence has been represented as a leading principle in the minds of the Hindoos; but those who make this assertion know little of their character. How is it possible that benevolence should be vigorous where justice, truth, and good faith are so greatly wanting? Certain modes indeed of distributing victuals to mendicants, and a scrupulous abstinence from some sorts of animal food, are prescribed by the religion of the Hindoos. But the ostentatious distribution is frequently commutative; an offering from the gain of iniquity bestowed on idle and sturdy priests. And though a Hindoo would shrink with horror from the idea of directly slaying a cow, which is a sacred animal among them, yet he who drives one in his cart, galled and excoriated as she often is by the yoke, beats her unmercifully from hour to hour, without any care or consideration of the consequence. Though therefore the institution of the two practices in question, may be urged as an argument for the originally benevolent turn of the religion which enjoined them, it will not at all follow that individuals, who in future ages perform them in obedience to that religion, must also be benevolent; and he who is cruel even to that creature for which he is taught by his religion to entertain the highest reverence, gives the strongest proof of an unfeeling disposition. It is true that in many cases they are strict in observing forms. These are indeed their religion, and the foundation of their hopes; their castes are implicated in them, and in their castes their civil state and comfort. But of the sentiments which the forms would seem to indicate, they are totally regardless.

Though

Though from the physical structure of their bodies they are easily susceptible of impressions, yet that they have little real tenderness of mind, seems very evident from several circumstances. The first that shall be mentioned is the shocking barbarity of their punishments. The cutting off legs, hands, noses, and ears, putting out of eyes, and other penal inflictions of a similar kind, all performed in the coarsest manner, abundantly justify our argument.

A similar disposition to cruelty is likewise shown in their treatment of vanquished enemies. And in general a want of sensibility for others is a very eminent characteristic of this people. The apathy with which a Hindoo views all persons and interests unconnected with himself, is such as excites the indignation of Europeans. At any rate his regards extend but to a very narrow circle. Patriotism is absolutely unknown in Hindostan.

These observations lead us to another striking proof of want of benevolence in the Hindoos; namely, their deficiency of natural affection. It is admitted that examples are not very uncommon of parents who show much tenderness to their children, especially during their infancy; but instances on the other side are so general, as clearly to mark the dispositions of the people. The following fact is one out of many, by which this assertion might be justified. In the scarcity of grain which prevailed about Calcutta in the year 1788, a gentleman then high, now still higher in office there, ordered his servants to buy any children that might be brought for sale, (for in times of dearth Hindoo parents frequently sell their offspring,) and to tell their mothers, that when the scarcity should be over, they might come again and receive their children back. Of about twenty thus humanely preserved, most of whom were females, only three were ever enquired for by their mothers. The scarcity was neither extreme nor long. The unnatural parents cannot be supposed to have perished from want, for each received money for her child, and by the liberal contribution of the inhabitants of Calcutta, and chiefly of the Europeans, rice was distributed daily to multitudes at various stations about the city. And yet notwithstanding this facility of obtaining food, a woman was at that time seen, in broad day, to throw away her infant child upon the high road. Most of the slaves in Hindostan (where they are used only for domestic services) have lost their freedom by the act of their parents. If the necessity is such at times as to lead to this expedient, is it not also an occasion to call forth the warmth of parental affection? Filial and paternal affection appear equally deficient among them; and in the conjugal relation, the characteristic indifference of the people is also discernible among those who come most within the sphere of European observation, namely, the lower orders.

The domestic state of the better ranks is more concealed from general view; but from the knowledge which is acquired, and from the peculiar usages by which marriage is governed among the Hindoos, we have no reason to believe that it is often sweetened by generous attachment or rational enjoyment. The parties betrothed by their parents whilst mere children, transplanted, with minds uncultivated and inexperienced, from the maternal zenana* into one of their own, united whilst reason is still in its infancy, can give little more account of the situation in which they find themselves than animals of a lower species. Affection and choice have had no influence in this connection, nor does it often happen that the former is studied and improved. The parties continue passive under that law which first brought them together. According to the despotic manners of the East, the husband is lord, and the wife a servant; seldom does he think of making her a companion or a friend. Polygamy, which is tolerated among the Hindoos, tends still more to destroy all rational domestic society. The honour of the family, and the preservation of its caste, the most awful of its concerns, depends on the reputation of the wife. She is secluded from all eyes but those of her nearest relations, and the most terrifying and disgraceful punishments are held out against misconduct. From so early an union, and such subsequent care, Europeans may suppose that order and decorum reign in the Hindoo zenanas; but the conclusion is founded on conjecture, rather than upon actual knowledge. The profound reserve and caution observed by the men in their conduct, and even in their conversation, respecting their family connections, keep all foreigners at a distance; and it is to the honour of the English, that there is perhaps no instance of their attempting an invasion of the domestic recesses of the Hindoos. But those who have an opportunity of living among the natives in the interior of the country,

* The private apartments of the women.

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country, see reasons for apprehending that the purity of the female character is not always so well preserved in reality, as in appearance.

In a residence of several years entirely among the natives, the present writer heard so many charges of irregularity, and saw so many disorders among the inferior ranks, that he could not but believe the existence of a gross laxity of behaviour and principle in this great branch of morals, in some degree at least reaching to the better classes. But the disgrace and loss which follow to the family from the proof of dishonour in the wife, are such as to induce the parties concerned to hush up all matters of that sort, and to take their revenge in some secret way; they will seldom seek redress openly, unless the affair has already become notorious. Accusations by others of such contaminations in families, are very common among the lower Hindoos, and scandals of the same kind pass among the higher orders. Enmity, it is true, may be supposed to have its share in these charges; it may occasionally fabricate them, and is undoubtedly active in bringing them forward; but that it should always invent them, and should persevere in a succession of inventions which experience was ever ready to discredit, is not to be conceived. The truth is, the Hindoo writers, and the Hindoo laws, express the worst opinion of their women, and seem to place all security in vigilance, none in principle. And indeed what fund of principle can minds which have received no improvement in education, and in which reason as yet has hardly begun to act, carry into a premature and unchosen conjugal relation? a relation, the early commencement of which, is probably to be ascribed to the apprehension of parents for the conduct of their children. Imperious dominion, seclusion and terror, are the means afterwards used, to enforce the fidelity of the wife. But opportunities of guilt are not wanting. In the hours of business, men are generally at a distance from the retirements of the women; they are often, and for considerable periods, far from home; females, who are the great instruments of corrupting their own sex, are permitted access to the zenanas; besides the Hindoo law allows women to converse with Soneassees, a set of vagrant devotees, some of them most indecent in their appearance. The consequences are such as might be expected.

It is not however asserted or believed, that the infection of depravity has overspread the whole mass of females, many of whom, doomed to joyless confinement through life, and a violent premature death, are perhaps among the most inoffensive and suffering of the Hindoo race. As to the men, they are under little restraint from moral considerations. The laws of caste impose restrictions and fines for offences of the nature in question, so far as *that distinction* is concerned, but leave great scope for new connections, and for promiscuous intercourse, which is matter of little scruple or observation. Receptacles for women of infamous character are everywhere licensed, and the women themselves have a place in society. The female dancers, who are of this order, make the principal figure in the entertainments of ceremony given by the great. Indecency is the basis of their exhibitions; yet children and young persons of both sexes are permitted to be present at these shows, which have admittance even into the principal zenanas*. Licentious connections are therefore most common, though subsisting apparently without that intoxication of passion which hurries on the mind against conviction, and carried on without much concealment, nay almost with the insensibility of brutes. On such points, the Hindoos seem to advert to no rule except what the law enjoins; there is no sentiment, diffused at large through society, which attaches shame to criminality. Wide and fatal are the effects of this corruption of manners; a corruption not stopping here, but extending even to the unnatural practices of the ancient Heathens, though in these the Mahomedans are still more abandoned.

Europeans who not having *resided* in Asia, are acquainted only with a few detached features of the Indian character, may possibly feel some doubt whether this sketch, which professes to trace but the greater and more palpable lines, is to be received as a sober and faithful representation. They will reason concerning the Hindoos from what they have seen of human nature elsewhere; and it is unquestionably true, even that part of Europe which is most corrupt, offers no such picture as that which has been drawn in the preceding pages. They may be staggered too by having heard many discordant opinions on this very subject. For some modern philosophers already hinted at, whose aim has been to subvert, together with revealed religion, all ideas

* Lord Cornwallis, soon after his arrival in Bengal, refused to be present at an entertainment of this sort, to which he was invited by the Nabob.

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ideas of the moral government of the Deity, and of man's responsibility to him, have exalted the natives of the East, and of other pagan regions, into models of goodness and innocence. Other writers, with far better views, indignant at the alledged delinquencies of Europeans in Hindostan, have described the natives of that country as a harmless, kind, peaceable, and suffering race. Others again, speak rather from an admiration inspired by the supposed past state of the Hindoos, mixed with pity for their present situation, than from experience of their actual qualities and dispositions. And there may be others still, who have not had much personal experience of the evils resulting from the state of society among the Hindoos, but being pleased with their obsequiousness, and easily acquiescing in the licenciousness prevalent among them, have been willing to treat of their character and proceedings with indulgence. The doubts, however, arising from these sources, will it is hoped, be entirely removed by the corroborating testimonies now about to be produced.

It is indeed true, that travellers are apt to form their opinions of countries and of nations from what they have themselves happened to see; and it is also to be remembered, that of the many Europeans who have visited India, especially in later times, the opportunities, the means, and perhaps the desire, of information, have been very different. We may all be sensible that more accurate observation, and mature experience, often correct the first impressions we receive, even of European countries or places new to us; and that it is no easy work to attain to a just and comprehensive knowledge of the character of any people. Whilst an European, deriving a superiority from his race, or from the station he is appointed to fill, regards only in a distant speculative way the effeminate exterior, adulatory address, and submissive demeanor of the Hindoos, he naturally enough conceives them to be a people in whom the mild and gentle qualities predominate. He is apt to consider them with a mixture of complacency and contempt; and even the bad dispositions towards each other, which he soon discovers to exist in them, he may view with feelings analogous to those which the petty malignity of children, or of beings of a diminutive species, might excite. But let him enter into dealings with them, let him trust them, or become in concerns of importance dependent on them; let him in short by these, or any other means, come more upon a level with them, and he will then learn better to appreciate their real character. Let it therefore be recollected, that as members of the same community they always stand, in many respects, on such a level with each other, suffering continually from mutual injuries; and that it is in thus viewing them, in considering not so much the mischiefs which they can do to us, as the evils which they diffuse through their own society, that we shall assign to them their true place in the moral scale. Whether that is done here, shall therefore be chearfully left to the determination of those who have had a long residence among them, and extensive dealings with them. It is believed, that no person of this description will think the picture now given, adds fictitious features, or aggravates real ones*.

It will not however be understood, that what is here advanced generally, is to be applied to the utmost extent to every individual, and every transaction; it is the universality of great depravity that is here insisted on,—a general moral hue, between which, and the European moral complexion, there is a difference, analogous to the difference of the natural colour of the two races.

There is a standard to which, for the elucidation of this subject, we may largely appeal,—the records of the East-India Company, which contain an immense collection of facts respecting the Hindoos, and relating to various subjects, political, judicial, financial, and commercial. Those records, less frequently profess to treat of character and common life, than of matters of business; but it continually happens, that they incidentally develope the principles and conduct of the Hindoos, and that in a more convincing way than if the primary object had been to describe them.

Nor

* It may be proper to remark, that the features here delineated, are taken from the Hindoo character as it generally exists in civil life. Those gentlemen who have passed their time chiefly in our Indian armies, may not have seen it with exactly the same aspects. The military caste of the Hindoos have a portion of those qualities which usually accompany the profession of arms; better pay, better treatment, and our high reputation in war, make it their interest to attach themselves to our service; they are withdrawn from many of the collisions of civil affairs, and they are under the powerful control of military discipline, which, with the habits of military life, must throw a perceptible distinction into their character, at least while they remain embodied in our employ; but when they retire and separate, they assimilate more to the rest of their countrymen.

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Nor do they contain the mere representations of Europeans, who might be suspected of a tincture of partiality in this case, but the natives are themselves brought upon the stage, and heard concerning each other. These records will be found abundantly to substantiate all that is here advanced.

To introduce a great variety of quotations from so copious a source, (as numerous as they must be, to do justice to the subject,) is not within the compass of the brief exposition here intended; but after having previously stated the opinion of an intelligent traveller, who observed the manners of the Hindoos in the last century, we shall select a few extracts, containing the sentiments of persons of distinguished information and respectability, writing at different periods, without any concert with each other, and under no temptation to depreciate the people of whom they speak.

BERNIER, about 1670.

" Ces sortes de rois barbares n'ont *aucune véritable générosité*, et *ne sont guères* " *retenus par la foi qu'ils ont promise*, ne regardant qu'à leurs intérêts présens, sans " songer mêmes aux malheurs qui leur peuvent arriver de leur perfidie, et de leur " brutalité.

" Pour se tirer de leurs mains, il faut être ou le plus fort, ou n'avoir rien qui " puisse exciter leur avarice."

" Je ne sai s'il y a au monde, *une nation plus âvare et plus sordide que celle-là.*"

" Les Brahmens entretiennent ces peuples dans ces erreurs et superstitions, et *passent même jusques à des fourberies et à des vilainies si infâmes*, que je ne les aurois jamais pû croire, si je ne m'en étois pleinement informé*."

MR. SCRAFTON, 1759.

" The Gentoos *are found still more cruel and rapacious than their foreign masters*, " and what is more extraordinary, *the Brahmens still exceed the rest in every abuse* " *of power*, and *seem to think if they bribe God, by bestowing part of their plunder* " *on cows and faquirs, their iniquities will be pardoned.*"

" *Loyalty* and *patriotism*, those virtuous incentives to great and noble actions, *are here unknown*; and when they cease to fear they cease to obey."

" Such of the *Brahmens* as engage in the world, *are generally the worst of all the* " *Gentoos; for persuaded that the waters of the Ganges will purify them from their* " *sins, and being exempted from the utmost rigour of the courts of justice* under the " Gentoo government, *they run into the greatest excesses*†."

GOVERNOR HOLWELL, about 1760.

" A race of people, who from their infancy *are utter strangers to the idea of com-* " *mon faith and honesty.*"

" This is the situation of the bulk of the people of Indostan, as well as of the " modern Brahmins; amongst the latter, if we except one in a thousand, we give " them over measure."

" *The Gentoos in general, are as degenerate, crafty, superstitious, litigious, and* " *wicked a people, as any race of people in the known world, if not eminently more so,* " *especialy the common run of Brahmins*; and we can truly aver, that during almost " five years that we presided in the Judicial Cutchery Court of Calcutta, *never any* " *murder or other atrocious crime came before us, but it was proved in the end a* " *Brahmin was at the bottom of it.*"‡

LORD CLIVE, 1765.

" The inhabitants of this country we know by long experience, *have no attach-* " *ment to any obligation.*§"

GOVERNOR

* Voyages de François Bernier, Tome I. page 150, 162. et Tome II. page 105.

† Reflections on the Government of Hindostan, by Luke Scrafton, Esq pages 26, 27. See in the same work, page 19 & seq a striking character of the Mahomedans of rank in India.

‡ Holwell's Historical Events, Vol. I. page 228, and Vol. II. page 151.

§ Cited by Bolt's Considerations, Vol. III. Appendix A, page 33.

GOVERNOR VERELST*, about 1768.

" It is customary with these people to spin out treaties to an immoderate length; " *avaricious in the highest degree, they endeavour by every artifice to encrease* " *their exorbitant demands; and faithless themselves, they are suspicious of the* " *faith of others.*"

" His (Haffez Rahmet Gaun's) character has little to distinguish it, *except that low* " *cunning, intrigue, and deceit, so general in this country.*"

" The Nabob Sujah-al-Dowlah, is our next ally, and *if gratitude can be any tie* " *on an Hindostan heart*, we have every reason to look upon him as connected with " us by the most indissoluble bonds."

" His (Jewhar Sing's) character, like the majority of the great in Hindostan, is " that of a man absorbed in pleasure and luxury, weak, vain-glorious, aspiring, with- " out experience or abilities."

" The body of the people are in a manner formed to bear the yoke. They possess " nothing of the inquisitiveness of the European nations, and the most slender arts " (i. e. in things unknown to them) are sufficient to obscure their understanding, and " fit them for implicit submission."

" *It would be as easy to change the genius and manners of the people, as to* " *prevent the Banians and followers of men in station, from abusing their master's* " *name.* Chastisements may deter the oppression for a moment, but in such " cases, *the servility of the people must be removed before oppression can be* " *eradicated.*"

" An Englishman will ever be unfit to follow *the subtle native through all his arts.* " The *treachery of Hindostan professions will prepare* him better for the frank " declarations of his English allies."

" *The venality which forms part of the genius of the people, and which is known* " *to be openly exercised, or tacitly allowed by government, without drawing any* " *shame or discredit on the guilty, or being thought any peculiar hardship on the* " *injured . . . . . .*"

" *Every person of any substance or character in this country, has been successively* " *tried in the department of the collections. Fear, reward, severity, and indulgence,* " *have all failed*, and ended in a short political forbearance, *or additional acts of* " *dishonesty and rapine.*"

" The *evasions and artifices which are familiar to the natives of this country*, have " often been successful in screening them from that open and manifest detection " which can justify punishment."

" Certain it is, that *almost every decision of theirs* (the Mahomedan judges, who " continued to decide in criminal matters to the time of Lord Cornwallis) *is a* " *corrupt bargain with the highest bidder.* The numerous offences which are com- " promised by fines, have left a great latitude for very unjust determinations. Trifling " offenders, and even many condemned on fictitious accusations, are frequently " loaded with heavy demands; *and capital criminals are as often absolved by the* " *venal judges.*"

" *The peculiar punishment of forfeiting castes*, to which the Hindoos are liable, " *is often inflicted from private pique and personal resentment among themselves* †."

The GOVERNOR (MR. HASTINGS) and COUNCIL of BENGAL, about 1772.

" The decoits of Bengal are not, like the robbers in England, individuals driven " to such desperate courses by sudden wants. *They are robbers by profession, and* " *even by birth; they are formed into regular communities, and their families subsist* " *by the spoils which they bring home to them*; they are all therefore alike criminal; " wretches who have placed themselves in a state of declared war with government, " and are therefore wholly excluded from every benefit of its laws. *We have many* " *instances of their meeting death with the greatest insensibility.*"

" *The*

* Besides what has been already said of him, we may add that he was a well informed servant of the Company, and that many papers in the Appendix to his " View of Bengal," are valuable.

† Verelst's View of the English Government in Bengal; Original Papers in the Appendix, pages 58, 102, 103, 105, 108, &c.

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" *The litigiousness and perseverance of the natives of this country in their suits* " *and complaints,* is often productive, not only of *inconvenience and vexation to their* " *adversaries, but also of endless expence and actual oppression.*"

" To curb and restrain trivial and groundless complaints, *and to deter chicane* " *and intrigue, which passions amongst these people often work to the undoing of* " *their neighbours**. . . . . ."

MR. SHORE†, about 1783 or 1784.

" The *natives are timid and servile.* As individuals they are *insolent to their* " *inferiors*; to their superiors, generally speaking, submissive, though they are to " them *also guilty of insolence when they can be so with impunity.* Individuals *have* " *little sense of honour*, and *the nation is wholly void of public virtue. They make not* " *the least scruple of lying where falsehood is attended with advantage*; yet both Hin- " doos and Mahomedans, continually speak of their credit and reputation, by which " they mean little more than the appearance they make to the world."

" *Cunning and artifice is wisdom to them. To deceive and over-reach, is to acquire* " *the character of a wise man. The greatest disgrace they can suffer, is to lose their* " *caste, or as we say, to be excommunicated.* This punishment is inflicted for the " breach of the injunctions of their religion, or what is the same, of the ordinances " of their priests."

" *To lie, steal, plunder, ravish, or murder, are not deemed sufficient crimes to merit* " *expulsion from society.*"

" *With a Hindoo, all is centered in himself; his own interest is his guide*; " ambition is a secondary quality with him, and the love of money is the source of " his passion."

" The advantage they derive over Europeans, is *by practising those arts of mean-* " *ness, which an European detests.* A MAN MUST BE LONG ACQUAINTED WITH " THEM‡, *before he can believe them capable of that barefaced falsehood, servile* " *adulation, and deliberate deception, which they daily practise.* It is in vain that we " search for men of enlightened understanding, deep reasoning and reflection, among " the natives. The education of the Hindoos is confined to their being taught their " own language. The Mahomedans are little better instructed: the acquisition of a " few moral or political maxims, which in practice they neglect, is all they know of " the art of government: if exceptions can be found, they are very rare. An " Englishman cannot descend to *those little practices of oppression, or extortion, so* " *familiar to the natives, his mind revolts at the idea of them.* And admitting even " that some are by habit, connection, or necessity, become depraved, there is, after " all, in every breast, *a sense of honour and virtue that recoils from the low vicious* " *acts of a native of Bengal.* It is the business *of all, from the Ryott to the* " *Dewan, to conceal and deceive; the simplest matters of fact are designedly covered* " *with a veil, through which no human understanding can penetrate*§."

SIR JOHN MACPHERSON, Governor General, about 1785-6.

" I am afraid that the picture which he (Mr. Shore) draws, and the low ebb at which he states the popular virtues of the Bengalize, are *not fictitious representations*‖."

COLONEL SIR ROBERT BARKER.

" It is well known that neither promises nor oaths, have been able to bind this " treacherous sect of people to their engagements. Sujah Dowlah was like all other " Indostanners, not observing much faith when it was his interest to do otherwise ¶".

The transcriber of the preceding pages, writing at a distance from public offices, and possessed of few unpublished documents, is not able to adduce any comprehensive

* Reports of the Secret Committee of the House of Commons, 1772. Appendix, No. 2.

† Now Governor General of Bengal.

‡ To this declaration from a witness eminently competent, attention is particularly requested.

§ The whole of this curious paper is inserted in the Parliamentary proceedings against Mr. Hastings.

‖ Parliamentary Proceedings against Mr. Hastings, Appendix to Vol. II. page 65.

¶ Ibid. Appendix to Vol. I. page 229. and Vol. II. page 8.

Hastings, Appendix to Vol. II. page 67.—*The Remarks in the preceding sheets were penned before this document was examined by the writer of them.*

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sive opinion delivered by Lord Cornwallis, respecting the natives; but in the many papers on almost all subjects connected with his government, which his Lordship has entered on the records of the Company during his administration, his sentiments must be abundantly seen, and to those papers the reader is referred, without fear of their contradicting the views here given. A government of reform, like his Lordship's, implies a sense of many existing evils, and the conduct in one striking instance, of a person so considerate and humane, is entitled to particular notice. Though civil and attentive to the natives, *he has reposed no confidence in any one of them, nor has he had a single individual, either Hindoo or Mahomedan, about his person, above the rank of a menial servant, contrary to the general usage of men occupying such stations as he filled.*

Upon one very important subject, the criminal justice of the country, to the administration of which, Lord Cornwallis has given a new constitution, some of his observations, written as introductory to that essential improvement, are here exhibited.

3d DECEMBER, 1790.

"The regulation of justice in criminal cases, although constituting one of the most "essential requisites of good government, yet never appears (as far as can be traced) "to have received the attention it so well merits, under any system, either of the Mogul "or Hindoo administration, in India.....The next alteration I would propose is that "already alluded to, in regard to the option left to the next of kin, to remit the sentence "of the law and pardon the criminal. The evil consequences, and the crimes which "hereby escape punishment, are so manifest and frequent, that to take away the dis-"cretion of the relations, seems absolutely requisite to secure an equal administration "of justice, and will constitute a strong additional check on the commission "of *murder, and other crimes, which are now no doubt often perpetrated, under the "idea of an easy escape through the notorious defect of the existing law*, which at "first perhaps was confined to appeals, or private prosecutions, by the next of kin, "and had no application to public prosecutions in the name of the sovereign; and "which is besides peculiarly inapplicable to this country (however it may have "suited the society it was originally intended for); because where *Brahmins commit "murder on any person of the Hindoo religion, they know that they do so with almost "perfect impunity*, since in most cases it cannot be expected that any Gentoo will "ever desire, or be consenting to the death of a Brahmin, of which a case exactly "in point, is now depending before the Board, from Benares, where *a Brahmin having "wantonly killed his wife, has, although confessing and convicted of the crime, been "pardoned by her relations.* But it is unnecessary to have recourse to the testi-"monies of the magistrates, *to prove the abuses practised in these courts.* The "multitudes of criminals with which the jails in every district are now crowded, *the "numerous murders, robberies, and burglaries, daily committed, and the general inse-"curity of person and property, which prevails in the interior parts of the country,* "are melancholy proofs of their having long and too generally existed. The "inefficacy of the clause in the engagements of the land-holders, making them res-"ponsible for all robberies, has been long experienced, and so far from protecting "the country, they or their police officers (who in general purchase their appoint-"ments, or pay an annual consideration for them) are but too often concerned in "the enormities it is their duty to prevent."

When this great change in the administration of criminal justice was in contemplation, various queries were proposed to the English magistrates, stationed throughout the country, respecting the existing state of the police. Their answers, which are inserted at length in the records of the Bengal government, present a scene of shocking disorder. As it would be too tedious to insert the whole of them upon a subject so little questionable, one only, which goes into character as well as facts, shall be quoted. It is from Mr. Rocke, the magistrate of Jessore.

DECEMBER, 1789.

"The punishments however, though they exceed in variety and severity, those "inflicted by a British court of justice, do not appear at all adequate to the suppres-"sion of crimes; and of this the Fougedary records, to the present hour, will bear a

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" melancholy testimony, as well with regard to the number, as the nature of the " offences, always to be found in the calendar. The partiality of the natives of this " country to a profession they have once embraced, and their extreme reluctance to " quit it, are notorious. The same principle and inherent prejudice, which attach " the mechanic to his particular line of profession, operate equally upon the robber, " house-breaker, or murderer, who, desperate as his occupation is, cherishes it " as much, holds it as dear, and follows it as systematically, as the peaceful merchant " his easy and lucrative one. Besides this, the constitutional apathy of the natives " of this country, and the patience with which they endure pain, and even resign life, " render them, for the most part, regardless of corporal sufferance; and principally " to this cause may be ascribed the reason, why crimes of all descriptions still " continue to be perpetrated, although such frequent sacrifices are made to the " offended laws."

" Of the effects produced by the different modes of punishment in this country, " we have frequent experience. It may be needless to particularize the milder ones " inflicted for trifling offences, as their effects may be judged of from what we see " produced by those of greater magnitude, and more severe nature. Perpetual im- " prisonment is, I think, improperly regarded as a punishment of a higher order. " To British minds, the idea it conveys is indeed dreadful; but there is nothing in it " so terrible to a native of Bengal, to whose natural indolence and inactivity, a life of " this nature is perfectly congenial, and whilst the necessaries and comforts of life " are within their reach, the restraint they are under is a circumstance of no great " hardship to them, being seldom or never so close as to debar them from intercourse " with the rest of the world. The effects of this punishment are, I apprehend, " never such as must evidently have been expected from it, as being in rank imme- " diately next to a capital one. Loss of a hand, or a foot, is undoubtedly a punish- " ment of a very severe nature, as being not only a painful and dangerous operation, " but at once depriving the body of a most useful limb, and stamping a mark of " indelible infamy upon it, and yet this is so little regarded, that *many an offender, on* " *apprehension, is found to have already forfeited a limb, and sometimes even two, to* " *the laws. Death*, the last, and in the general opinion of mankind, the greatest of " all punishments, fails here greatly of its intended effect. *Fortified by their strong* " *religious prejudices and notions of predestination, and not unfrequently elated with* " *the idea of suffering as martyrs to the cause, and amidst the prayers and applauses* " *of their confederates, criminals in this country, meet death with indifference and* " *composure.*"

Authentic relations of the transactions of Hindoo nations, and Hindoo individuals with each other, would constitute a very satisfactory kind of evidence in the illustration of their character. But of true history they possess few records. The genius of the government, and the genius of the people, were alike unfavourable to that species of composition. Such accounts however as have reached us of their ancient wars, exhibit pictures of eminent cruelty and injustice.

Of recent times, the public occurrences, in which Europeans have been parties or witnesses, are generally diffused through voluminous official writings, which if accessible, could not be perspicuously contracted within one division of this limited work; and of private observation and experience, which might have furnished many curious and instructive collections, seldom has it been the practice to register accurate details. But happily one testimony presents itself, which unites with unquestionable authority, views of Hindoo character, in a country never under a Mahomedan power. This country is Nepaul, and the relation is given by Father Joseph, a Romish missionary of known respectability in Bengal, from whom it was communicated by Mr. (now Sir John) Shore, to the Asiatic Society*. Father Joseph was in Nepaul in the year 1769. Three chiefs of that region then contended for sovereignty, and some of their proceedings are described in the following extracts.

" The inhabitants of Certipore, receiving no support from the King of Lelit- " Pattan, to whom they were subject, applied for assistance to Gamprejas, who " immediately marched with his whole army to their relief, gave battle to the army " of the King of Gorc'ha, and obtained a complete victory. A brother of the King " of Gorc'ha was killed on the field of battle, and the King himself, by the assistance " of good bearers, narrowly escaped with his life by fleeing into the mountains.

" After

* Asiatic Researches, Vol. II. page 307.

" After the action, the inhabitants of Certipore demanded Gainprejas for their " King, and the nobles of the town went to confer with him on the business; *but* " *being all assembled in the same apartment with the King, they were all surprised* " *and seized by his people. After the seizure of those persons, Gainprejas, perhaps* " *to revenge himself of these nobles for having refused their concurrence to his* " *nomination as King* (upon a former occasion) *privately caused some of them to be* " *put to death*; *another, by name Danuvanta, was led through the city in a woman's* " *dress, along with several others, cloathed in a ridiculous and whimsical manner,* " *at the expence of the nobles of Lelit-Pattan.* They were then kept in close con- " finement for a long time; at last, after making certain promises, and interesting " all the principal men of the country in their behalf, Gainprejas set them at " liberty. . . . . "

" The King of Gorc'ha, despairing of his ability to get possession of the plain " of Nepaul by strength, *hoped to effect his purpose by causing a famine*; and with " this design, stationed troops at all the passes of the mountains, to prevent any " intercourse with Nepaul: *and his orders were most rigorously obeyed, for every* " *person who was found in the road, with only a little salt or cotton about him, was* " *hung upon a tree*; *and he caused all the inhabitants of a neighbouring village,* " *to be put to death in a most cruel manner*; *even the women and children did not* " *escape, for having supplied a little cotton to the inhabitants of Nepaul, and when* " *I arrived in that country at the beginning of* 1769, *it was a most horrid spectacle* " *to behold so many people hanging on trees in the road.* However the King of " Gorc'ha, being also disappointed in his expectations of gaining his end by this " project, fomented dissensions among the nobles of the three kingdoms of Nepaul, " and attached to his party many of the principal ones, by holding forth to them, " liberal and enticing promises, for which purpose he had about two thousand " Brahmins in his service. . . . . "

" The inhabitants of Certipore having already sustained six or seven months " siege, a noble of Lelit-Pattan, called Danuvanta, fled to the Gorc'ha party, and " treacherously introduced their army into the town; the inhabitants might still " have defended themselves, having many other fortresses in the parts of the town " to retreat to; but the people of Gorc'ha having published a general amnesty, the " inhabitants, greatly exhausted by the fatigues of a long siege, *surrendered them-* " *selves prisoners upon the faith of that promise.* In the mean time the men of " Gorc'ha seized all the gates and fortresses within the town; *but two days after-* " *wards, Prithwinarayan, who was at Navacuta* (a long day's journey distant) " *issued an order to Suruparatna, his brother, to put to death some of the principal* " *inhabitants of the town, and to cut off the noses and lips of every one, even the* " *infants, who were not found in the arms of their mothers, ordering at the same* " *time, all the noses and lips which had been cut off, to be preserved, that he might* " *ascertain how many souls there were, and to change the name of the town* " *into Naskatapur, which signifies the town of cut-noses. The order was carried* " *into execution with every mark of horror and cruelty, none escaping but those who* " *could play on wind-instruments*; although Father Michael Angelo, who without " knowing that such an inhuman scene was then exhibited, had gone to the house of " Suruparatna, interceded much in favour of the poor inhabitants. Many of them " put an end to their lives in despair; others came in great bodies to us in search " of medicines, and it was most shocking to see so many living people with their " teeth and noses resembling the skulls of the deceased."

" During the siege of Cat'hmandu, the Brahmins of Gorc'ha came almost every " night into the city, to engage the chiefs of the people on the part of their King; " and the more effectually to impose upon poor Gainprejas, many of the principal " Brahmins went to his house, and told him to persevere with confidence, that the " chiefs of the Gorc'ha army were attached to his cause, and that even they them- " selves would deliver up their King, Prithwinarayan, to his hands. Having by " these artifices procured an opportunity of detaching from his party all his principal " subjects, tempting them with liberal promises according to their custom, one night " the men of Gorc'ha entered the city without opposition, and the wretched Gain- " prejas, perceiving he was betrayed, had scarce time to escape with about three " hundred of his best and most faithful Hindostany troops; towards Lelit-Pattan, " which place however he reached the same night."

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" The King of Gorc'ha, having made himself master of Cat'hmandu in the year " 1768, persisted in the attempt of possessing himself also of the city of Lelit-" Pattan, promising all the nobles that he would suffer them to remain in the " possession of their property, that he would even augment it; and because the " nobles of Lelit-Pattan placed *a** reliance on the faith of his promises, he sent his " domestic priest to make this protestation, That if he failed to acquit himself of " his promise, he should draw curses upon himself and his family, even to the fifth, " past, and succeeding generation: so that the unhappy Gainprejas, and the King " of Lelit-Pattan, seeing that the nobility were disposed to render themselves " subject to the King of Gorc'ha, withdrew themselves with their people to the " King of B'hatgan. When the city of Lelit-Pattan became subject to the King " of Gorc'ha, he continued for some time to treat the nobility with great attention, " and proposed to appoint a viceroy of the city from among them. Two or three " months afterwards, having appointed the day for making his formal entrance into " the city of Lelit-Pattan, *he made use of innumerable stratagems to get into his " possession the persons of the nobility, and in the end succeeded.* He had prevailed " upon them to permit their sons to remain at court, as companions of his son; he " had dispatched a noble of each house to Navacut, or New Fort, pretending that " the apprehensions he entertained of them had prevented his making a public " entrance into the city; *and the remaining nobles were seized at the river without " the town, where they went to meet him, agreeable to a prior engagement.* After-" wards he entered the city, made a visit to the temple of Bagheio, adjoining to " our habitation, and passing in triumph through the city amidst immense numbers " of soldiers, who composed his train, entered the royal palace which had been " prepared for his reception; in the mean time, parties of his soldiers broke open " the houses of the nobility, seized all their effects, and threw the inhabitants of the " city into the utmost consternation. *After having caused all the nobles who were " in their power to be put to death, or rather their bodies to be mangled in a horrid " manner,* he departed with a design of besieging B'hatgan, and we obtained per-" mission, through the interest of his son, to retire with all the christians into the " possessions of the English."

A multitude of other quotations which might be made in illustration of the Hindoo character, both from modern publications and from authors of more ancient date, as Sir Thomas Rowe, Hamilton, Baldæus, Nieuhoff, Tavernier, and others, are for the sake of brevity omitted; but as it may be interesting to see the sentiments of so distinguished a character as Timour, or Tamerlane, upon the subject in question, these extracts shall be closed with a quotation from his Institutes, supposed to have been compiled *A. D.* 1400.

" The inhabitants of Hindostan are equally debilitated in their corporeal, and " inert in their mental faculties; inexorable and penurious to such an extreme, that " only personal violence can enforce justice. Regardless of honour, and indecent in " their dress, they sacrifice their lives for trifles, and are indefatigable in unworthy " pursuits; whilst improvident and imprudent, their ideas are confined and views " circumscribed. When reduced to poverty, they patiently have recourse to the " most menial employments, forgetting their previous circumstances, and seldom " quitting the world without injuring their benefactors; but whilst the acquisition of " riches tempers every atrocity, indolence pervades their most momentous transac-" tions. The native of Hindostan has no pretensions to humanity but the figure; " whilst imposture, fraud, and deception, are by him considered as meritorious " accomplishments †."

Of the Mahomedans, who mix in considerable numbers with the former inhabitants of all the countries subdued by their arms in Hindostan, it is necessary also to say a few words. Originally of the Tartar race, proud, fierce, and lawless; attached also to their superstition, which cherished their native propensities; they were rendered by success yet more proud, sanguinary, sensual, and bigotted. Their government, though

* So in the original; but it seems to be an error of the press, the sense requiring that it should be '*no* reliance."

† Mackay's Asiatic Miscellany, Vol. I. page 279. This picture may be compared with that which Sir John Shore, drawing likewise from the life, more than three hundred years afterwards, has delineated. If it be said, that these are the representations of conquerors and foreigners, it may be replied, that they are not opinions advanced in a state of hostility or controversy, but mature observations, made in a time of settled government, after many years experience of the behaviour of the Hindoos to each other.

CHAP. II. *View of the Morals of the Hindoo Subjects of Great Britain.*

though meliorated under the house of Timour, was undoubtedly a violent despotism, and the delegated administration of it too often a severe oppression. Breaking through all the restraints of morals which obstructed their way to power, they afterwards abandoned themselves to the most vicious indulgences, and the most atrocious cruelties. Perfidy in them, was more signal than in the Hindoos. Successive treacheries, assassinations, and usurpations, mark their history more perhaps than that of any other people. The profession of arms was studied by them, and they cultivated the Persian learning. They introduced Arabic laws, formed for rude and ignorant tribes, and in the administration of them, as may be judged from the specimen above exhibited, were most corrupt.

Every worldly profession, indeed every course of secular business, was in their avowed opinion (an opinion which they still hold) irreconcilable with strict virtue. Commerce, and the details of the finances, they left chiefly to the Hindoos, whom they despised and insulted. Where their government still prevails, the character resulting from their original temper, and superstition, aggravated by the enjoyment of power, remains in force. In our provinces, where their authority is subverted, and where many of them fall into the lower lines of life, that character becomes less obvious: but with more knowledge, and more pretensions to integrity, they are as unprincipled as the Hindoos. Their perfidy, however, and licentiousness, are the perfidy and licentiousness of a bolder people*.

From the government and intermixture of the Mahomedans, the Hindoos have certainly derived no improvement of character. The invaders, may fairly be supposed to have contributed their share to the general evils, and even to have increased them. But they did not produce those evils, nor could they have perpetuated them in opposition to the genius and spirit of the Hindoos, who are in number probably as eight to one. They may therefore be considered, rather as constituting an accession, than as giving a character to the mass. The vices however of the Mahomedans, and Hindoos, are so homogeneous, that in stating their effects, it is not inaccurate to speak of both classes under the description of the one collective body into which they are now formed.

Upon the whole, then, we cannot avoid recognizing in the people of Hindostan, a race of men lamentably degenerate and base; retaining but a feeble sense of moral obligation; yet obstinate in their disregard of what they know to be right, governed by malevolent and licentious passions, strongly exemplifying the effects produced on society by great and general corruption of manners, and sunk in misery by their vices†, in a country peculiarly calculated by its natural advantages, to promote the happiness of its inhabitants. The delineation from which this conclusion is formed, has been a task so painful, that nothing except the consciousness of meaning to do good could have induced the author to proceed in it. He trusts he has an affecting sense of the general imperfection of human nature, and would abhor the idea of needlessly or contemptuously exposing the defects of any man, or set of men. If he has given an unfavourable description, his wish is not to excite detestation, but to engage compassion, and to make it apparent, that what speculation may have ascribed to physical and unchangeable causes, springs from moral sources capable of correction.

CHAP. III.

Causes which have produced the present Situation and Character of the Hindoos.

CHAP. III. *Causes of the present Situation and Character of the Hindoos.*

IN investigating the peculiar characters of different nations, it is both usual and reasonable to ascribe them principally to the influence of climate, of government and laws, and of religion: it will be proper, therefore, to lay before the reader the situation of Hindostan, with respect to each of those particulars, that he may be enabled

* See the character of the Mahomedans, before alluded to, in Scrafton's Reflections, p. 19, et seq.

† Some persons may be disposed to enquire, how the frame of society has been preserved from dissolution among these people, if they are indeed so greatly and so generally depraved. To that question, an answer will be given in the course of the following chapter.

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enabled to judge whether the wretched state of society and manners among the Hindoos, who, as has been already observed, have a general identity of character, may not fairly be traced to that source.

The climate of India, particularly of the south-east provinces, must be allowed to be less favourable to the human constitution than the more temperate regions of Europe The bodily frame is less strong and hardy, the faculties have less energy, their exercise is less expanded and delightful, ardor is checked, the oppressed spirits yield more easily to indolence and indulgence, and the fertility of the soil easily supplying the few natural wants of the natives, aids this propensity Nevertheless in developing the causes of the Hindoo character, too much seems sometimes to have been imputed to the climate, effects greater, and of more necessary result, than fair examination will confirm.

The inhabitants of foreign descent, who continue the use of animal food, especially the Armenians, a sober people, are more robust than the Hindoos, and to speak of the Hindoos themselves, their military tribe has discovered, under foreign discipline, a considerable share of active vigor The Banians, and all the trading part of the community, are capable of long sedentary application. Porters, boatmen, runners, and others of the labouring class, can endure severe fatigue Multitudes of devotees manifest a resolution and perseverance in painful sufferings altogether astonishing And with regard to the faculties of the mind, the Brahmins, who have cultivated learning, have certainly evinced themselves an acute, subtle, and penetrating order of men. These circumstances show, that the people in general are equal at least to decent application in different lines, susceptible even of a strong impulse, though not perhaps of great continued energy And it is reasonable to believe, that were those evils corrected which do not arise from the climate, they would in time hold a much higher place among the human species, than they are now capable of maintaining

The despotic mode of government which generally is prevalent in the East, and appears at all times to have subsisted among the Hindoos, has undoubtedly had a very considerable influence in the formation of their character When a man finds himself dependent on the will and caprice of another, he thinks and acts as a degraded being, his regard for all that is valuable in life is reduced to the degree of personal interest which he has in it, his care for whatever extends to the rest of his race, and to future time, is sunk in the precariousness of the present hour Fear necessarily becomes his grand principle of action, thence springs distrust; and as arbitrary power does not excite in those over whom it tyrannizes, the expectation of finding truth and justice its associates, it is not productive of integrity and veracity. The arts of deception, suppleness, and servility, are resorted to, and thus a system of falsehood and narrow selfishness is generated Violence in the ruler quickens the process] The first idea raised is that of self-defence against him, then follow plans of concealed and avowed hostility against his deputies and agents, from whom injury is apprehended The despotic principle actuates all the subordinate offices, and posts of authority, and its effects become general, every man is a slave to those above him, and a despot to those below him, the more he is oppressed, the more he oppresses, and thus is diffused a temper of universal enmity, acting secretly or openly according to opportunities No wonder therefore, that when the principle is highly strained, treasons and revolutions are continual, by which the insolent and abject frequently change places, so that he who yesterday scarcely deigned to look on the suppliant before him, is to-day spurned from the feet of that suppliant, now in his turn exalted to the seat of authority. Such, in particular, is the description that may be given of a large period of the Mahomedan government in Hindostan The descendants of Timour, holding for a time the greater part of that continent under one head, prevented much of the war and bloodshed that had before, and have since wasted it, but internal disorders, under the best of their governors, were necessarily very great, and the character of the Hindoos, suffering from the oppression of numerous invaders, must in several respects have been debased.

But they did not receive the despotic form of government from the Tartars, nor were they degraded only when they became subject to Mahomedan conquerors. Had they not been an abject people before, foreigners from a vast distance, carrying few magazines with them, could not have possessed themselves of so great a country, rendered by its natural defences, its climate, and its periodical rains, very strong against invasions by land. They have had among themselves a complete despotism from the remotest antiquity, a despotism, the most remarkable for its power and duration that the

the world has ever seen. It has pervaded their government, their religion, and their laws It has formed by its various ramifications, the essentials of the character which they have always had, as far as the light of history goes, and which they still possess; that character, which has made them a prey to every invader, indifferent to all their rulers, and easy in the change of them, as a people, void of public spirit, honour, attachment, and in society, base, dishonest, and faithless That despotism, with a variety of subordinate principles to which it has given birth, still exists in great vigour, even where the political government is in foreign hands, and therefore although by acting the part of upright rulers towards our Hindoo subjects, and endeavouring to provide for a fair administration of justice among them, we shall repress many disorders that before prevailed, yet this reform will not reach those evils in their character and conduct, already described, which are the bane of their happiness, personal and social. Nor will it ensure to us their attachment, which, in point of policy, it would be desirable to engage by an amelioration of their character, instead of leaving their old facility in changing, to co-operate with their imbecility, in favour of any new invader.

The ancient Hindoo government is thought scarcely to exist now in its original form*. The Hindoo states, raised from the ruins of the Mogul Empire, cannot well be taken as pure representations of it, at least we have but little certainty of possessing an entire model, and can therefore only refer to its fundamental principles, of which there is indisputable evidence But their religion and their laws, both parts of one complex system, still remain; the former in all its authority, the latter also, in its essence and in many of its branches, operative: and these, by the principles on which they are founded, and by the rules and precepts which they deliver, have given birth to that spirit, and those practices of oppression, injustice, corruption, in a word, those immoralities which incomparably more than every other cause, render the people base and miserable. To this position, the most particular attention is requested. A full exhibition of all the proofs which might be brought in support of it, would require a much longer space than is necessarily prescribed to this treatise. Some leading facts and arguments however, sufficient it is hoped solidly to establish it, shall now be stated. They will be derived partly from the code of Hindoo laws, and partly from the tenets of the Hindoo religion The code of laws was compiled and published in 1773, under the government of Mr. Hastings, and at his desire, by a body of "experienced lawyers, selected for the purpose from "every part of Bengal," who we are further told, "carefully picked out the "ordinances, sentence by sentence, from various originals in the Shanscrit language, "neither adding to, nor diminishing from, any part of the ancient text†." And the translator adds, what is of importance to be observed, "that from this code may "be formed a precise idea of the customs and manners of these people; that their "institutes are interwoven with the religion of the country, and therefore revered as "of the highest authority." The authenticity of this work, and the value of the general evidence which it furnishes, must thence be unquestionable.

With regard to the religion of the Hindoos, although a regular translation of the Vedes, those writings which they repute as sacred, has not yet given us all their mythology, doctrines, rites, and ceremonies, in authoritative detail; yet the intercourse of three centuries between the Europeans and that people, the relations of various travellers in different parts of India, and their agreement as to the general matter and character, as well as many particulars of the Gentoo faith, the elucidating accounts of the Mahomedans, and the daily experience of multitudes of Europeans, leave us at no loss concerning the grand features, the main credenda and agenda of that superstition, its genius, and its consequences. Of late the public has had other accessions of information, stamped with great authority. We refer, in the first place, to the Institutes of the Emperor Akber, compiled by his learned and intelligent minister

* The government of Nepaul, of which less was known when this passage was written, is probably no inexact representation of the original Hindoo constitution Of that country, which, as has been already observed, was never subdued by the Mussulmans, our information was scanty before the late deputation thither of Captain Kirkpatrick from Bengal That gentleman has given a curious and interesting account of his journey, which affords much light into the history of Nepaul It would thence appear, that the form of the government, the state officers, civil and military, employed under it, and the sources of its revenue, are nearly the same in kind as are found to have been established in Hindostan under the rule of the Moguls, a strong presumption in favour of what we have ventured elsewhere to suppose, that these conquerors did not innovate greatly in the forms of administration in the Hindoo countries of which they possessed themselves 1797.

† Preface to the Hindoo Code.

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minister Abul Fazil, about *A. D.* 1550, in the zenith of the Mogul power*; one volume of which work is employed solely upon the religion and sciences of the Hindoos, and professedly formed from the communications of the most learned Brahmins. We may rest assured, that such a man, employed in a work intended for a public record of the highest order, would obtain from that source much authentic information, and that the view given him of the Hindoo doctrines would be at least sufficiently favourable. Favourable indeed, both in respect of those doctrines and the character of the people, that view will appear to have been, by comparing it with other authorities; and there are obvious reasons why the noble writer would naturally be disposed to acquiesce in it. It was the design of Akber, who was of a tolerant spirit, to conciliate all his subjects towards himself and towards each other; and in a work composed immediately under his inspection with this intention, and for public use, it could never be admissible to delineate at length the faults of the great body of those subjects.

The second recent acquisition, is the *Bhagvad-Geeta*, translated by Mr. Wilkins from a Shanscrit work, certainly of considerable antiquity. This is a very curious record. It is deemed to be so purified from the grosser parts of the Hindoo superstition, that it is carefully concealed by the Brahmins from the rest of the people; yet it has evidently been corrupted, in order to conciliate some tolerably just principles with a degenerate practice. Besides these publications, Sir William Jones†, a man wonderful for his stores of knowledge, and for the ardour with which he still presses forward to increase them, who penetrates into the abstruse recesses of oriental learning with singular felicity and success, has communicated much valuable information from his late researches. Arrived at length at the fountains of Shanscrit learning, he indeed appears to consider past discoveries as inaccurate or imperfect‡; referring probably to the speculative and metaphysical doctrines contained in the Vedes, concerning which the Brahmins themselves have divers opinions and systems. But of the obvious and popular tenets of the Hindoo religion, its worship, and ceremonies, enough is certainly known to enable us to judge of their nature and their effects.

In the following pages, the writer will rest the argument he maintains, on information already before the public, rather than on any new matter which his own observation, during his residence in India, might enable him to furnish. For though the shoots from the great trunk of Hindoo superstition are so numerous, and all partake of the same nature, yet the additional facts which a single individual, whose attention was not wholly devoted to the subject, could have an opportunity of ascertaining, must appear trifling, in comparison of the whole mass of knowledge collected by the industry of numbers, during a long course of time, and rendered more worthy of notice by ascending nearer the source of things. And where important deductions are to be made, as in the present case, he is far from wishing the premises from which they are drawn to rest upon his authority.

It is proposed then, to proceed to the consideration of the Hindoo laws. But since it has appeared that both the Mahomedan and English conquerors of India have by legislative provisions of their own, in part superseded those which they found there, persons who reason from the changes which have relatively taken place in the social state and in the laws, of every European nation, and from the mutual influence of laws and of manners upon each other, may naturally conceive, that rules which have been abrogated

* Translated from the Persian into English, by Francis Gladwin, Esq.

† Europe, and Asia, and the world, have since sustained an irreparable loss in the death of this most valuable man, who was cut off in the vigour of his days, and in the midst of new inquiries and discoveries, among the recondite repositories of Hindoo learning, into which he carried such a lamp of general knowledge, as threw surprizing light on every subject he investigated. What he has done, however, will immortalize his memory. He has opened the way into the mythological and scientific arcana of a people, who have for many ages been as remarkable for their adherence to their peculiar institutions, as for arrogating to themselves an unfathomable antiquity, and the possession of a pure and primeval, though carefully concealed system of theology and science; claims which have been as officiously as ignorantly accorded to them by some anti-christian philosophers of Europe. He has shown that one of their earliest traces of true history describes an *universal deluge*, in which only *a patriarch*, and *seven* other men, (to whom this account gives wives,) were saved in an *ark*; and that the whole of their chronology is reconcileable with the Mosaic history.—See Asiatic Researches, Vol. II. Art. "Chronology of the Hindoos."——It is impossible on this occasion to avoid expressing a very high degree of respect and esteem for the learned and instructive labours of various other members of that distinguished society. Though the character of the Hindoos be in a moral view now low, yet the development of their history, their literature, their mythology, and science, has been a great desideratum in human knowledge, and must prove of eminent importance to mankind. 1797.

‡ Asiatic Researches, Vol II.

abrogated can no longer affect the character of the people; therefore that before any application is made of evidence deduced from the Hindoo laws, it ought to be shown what portion of those laws is still operative, and from that portion only to estimate the effect produced. It is the wish of the writer, to allow to this objection all the weight to which it is entitled, and as far as he can, to afford the satisfaction which it requires.

To give an exact enumeration of the Hindoo laws, and to distinguish those which may now be regarded as obsolete, would, if the task could be performed, require a detail inconsistent with the design of this essay. But no such digest has yet been made. The general lines of discrimination however are tolerably clear. The Mahomedans, as we have seen, introduced their own forms of judicature. In criminal matters, their code, severe and barbarous, like that of the Hindoos, was made the general rule of judgment. In civil concerns between Hindoos, these people had the benefit of their own laws. The English continued, as we have also seen, the legal establishments of their predecessors, improving them, and softening in some instances the cruelty of punishment. At present therefore, the criminal law administered in Bengal, is that of the Mahomedans rendered in certain cases more mild and equitable. The civil code stands likewise upon the basis of their system, but has a larger infusion of English ordinances, and it refers causes between Hindoos to be decided by the laws of that people.

Those laws prescribe certain rules to the *sovereign*, which cannot of course be acted upon in our government, though the general influence of a governing power will still be felt: and on subjects of political economy, such as cultivation of the soil, revenue, and commerce, respecting which the Hindoo code is very defective, we have been obliged to enact new regulations.

On the whole, besides the Hindoo institutions, purely religious, all those which relate to castes, to marriage, to inheritance, and to divers other civil concerns, remain still in force; excepting only that certain offences against caste, for which the code decrees capital or sanguinary punishments, dreadfully severe, are not cognizable in our criminal courts; nor does our government countenance the infliction of those barbarities; and transgressions of the innumerable rules of caste being tried among themselves, are commonly punished by fines or excommunications. Still however, the branches now particularized, of their system, are those which have the greatest influence in the formation of their character and manners; and it should be remembered, that the ways in which caste may be contaminated or lost, have been, in course of time, arbitrarily and exceedingly multiplied.

But in estimating the effect produced upon the Hindoos of our territories, even by that portion of their institutions which is in a proper sense legal, some other considerations must be taken into the account.

The Hindoo law stands upon the same authority as the Hindoo religion; both are parts of one system, which they believe to have been divinely revealed. That law is regarded by them therefore with a superstitious veneration, which institutions avowedly of human origin do not produce; so that even under a foreign yoke, which in various particulars superseded its injunctions, it still maintained its credit. Hence may be deduced, in part, the predilection of that people, especially of the leading orders, for their ancient state and peculiar customs, which in all the long period of Mahomedan rule, prevented them from being assimilated to the institutions of their conquerors.

Laws, which by tacit consent have fallen into general disuse, can no longer be quoted as characteristic of the actual state of manners. They serve rather to prove some change in the sentiments or dispositions of a people; but the abrogation or suspension, by the power of a foreign master, of certain parts of a code still approved, does not necessarily infer any such alteration. The Hindoos have generally in their intercourses with each other, acted in the spirit of their own institutions. The landholders, for instance, many of them possessing extensive districts, have been to their obsequious dependents, as petty sovereigns; causes originating in their vicinity have been very commonly referred to their decision, or even in parts more distant, to their deputies. Disputes are also frequently referred to the Brahmins. Matters of caste are solely cognizable by them, or by arbitrators of the tribe in which the contest breaks out, and form a source of endless litigation. If even encreasing security and ease conciliate them more to our government, which is probable, they will still perhaps ascribe the change, not to the superiority of our system over their own, but

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to the superior personal conduct of the English, who preside over them. Their Mahomedan rulers, especially since the accession of the line of Timour, have partly from political, and partly from venal motives, paid considerable regard to their prejudices; and the English, both in the execution of the laws, and in the general exercise of their authority, have uniformly and spontaneously displayed a spirit of extreme toleration and indulgence to all their peculiar notions and usages.

It is to be remembered also, that our subjects form only a small part of the vast race of people who profess the Hindoo faith, and that with whole nations of these, they live in immediate contact.

Nor lastly, must it be overlooked, that the account which has been given of the Hindoos, is a description of their character as it exists after a long suspension by their former rulers (a suspension continued by us) of some of the worst parts of their legal system.

If all these things then be considered, together with the influence of the congenial institutions, which are still authoritatively in force, perhaps we shall not see reason to suppose, that the innovations which we have made in the administration of law among the Hindoos, have produced, or are likely to produce, any material change in their character; but we may rather expect that this character will still bear the lively impress of the general spirit of their institutions, civil and sacred. To illustrate that spirit, is one object particularly proposed by the survey upon which we are now to enter of the Hindoo code.

Despotism is not only the principle of the government of Hindostan, but an original, fundamental, and irreversible principle in the very frame of society. The law, not contenting itself with enjoining passive obedience to the magistrate, or sovereign, and with having a due regard to the inequalities in condition, and subordinations in rank, which arise from the constitution of the world, and are plainly agreeable to the will of the great Creator, rests entirely on the following fundamental position:—that certain classes or races of the society are in their elementary principles, in the matter from which they were formed, absolutely of a higher nature, of a superior order in the scale of being, to certain other classes. It is, in the opinion of the Hindoos, an awful and momentous truth, a truth maintained in full vigour to this day, a truth placed in the front of their code, that the Brahmins were formed from the mouth of Brimha, the Kheterees from his arm, the Vyse (or Bice) from his thigh, and the Sooders from his foot. Hence it is a necessary consequence, that this primeval and essential distinction is no more mutable or defeasible, than it is possible for one of the brute creation to advance itself to the rank of man *. And such is the division of the Hindoos into four great tribes or castes—the priests, the soldiers, the husbandmen or traders, and the servile class, whose sole assigned duty is to serve the other three †.

Now the evils that flow from such an arrangement, are infinite. Other modes of depotism lead in their very excess and abuse to a remedy, but here the chain of servitude is indissoluble and eternal. Though the highest orders be guilty of the most flagitious wickedness, pervert the use of power, become weak, arrogant and oppressive, the frame of society can suffer no change; that order must still continue in the enjoyment and exercise of all its vast privileges and prerogatives.

The lowest rank, on the contrary, is doomed to perpetual abasement and unlimited subjection. It has no relief against the most oppressive and insulting tyranny, no hope of ever escaping from its sufferings. Though permitted indeed to

* "The Brahmins, indisputably persuaded that "the superiority of their tribe is interwoven with "the very essence of their nature, esteem that "to be a full and satisfactory plea for every advantage settled on them above the rest of the "people." *Preface to the Code*, page 52.

† It is worthy of remark, that according to a tradition in Nepaul, reported by Captain Kirkpatrick in the ingenious work before-mentioned, Pusso-Pusp-Deo, a Rajah of that country, is said to have first divided the general mass of his people into the four grand and well known tribes of the present day. The chronological series of Nepaul princes, which Captain Kirkpatrick has been able to exhibit, and which, as he well observes, assigns to many of the reigns an extravagant duration, (making on the whole an average of more than forty years,) would give to Pusso-Pusp-Deo an antiquity of about three thousand years. Be that as it may, it is evident, that a tradition subsisting in Nepaul makes the first institution of castes an human appointment. A small secluded valley like Nepaul, environed on all sides with hills, is very likely to have been an early, if not an original seat of such an institution; and there are at least strong reasons for believing, that the Brahminical religion had not its first rise in the southern parts of Hindostan, if at all in that region.

CHAP III.
Causes of the present Situation and Character of the Hindoos

to employ its industry, the greatest success can never in the slightest degree rescue it from inherent dishonour; and if the genius of a Newton should arise in that class, it could have no room to expand; nor if it had, could all its excellence deliver its possessor from the obligation of administering to the most ignorant and vicious of the Brahmins.

One of the heaviest grievances attending this state of degradation, is, that it discourages all liberal exertions, and consigns those who are destined to it, to ignorance, mean opinions of themselves, and consequent meanness of manners, sentiment, and conduct. Lest however, through the medium of learning, they should have a chance of emerging from this low and confined state, the Brahmins (by an ordinance of the Vedes, which through their imposture have the credit of proceeding from a divine origin, and of containing all valuable science) have forbidden them, on pain of death, to read the sacred books.

Now as this fourth tribe would naturally comprehend, at the very first, more than a fourth part of the people, and as the offspring of every subsequent, irregular commixture of the four original tribes, and all the descendents of that mixed race, fall by the law still lower than the fourth class, we may conclude that a large portion of the people is thus held down to earth. The evils inherent in this sort of distinction, (widely different it will easily be seen from mere gradation in society, because here essential superiority is entailed upon some classes, and essential inferiority upon others, for all generations,) extend in their degree to each of the intermediate classes, and the lowest feels the accumulated weight of general superiority. Those nearer the summit, become a cement to this system, which by allotting to them certain prerogatives, disposes them the more easily to acquiesce in it, and to support it.

Nothing is more plain, than that this whole fabric is the work of a crafty and imperious priesthood, who feigned a divine revelation and appointment, to invest their own order, in perpetuity, with the most absolute empire over the civil state of the Hindoos, as well as over their minds. It is true, that they assigned the reins of political government to another order, the Kheterees; but they still maintained in full exercise the indefeasible superiority of their own rank, they prescribed the rules of administration, they were the privileged advisers of the *Magistrate*, (as the sovereign, or ruler, is termed in the code,) they rendered themselves necessary to the man invested with that dignity, in his personal, as well as official capacity; and in the preliminary discourse to the code, we are told of a king, whom on his obstinate disregard of some ordinances of the Vedes, and of the counsel given by the Brahmins, they put to death. That "this resignation of the secular and executive power into the "hands of another caste, is a striking instance of the moderation of the Brahminical "order," cannot then be conceded to the translator of the code, for they secured to themselves all the power of the empire, but transferred the danger and trouble attendant on it to their inferiors; they retained all the advantages of secular pre-eminence, and divested themselves of all responsibility*.

To

* As some persons appear disposed to think the institution of castes, and their separation by impassable barriers, the effect of profound political wisdom, it may be well for them to consider, whether it be possible to reconcile with the idea of true wisdom, that which derives both its origin and support from fraud and imposture; whether fraud and imposture can finally produce the fruits of truth and justice; and how far the supposed object of such policy, namely the good of society, is in fact fairly and solidly obtained by it. The subjection of one part to another is indeed secured; but is it good for the part so subjected, (infinitely the larger part of the whole,) and its numerous posterity, through all the successions of time, to be placed in bondage to the other? It seems difficult to maintain such an assertion by arguments, which will not also recommend, both in a personal and social view, the ancient system of slavery. That such a mechanical construction of society is not favourable to the external interests of a body politic, may be easily discerned: for what public principle can exist in a state, where the greatest part of the people are totally and for ever excluded, under the highest penalties, from taking any concern in public affairs. Some who have considered this subject philosophically, seem to rest the defence of such an arbitrary arrangement, upon a sentiment supposed to pervade the different classes, of the inviolability of each others rights†. Had a sentiment of that nature influenced them, the rights remained very unequal; but the truth is, that the same consequences follow which must ever be expected from unlimited power,—pride and tyranny on one side, abject servility and suffering on the other. And were it certain, as the translator of the code has intimated, "that long usage has persuaded the peo-"ple of the *equity* of their distinctions‡," this would be an additional proof of their minds and judgments being debased. Nothing is better known, than that the Brahminical tribe are pre-eminent in those

* See Dr. Robertson's Ancient India. † Ditto - - - - - - - - page 264.
‡ Preface to the Code, page 11.

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To show how the singular species of despotism here described, pervades the legal system of the Hindoos, and to exhibit specimens of different laws, various passages from the code shall now be produced. Since it has, we trust, appeared, that the still remaining influence of that system is not to be ascribed solely to those parts of it which are sanctioned by British authority, we shall be justified in extending our view, and our selection, beyond them. And it will be recollected, on the other hand, that those parts include the laws which relate to the grand concerns of inheritance, marriage, and caste, besides others of inferior import; the severity only of some of the Hindoo punishments being discountenanced by our administration of criminal law. To one or other of those branches, the greater part of the ordinances now to be quoted, will be found to appertain; and for the introduction of others which do not belong to them, particular reasons, in addition to the general one already urged, will appear.

The specimens of laws to be adduced here, shall be arranged under the following heads:

First, Of those which determine some of the prerogatives, or duties, of the Chief Magistrate or Ruler.

Second, Of those which establish distinctions in favour of the superior castes.

Third, Of those which, without reference to castes, give a direct sanction to immoralities.

Fourth, Of those which, without reference to castes, go upon principles of oppression and injustice.

Fifth, Of those which, without reference to castes, discover a spirit of cruelty.

FIRST then, Specimens of Laws which establish some of the Prerogatives and Duties of the Chief Magistrate or Ruler.

Although no Hindoo can now exercise this office in our Eastern territories, these passages, few in number, are produced to show the arbitrary power with which the law invests the sovereign, and the abject submission which it imposes on his subjects. It may be remarked, that our tributary zemindars in the Carnatic, and even the great landholders in Bengal, have still retained some resemblance of this lordly authority over their people.

SOME of his PREROGATIVES.

Code, page 110. "He is not to be considered as *a mere man*, but as *a Deeutah*" (a subordinate deity, of whom they actually worship numbers.)

269. "If

those atrocities which disturb the peace of society: and this is but one branch of the mischiefs generated by such a system.

The subdivisions of the four original castes, arising from difference of professions, and a variety of separating distinctions, are now so many, the ways of contamination, (and therefore of purification,) so multiplied; stains or expulsions, on the one side, so terrible, and to those, on the other, who thereby succeed to property, so advantageous, that the subject of caste is a prodigious source of wrangling, animosity, litigation, loss of time, of property, and of peace, among the people, and of influence and emolument to the Brahmins, who are the arbiters in all these matters.

When these consequences are considered, together with that which must inevitably have been expected from the beginning, namely, the irregular commerce of the tribes, the political sagacity of the legislators of the Hindoos seems not entitled to great praise, since to every public benefit which they could propose from their system, the preservation of its simplicity appears to have been essential. And although a celebrated name* regards the institution of castes as a mark of considerably advanced society, there seems more probability in referring it to one of the earlier stages, in which there would indeed be priests, soldiers, and husbandmen, labouring and domestic servants, but the community would be small; and in such a community, an ordinance, apparently simple, fixing the several members and their families in the professions which they already exercised, might more easily be adopted and enforced. Had an ordinance of that nature been promulgated after the society was become numerous, and intermarriages, (not before prohibited), between persons of different professions, and between their descendants, had taken place; and when occupations had been multiplied, and various gradations already established, the difficulty of carrying it permanently into execution, would apparently have been insuperable.

* See Dr. Robertson's Ancient India.

269. "If in any place where the Magistrate is playing at tables, or any such "game, in that case if any person, without permission of the Magistrate, interposes "with his hand, or by speaking, *the Magistrate shall put him to death.*"

270. "If a man complains causelessly against the Magistrate's counsellor, *the* "*Magistrate shall put him to death.*"

"If a man performs any business or service for the Magistrate's accuser, "*the Magistrate shall put him to death.*"

"Men who vilify the Magistrate, men of *innate bad principles*, or men who "without reason, cause any internal uneasiness to others, (*of all which the Magistrate* "*himself must be the judge,*) the Magistrate shall banish all such the kingdom."

188. "If a man speak reproachfully of any upright Magistrate, the Magistrate "shall cut out his tongue; or having confiscated all his effects, shall banish him the "kingdom."

189. "If a Magistrate, *for his own good*, has passed any resolutions, whoever "refuses to submit to such resolutions, the Magistrate shall cut out the person's "tongue*."

207. "If a man beat or ill use a Magistrate *who commits a crime*, whatever it be, "the crime of murdering a hundred Brahmins shall be imputed to him; he shall have "an iron spit run through him, and be roasted with fire."

Note.—This contains an exception in favour of Brahmins, for *which see the next head.*

Some of his Duties.

Code, page 91. "A Magistrate *must have near him a learned Brahmin.*"

92. "The Magistrate is required to maintain *not less than ten Brahmins of* "*learning and worth*, to give them money, and every token of respect and consi- "deration in the judgment seat."

113. "*In all cases*, he shall spare and *excuse the Brahmins.*"

116. "He shall give much effects and money to the Brahmins of a conquered "country."

"And erect a stately building for them."

118. "He shall keep magicians *who can cure by spells.*".

"He shall keep a great number of buffoons, or parasites, jesters, and "dancers."

119. "If he resume a religious endowment, he shall remain in hell a thousand "years."

Second, Specimens of Laws, which establish Distinctions in favour of the Brahmins and the other Superior Castes.

First, concerning Authority.

Code, page 117. "The other three orders shall be obedient to the Brahmins†."

282. "Whatever

* In the Institutes of Menu, a work of great antiquity and curiosity, translated by Sir William Jones, since this tract was written, is the following description of the formation and dignity of the king:

"Since a king was composed of particles drawn "from those chief guardian deities, he conse- "quently surpasses all mortals in glory."

"Like the sun, he burns eyes and hearts; nor "can any human creature on earth even gaze on "him."

"He is fire and air; he, both sun and moon; "he, the god of criminal justice; he, the genius "of wealth; he, the regent of waters; he, the lord "of the firmament. A king, even though a child, "must not be treated lightly, from an idea that he "is a mere mortal; no, he is a powerful divinity, "who appears in human shape.—*Institutes of Menu*, page 159."

† The following passages in the Institutes of Menu are remarkable

"Let not a king, though in the greatest distress "for money, provoke Brahmins to anger by taking "their property, for they, once enraged, could "immediately, by sacrifices and imprecations, de- "stroy him and his troops, elephants, horses, and "cars"

"Who, without perishing, could provoke those "holy men, by whom, that is, by whose ances- "tors, under Brahmá, the all-devouring fire was "created, the sea with waters not drinkable, and "the moon with its wane and increase?"

"What prince could gain wealth by oppressing "those, who if angry could frame other worlds "and regents of worlds, could give being to new "gods and mortals?"

"What man, desirous of life, would injure "those, by the aid of whom, that is, by whose "oblations,

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282. "Whatever ordinances Pundits, (who are Brahmins,) deliver to the Ryots, "(the body of the people,) from the Shaster, the great body of their ordinances, "civil and religious,) the Ryots (who cannot and dare not read the Shaster,) *are bound* "*to obey.*"

"A Pundit, not delivering the sentiments of the Shaster, to be fined two "hundred and fifty puns of cowries," (about four or five rupees, or ten shillings.)

261. "If a Sooder reads the Bedes to either of the other three castes, or *listers* "*to them, heated oil, wax, and melted tin, shall be poured into his ears, and the orifice* "*stopped up.*"

"If a Sooder gets by heart the Bedes, *he shall be put to death.*"

"If he always performs the jugg, (one of their modes of worship, in "which the Brahmin officiates,) he shall suffer death, or be fined two hundred ash-"ruffees," (about £. 300)

Second, Concerning RESPECT.

Code, page 261. "If a man of inferior caste, proudly affecting equality "with a superior, shall travel by his side on the road, he shall be fined equal to "his abilities."

"If a Sooder sits on the carpet of a Brahmin, the Magistrate, having thrust "a hot iron into his buttock, and branded him, shall banish him the kingdom, or "else shall cut off his buttock."

Note.—The shadow of a Chandal, one of those degraded below the fourth caste, passing over victuals, milk, or even water, defiles it. Ten thousand other ways of being polluted by the lower ranks, mark their vileness*.

275. "Brahmins waiting upon great men, shall have free entrance."

"Being passengers in a boat, shall pay no fare, and have precedence."

"And shall pay for goods in a boat, no freight."

Third, Concerning CRIMES,—as ASSAULTS, &c.

Code, page 206. 283. "No crime whatever, nor any number of crimes, "shall forfeit the life of a Brahmin: *he shall not be put to death on any account* "*whatever.*"

"No crime in the world is so great as that of murdering a Brahmin; the "Magistrates shall never desire his life, nor cut off his limbs."

284. "A Brahmin murdering a Brahmin, or committing incest, shall be punished "only with ignominious branding."

206. "If a man deprive another of life, the Magistrate shall deprive that "person of life, except he be a Brahmin; *he* shall be fined a hundred gold mohurs," (about £. 150.)

207. "For

"oblations, worlds, and gods perpetually sub-"sist; those who are rich in the learning of the "Veda."

"A Brahmin, whether learned or ignorant, *is* "*a powerful divinity*, even as fire is a powerful "divinity, whether consecrated or popular."

"Thus, although Brahmins employ themselves "in all sorts of mean occupations, they must in-"variably be honoured, for they are something "*transcendently divine.*"

"Of a military man who raises his arm vio-"lently on all occasions against the priestly class, "the priest himself shall be the chastiser, since "the soldier originally proceeded from the "Brahman."

"A priest who well knows the law, needs not "complain to the king of any grievous injury; "since even by his own power, he may chastise "those who injure him."

"His own power, which depends on himself "alone, is mightier than the royal power, which "depends on other men, by his own might there-"fore, may a Brahmin coerce his foes."

"He may use, without hesitation, the power-"ful charms revealed to Atharvan, and by him to "Angiras, for speech is the weapon of a Brahmin, "with "with that he may destroy his oppressors."—*Institutes*, pages 285. 286. 311.

* "The abode of a Chandal and a Swapaca "must be out of the town; they must not have "the use of entire vessels; their sole wealth must "be dogs and asses. Their clothes must be the "mantles of the deceased; their dishes for food, "broken pots; their ornaments, rusty iron; con-"tinually must they roam from place to place."

"Let no man who regards his duty, religious "and civil, hold any intercourse with them; let "their transactions be confined to themselves, and "their marriages only between equals."

"Let food be given to them in potsherds, but "not by the hands of the giver; and let them not "walk by night in cities or towns."

"By day they may walk about for the purpose "of work, distinguished by the king's badges; "and they shall carry out the corpse of every one "who dies without kindred: such is the fixed "rule."

"They shall always kill those who are to be "slain by the sentence of the law, and by the royal "warrant; and let them take the clothes of the "slain, their beds, and their ornaments"

Institutes of Menu, page 295.

207. " For beating or ill-using a Magistrate, *who commits a crime*, (which the " first head rates as the crime of murdering a hundred Brahmins,) a Brahmin shall " only be fined a hundred ashruffees," (about £. 150.)

209. " If a man sets fire to another person's house, with intent to destroy him; " or causes him to take poison; or is desirous to murder him with a sword; or " carries away that person's wife from his house, and keeps her himself; or plunders " all that person's effects, or his tillage; in that case, if the latter deprives the former " of life, he shall not be amenable. *But he shall not kill either a cow or a Bramin*," (consequently a Brahmin may do all this for a fine *.)

206. " With whatever limb a man strikes a Brahmin, *that limb shall be cut off*."

" If a Sooder strikes either of the other three classes, *it shall be so done to* " *him*."

208. " If a Sooder spit on a Brahmin, his lips, &c. shall be cut off."

" If a Sooder plucks a Brahmin by the hair, &c. both his hands shall be " cut off."

" If a Sooder gives much and frequent molestation to a Brahmin, *he shall* " *be put to death*."

Crimes continued—Adultery.

Code, page 242. " A Sooder, Bice, or Kheteree, guilty with a woman *of the* " *Brahmin caste, who has a master*, (that is a husband or keeper,) shall suffer death " by mutilation and burning."

" A Sooder, guilty with a Chandal woman, (one of a degraded tribe,) shall " suffer death."

" A Bice or Kheteree, guilty with a woman of inferior caste, to be fined " *five hundred* or *one thousand* puns of cowries," (from eight to sixteen rupees, sixteen to thirty-two shillings.)

" A Brahmin, guilty with a woman of any of the castes, *who has a master*, " to be fined *five hundred*, or *one thousand* puns of cowries (*eight* to *sixteen* rupees.) " He is not in any case of adultery, to be deprived of life."

243. " A woman, guilty with one of the inferior caste, to be eaten by dogs, or " burnt with faggots."

" A woman of equal or inferior caste, guilty, *shall not be liable to punish-* " *ment*, only she shall perform the ceremony of expiation."

244. " If a man commits adultery with an unmarried girl *of inferior caste*, " *by her consent*, he shall not be deemed guilty. If it was done *by violence*, the " Magistrate shall take a small fine from him."

248. " For crimes beyond this class, and beyond the line of the human species, " the superior castes are taxed in a fine of *five hundred* puns of cowries (about *eight* " rupees) the *Sooder only*, doomed to death."

Crimes continued,—Stealing.

Code, page 220. " If a man steals any man of superior caste, *he shall be burnt* " *with fire*, by having a particular species of grass bound round his body. If he " steal a woman, he shall have that grass bound round his body, *be stretched out on* " *a hot plate of iron, and burnt in the fire*."

" If a man steals a man or woman of middling caste, the Magistrate shall " cut off both his hands and feet, and cast him out upon a highway where four roads " meet."

" If any person *steals a man of inferior caste*, he shall be fined *one thousand* " puns of cowries," (about *sixteen* rupees or *thirty-two* shillings.)

" If he steals a woman of inferior caste, all his property shall be con- " fiscated."

" If a man, in time of war, steals a horse, or an elephant, the Magistrate " *shall deprive him of life*."

" If he steals either of these animals in time of peace, the Magistrate shall " cut off from him one hand and one foot." (Compare this article with the preceding one concerning stealing a Sooder.)

" If

* The Institutes of Menu however, appear to permit to a man who cannot otherwise escape, the slaying of a Brahmin, who assails him with an intent to murder. Page 234.

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" If a man steals an elephant or a horse, excellent in all respects, the " Magistrate shall cut off his hand, and foot, and buttock, and *deprive him of life.*"

221. " If a man steals a small animal, the Magistrate shall cut off *half his foot.*"

224. " If a man steals flowers for dying, &c. the Magistrate shall cause the " article to be returned, and *take a coin of gold as a fine.*"

225. " If a man steals flowers, or fruit, or wood, or grass, *belonging to a Brahmin,* " the Magistrate shall cut off his hand."

226. " If a Brahmin who every day performs the jugg, commits a robbery " that deserves death, the Magistrate shall cut off the hair of his head."

Concerning the SCALE of PUNISHMENT, for scandalous or bitter Expressions, which species of offence will be further explained under a subsequent article, (Page 101.)

Puns Cowries

Code, page 182. " A man of equal caste *and equal abilities* with the " accused, shall be fined, - - - - - - - - - - 1,000
(about sixteen rupees, less than £. 2.)
" A man of inferior caste and *inferior abilities,* - - - - 2,000
" A man of superior caste and *superior abilities,* - - - 500
" An equal in caste and abilities, accusing another of one of the " crimes in anoo patuk, (the third class of this offence) - - - - 100
" An *inferior in caste and abilities,* ditto, - - - - - 200
" A *superior in caste and abilities,* ditto, - - - - - 50
(about *one* rupee.)

183. " A Sooder, accusing one of a superior caste of any of the crimes of the " three first classes, (which will be hereafter described,) shall have his *tongue cut* " *out, and a hot iron of ten fingers breadth thrust into his mouth.*" This article may be compared with the one immediately preceding. The Sooder forfeits his tongue, and in effect his life, for committing against a superior that offence, which, if a superior commit it against him, costs only half a crown; a fine so trifling, whilst the penalty of retorting on the other side is so dreadful, as rather to encourage than prevent this species of wrong in the upper ranks.

Concerning CIVIL AFFAIRS.

1 As to interest of money, the proportion of rates payable by the different classes, shall be introduced for the sake of illustrating the spirit of the code.

Code, page 2. " Where a Brahmin pays per month 1 per cent.
" A Kheteree shall pay - - - - 1½
" A Bice (or Vyse) - - - - - 2
" A Sooder - - - - - - - - - 5
" And so in proportion whatever the rate is*."

PAYMENT of DEBTS.

Code, page 21. " If a very rich man, of *weak understanding* and of *a very* " *mean tribe,* from a principle of fraud and obstinacy refuses to pay his debts, the " Magistrate shall oblige him to discharge the money claimed, and *fine him double* " *the sum.*"

22. " If a very rich man, of *an excellent education and of a superior caste,* from " a principle of fraud and obstinacy refuses to pay his debts, and the creditor com- " mences a suit against him, the Magistrate shall cause the money in dispute to be " paid, and shall *fine the debtor one-twentieth* of the sum recovered."

As to TAXES on BUYING and SELLING.

Code, page 258. " On all sales. Inland purchase and sale 10 per cent.
" Foreign - 5 per cent. on the profit.
" A Brahmin, learned in the Bedes, *shall pay no tax on sales.*"

As

* The English government in Bengal has now ordained twelve per cent. per annum, to be the general legal maximum of interest, without distinction of castes or nations. Wealthy natives however, probably still favour borrowers of the higher castes.

As to FINDING THINGS.

Code, page 256. " A man finding *his own*, long lost, is *to inform the Magistrate*, " who is *to take from him*,
" If he be a needy unlearned person, *one-sixth*;
" If a man of science, - - - *one-half**."

256 " A learned Brahmin finding any thing, the property of a stranger who is " unknown, *takes the whole*; an unlearned Brahmin takes five-sixths, and gives one- " sixth to the Magistrate."

" A Kheteree is to give the Magistrate one-fourth, and the Brahmins one- " fourth."

" A Vyse is to give the Magistrate one-fourth, and the Brahmins one-half."

" A Sooder finding any thing, divides to the
" Magistrate, five-twelfths;
" Brahmins, five-twelfths;
" Himself, - two-twelfths."

" A Magistrate finding any thing, shall give one-half to the Brahmins, and keep " the other half himself."

As to GIFTS, and SUCCESSION to the PROPERTY of BRAHMINS.

Code, page 26. " A woman *may give to the Brahmins* any part of her husband's " effects *to procure his future happiness*: if she gives the whole, *the gift is approved*, " but *she* is blameable."

" A gift proposed to be given to a Brahmin, if afterwards withheld, shall be en- " forced by the Magistrate with interest."

33. " The property of Brahmins, *must always descend to Brahmuns*."

46. " So must the property of Brahmins' wives."

128. " On failure of heirs to one of the three lower castes, the Magistrate may " appropriate the property to himself."

" But if a Brahmin has no heir, his property shall pass to other Brahmins; " and if there are no Brahmins, the Magistrate shall cause it to be thrown into the " water †."

As to SLAVERY.

Code, page 143. " Slaves are made of the three castes of Kheteree, Vyse, and " Sooder.

" A Brahmin can never be a slave."

" A man of superior caste, if he is upright and steady in the principles of that " caste, can never be the slave of a man of inferior caste."

144. " If a Brahmin has purchased a Sooder, or even *if he hath not purchased* " *him, he may cause him to perform service*."

These instances may suffice to illustrate the *nature of the distinctions* which obtain among the different castes. They extend indeed to all the concerns of life; and the laws regulating them are diffused throughout the code; make up a great part of it, and seem in reality to be its main business.

THIRD, Of those Laws, which without reference to Caste, give a direct Sanction to Immorality.

Concerning EVIDENCE, PROMISES, and FALSE PRETENCES.

Code, page 115. " Wherever a true evidence would deprive a man of his life, in " that case, if a false testimony would be the preservation of his life, *it is allowable to*

* So it is in the code, and the proportion in this instance seems to contradict the main principle of the law; but the striking point of comparison is, that a Brahmin, finding *what belongs to a stranger*, keeps the whole, or five-sixths of it; and another person finding *his own*, is obliged to give up a part of it.

† " Should the king be near his end, through " some incurable disease, he must bestow on the " priest all his riches accumulated from legal " fines." *Institutes of Menu*, page 286.

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" *to give such testimony*; and for absolution of the guilt of false witness, he shall per-
" form the *Poojah Sershuttee* (worship to Sershuttee, the Goddess of Letters): but
" to him who has murdered a Brahmin, or slain a cow, or who being of the Brahmin
" tribe has drunken wine, or has committed any of these particularly flagrant offences,
" it is not allowed to give false witness in preservation of life."

" *If a marriage for any person may be obtained by false witness, such falsehood may*
" *be told*; as upon the day of celebrating the marriage, if it is liable to be incomplete
" for want of giving certain articles, at that time, *if three or four falsehoods are*
" *asserted*, it does not signify; or if a man promise to give his daughter many or-
" naments, and is not able to give them, *such falsehoods as these*, if told to promote
" a marriage, are allowable."

" If a man, *by the impulse of lust*, tells lies to a woman; or if his own life
" would otherwise be lost; or if *it is for the benefit of a Brahmin; in such affairs*
" *falsehood is allowable*."

136.—" If a man says to another, I will give you something if you are able to
" apprehend a thief or a murderer, or such kind of criminals, then even if the
" other should apprehend and bring such a person, nothing shall be bestowed on
" that account. If any thing had been given before the business, it may be taken
" back."

19. 20.—" A creditor is repeatedly directed, by *feigned* and by *evasive* pretences,
" to get hold of some of the debtor's goods."

Introd. to the Code, page 114. " The Magistrate is directed to send to the
" party in hostility against him, a man of intelligence, and well skilled in artifice,
" to insinuate himself among the enemy's men, and make them dissatisfied with
" each other, that they may quarrel and fight among themselves, and so be
" ruined."

It will be remembered, that the two last articles are not supposed to describe merely the practice or the counsel of sinister human policy, but to be, like the rest, the dictates of a divinity.

Mode of Sharing among Robbers.

Code, page 129. " The mode of shares among robbers is this: If any thieves
" by the command of the Magistrate, and with his assistance, have committed de-
" predations upon, and brought any booty from another province, the Magistrate
" shall receive a share of one-sixth of the whole; if they received no command or
" assistance from the Magistrate, they shall give the Magistrate, in that case, one-
" tenth for his share; and of the remainder their chief shall receive four shares,
" and whosoever among them is perfect master of his occupation, shall receive
" three shares; also whichever of them is remarkably strong or stout, shall receive
" two shares, and the rest shall receive one share. If any of the community of the
" thieves happen to be taken, and should be released from the Cutchery Court upon
" payment of a sum of money, all the thieves shall make good that sum by equal
" shares."

This is in every view, a curious, characteristic article. The translator of the code maintains, that it " by no means respects the domestic disturbers of the tran-
" quillity of their country, or violators of the first principles of society, but only
" such bold and hardy adventurers as sally forth to levy contribution in a foreign
" province." It were to be wished the article itself had spoken as definitely; but suppose it to be thus understood. In the first place then, it sets before us, not an open, military expedition, but a thieving, robbing, excursion; for the actors are " robbers, thieves, by profession," they are recognized to be of a " community of " thieves," to be amenable for the depredations they have committed, to the civil court, and if taken, liable to punishment.

2d.—The Magistrate directs and assists these robbers and thieves to plunder in another province. It is a clandestine operation, and his concern in it must therefore be clandestine. Booty is the professed object, and he shares it with them.

3d.—As this regulation authorizes the procuring of a release from the court which may have seized any of these offenders, by the payment of a sum of money, it sanctions the concurrence of the Magistrate in such a transaction, which has strongly the complexion of being a private corrupt bargain between the judge of that court and

and the culprit; but whether the ransom be a secret bribe, or a more open commutation for punishment, the principles of justice are violated, the Magistrate becomes a party in a complicated outrage against society, and is in fact countenanced by this ordinance in being indulgent, in his turn, to criminals who may come into his power, for a pecuniary consideration.

4th. But it may be asked, how this "community of thieves," some "perfect "masters of their occupation," are formed and brought to such a state of perfection in their vocation?—Can we conceive it to be solely by the exercise of their parts in alien lands? Born, educated, and dwelling in the Magistrate's district, is it to be supposed that they never practise at home? Yet the Magistrate harbours these *banditti*, he knows them personally, and he sets them at work.

If the translator's apology be admitted, that this is an ancient law, correspondent to the early manners of other nations, still it is to be remembered, that it stands in a code which claims to be divine, that therefore an equal authority is necessary to its repeal, and that it is offered to us as a law of the Hindoos at this day.

But what are we understand by "another province:" if it means another state, Hindostan consisted anciently, as it does now, of many states. This law was made for the whole Hindoo people; therefore it authorizes and encourages them to rob and plunder each other. It recognizes a community of thieves and robbers in each state, and makes it lawful for them to live by depredations on their neighbours Such accordingly has been the practice of at least smaller divisions, in all time past. The zemindars, throughout Hindostan, keep robbers and thieves under their protection; and whatever else has changed, the business of pillage, often attended with murder, still continues universally and systematically. Can it be doubted whether this ordinance has not had a most powerful effect in establishing and fortifying a practice so ruinous to the peace and good order of society? Must we not believe that robbers, finding their professions evidently recognized and sanctioned by the law, have thence with a quiet conscience formed themselves into castes and bands, and that it is the persuasion of acting upon the divine authority of the Shaster, which inspires them with contempt of death, and perseverance, from one generation to another? Can we suppose that our prohibition, and our punishment of predatory outrage, will in minds *prone* to them, destroy that persuasion? But the ordinance under consideration can hardly apply to any other than small divisions of territory: and if we were certain that "province" means the territory of another master, yet no fact is more notorious than that the bands of robbers whom the zemindars of Bengal are known to entertain, employ themselves within that country; for its "domestic tranquillity is disturbed by them" perpetually from one end to the other, as the extract before quoted from Lord Cornwallis has evinced, and a variety of other vouchers might be produced, if necessary, to prove.

We see then a most glaring instance in this ordinance, of immorality in principle, and of the consequent wide diffusion of evil in practice.

To proceed to further examples.

SERVANTS committing CRIMES by order of their MASTERS.—Divers Cases of Licentiousness.

Code, page 149. "If a servant, at the command of his master, *commits theft or "murder*, or any such crimes, in that case, *it is not the fault of the servant, the "master only is guilty.*"

239. "Adultery with common prostitutes and dancing girls, *shall not be finable.*"

247. "Several kinds of adultery allowed, *with consent of the Magistrate*, for the "trifling fine of ten puns of cowries;" (less than a shilling.)

"If a man by violence commits adultery on his own slave girl, a fine of ten puns "of cowries," (about a shilling.)

151. "Prostitutes and dancing women."—Cases stated, and decrees thereupon, including pimps, &c.

COMMISSION of a BAD ACTION allowed, to save life.

Code, page 271. "If a man in immediate danger of his life, *by committing a bad "action can save his life, in that case the Magistrate shall not fine him.*"

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Designing to Procure Death.

Code, page 268. "Performing a jugg (religious ceremony), to *procure the death of* "*an innocent person*, a fine of two hundred puns of cowries."

268. "Causing an innocent person to drink a potion, in order *to procure his* "*death*, a fine of two hundred puns of cowries."

Note.—They have great faith in both these expedients; intentional murder is therefore here rated at about ten shillings.

Concerning Gaming.

Code, page 254. "Games of chance are allowed *before the Magistrate*, or a "man belonging to him; the winner *to give half to the Magistrate.*" This last clause explains the reason of prohibiting hazard, except *before the Magistrate.*

138. "A man may become a slave by loss on the chances of dice, or other "games."

Scandalous and Bitter Expressions.

This is a copious article in the code, and becomes such from a correspondent feature in the character of the people. Virulent, foul, criminating abuse, overflows among them in a manner probably unparalleled any where else in the world. No language but their own could describe its shameless nature, and the malicious persevering eagerness with which they lavish it upon each other.

The Hindoo law has therefore found it necessary to arrange the various topics of scandalous abuse under distinct denominations, expressive of the quality, or rank, of the crimes which it imputes.

This classification is curious: it places together offences of very unequal enormity; it distributes into the same division, moral and ceremonial pollutions; and thus tends to lessen the guilt of some heinous iniquities, and to confound all just ideas of morality. For instance, under the second denomination, or class of crimes termed *maha-putuk*, with the murder of a Brahmin and *incestuous adultery*, there appears *stealing eighty ashruffees*, (about £. 120.) *from a Brahmin*, and a Brahmin drinking wine. Under the third, with "the murder of a friend," and divers kinds of incestuous adultery, is conjoined, "*eating the victuals of the washerman's or any base* "*caste.*" The fourth class termed *opoo-patuk*, which the glossary of the code explains to be "*small offences*," contains a large association of crimes, of which the following make a part.

Code, page 108. "Slaying a cow; adultery with the wife of another; performing the jugg to procure the death of any person; giving a philter to obtain an unwarrantable power; spoiling trees; eating victuals at the hands of an astrologer; a man's not paying his debts; stealing grain and metals, *except gold*; depriving a woman or a man of either of the three inferior castes, of life."

Petty assaults (see code, 191) are also frequent among these people, and proceed from the temper just described. They employ a large chapter of the code, in which a number of frivolous ridiculous cases, hardly fit to engage the attention of children, the offspring of superstition, pushed to endless punctilios, are stated. The punishment, though lighter in itself, proceeds in the same gradation, as that for scandalous imputations, of which the scale has been already given. But concerning these it may be observed, under this head, that there is surely a direct breach of moral propriety in taking "*abilities*" into the decision, especially by the superiority of ability to alleviate indecorous behaviour; yet this direction, very frequently occurs; and how is the superiority of ability to be ascertained? In this instance, as in numberless others, every thing is left to the judge.

Fourth, Of Laws which, without reference to Caste, go upon principles of Oppression and Injustice.

Of Inheritance.

Code, page 64. "A person born blind, deaf, or dumb, without a hand, a foot, or "a nose, &c.; whoever is of such general ill-behaviour, that his relations and

"partners

" partners refuse to eat or drink with him; whoever is so incurably disordered as " that remedies have no effect upon him; a man afflicted with a consumption, &c; " whoever procures his subsistence by an unwarrantable business or profession; is " thereby incapacitated for inheritance."

Note.—The relations must probably be often interested in the succession.

Of Recovering Debts.

Code, page 19. "After other methods prescribed there to a creditor for recovery " of debt, tail, *he shall carry the debtor home with him* and detain him. If this " mode also fails, he shall by *feigned pretences*, endeavour to get hold of some of " the debtors goods. If he succeeds not here, and has no pledge, *he shall then* " *seize and confine the debtor's wife, children, cattle, buffaloes, horses, and such kind* " *of useful animals, also his pots*, (necessary for dressing his food,) *clothes, matts,* " *and furniture*; and seating himself at the debtor's door, there receive his money. " If even these methods prove unsuccessful, *he shall seize and bind the debtor's* " *person, and procure by forcible means*, (corporal punishment,) *a discharge of the* " *debt.*"

21. "If a man acknowledges himself indebted to another, and yet refuses to " pay, the creditor shall use the means above specified, to recover his money " *without hindrance or molestation from the Magistrate.* If the debtor should " lodge a complaint, the judge *shall fine him*, and cause the creditor to be " paid."

37. "If during the time of a famine, or for the execution of some religious " purpose, or on account of sickness, or to satisfy the importunate demands of a " creditor, who has proceeded so far as to seize his debtor, and *confine him with-* " *out victuals*, the husband should appropriate to himself his wife's property, *with-* " *out her leave*, he is justifiable, nor *is he obliged to return or repay* what is so " appropriated."

These regulations are limited by the following.

Code, page 20. "If a man lends money to a Magistrate, his own master, " or a Brahmin, he shall not be rude or uncivil in procuring payment."

23. "When a creditor procures his money by application to a Magis- " trate, he shall give him *one-twentieth* of the sum received, for his interpo- " sition."

270. "If a Magistrate's officer hath brought before the Magistrate any person " for any crime, and upon the Magistrate's examining that person, he should " deny the crime laid to his charge, then, even if a small offence be proved " against him upon a trifling crime, the Magistrate shall levy a *great* fine."

Fifth, Specimens of laws which, without reference to Caste, discover a Spirit of Cruelty.

Code, page 211. "A man killing a goat, horse, or camel, *except for sacrifice, to* " *have one hand and one foot cut off.*"

212. "A man always guilty of selling the flesh of dogs or jackalls, for goat or " stag flesh, *to have his hand and his nose cut off, and his teeth broke.*"

217. "A man selling white copper, &c. to counterfeit silver, the Magistrate " shall break the *hands, nose*, and *teeth*, of such person, and fine him a thousand " puns of cowries."

220. "A man stealing an elephant or horse, excellent in all respects, the " Magistrate *shall cut off* his *hand, foot*, and *buttock*, and *deprive him of life.*" (*Note.*—Stealing a *man* of *inferior caste* is rated at a fine of a thousand puns of cowries, as we have already seen.)

218. "A man frequently guilty of counterfeiting gold, *to be cut in pieces with* " *a razor.*"

But the cruelty of the Hindoo people appears in no way more evident than in the whole of the treatment to which *their women* are subjected in society, under the

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sanction and authority of the code. They are truly an unfortunate part of the community, and greatly to be pitied. Receiving no education, disposed of in marriage without having their consent asked, or knowing any thing of the person to whom they are to be given, they are immured for life, and made mere servants in the family of their despotic lord. If barren, or bearing only daughters, they are neglected; and not always released from oppression, even when death removes the husband; for they are then frequently reduced to the alternative of sinking into a state of infamy, or of burning themselves with his dead body.

The code expressly sanctions this inhuman and astonishing custom.

253. "It is proper for a woman, after her husband's death, to burn herself in "the fire with his corpse."

"Every woman who thus burns herself, shall remain in paradise with her "husband, three *crore* and fifty lacks (three millions and a half) of years."

This strong recommendation and injunction from a law-giver, believed to be divine, is of course admitted to have the force of a religious obligation; and it is one of those institutions of which the Brahmins are very tenacious. We are naturally led to inquire, what could have been the primary cause of an institution so horrid. The Hindoo writings, so far as they are known, seem to be silent on this head: but an explanation however offers itself, from the principle of the perpetual separation of castes, and the manners of the people. It was essential to that principle, that the castes should marry each within itself. In a few permitted cases, men of a higher caste might take a wife from an inferior one of the original four orders, and all the children were deemed of that to which the father belonged; but in no case was it allowed to a woman of a higher caste to marry with a man of a lower.

Mixed intercourses were therefore almost universally prohibited under penalties; and the offspring which, notwithstanding prohibitions, appeared from that source, was degraded below the fourth caste. But polygamy has always been practised among the Hindoos, especially among those of the higher orders; and the latter wives must infallibly, from the custom of the country, be considerably younger than the husband, and generally still young when he dies. A multitude of widows must thus soon arise in the community, and from the nature of the case, progressively encrease. Second marriages of women, appear to be unknown and repugnant to the Hindoo law and usages.

When a woman's husband therefore dies, she is reckoned an useless being, and what is worse, a dangerous one. The jealousy of the Eastern people has placed their honour in the conduct of their women, as being what touches them most. Not the husband himself only, but the whole family are stained by the misbehaviour of a wife; and if she degrades herself after his death, they are still affected by her dishonour. If she should bring other children by a man of inferior caste, she would introduce, more signally than any misconduct in a man could, that disorder and confusion into the society which would tend to break down the lines of separation between castes. But seeing the number of widows must always be great, and they have no effectual superintendent or protector, there must be a proportionable danger of such irregularity as would at length make the exceptions bear down the rule; and if mothers, as in many instances might thus happen, were to rear the children of a Sooder with those left by her former noble husband, the higher caste could not be preserved, during infancy, from defilements produced by eating and drinking, and touching what appertained to the other; nor could the son of a Sooder, brought up in this way, afterwards regard his Brahmin brother and companion with the veneration deemed indispensably requisite to be shewn to that order.

How then, might it be said, shall the evils to be apprehended from this source, notwithstanding prohibitions and disgrace, be prevented? Let an ordinance, professedly divine, recommend to widows a voluntary departure with their husbands to paradise, under an assurance of enjoying there a very long succession of felicity; honour shall stimulate them to embrace this choice, and lest the love of life should still prevail, the fear of infamy shall compel them to die. Nor would this expedient appear as shocking to the Hindoos, as it does to us. Admitting the separation of castes to be a sacred institution, whatever tended to subvert it, might be obviated, not only lawfully, but as a matter of duty.

Women

Women there have no concern in the education of their children after infancy; they cannot go abroad; the chief, if not the only way in which they are considered to be useful, terminates with the life of the husband; the code imputes to them the most depraved, impure, unsafe nature; they are ranked in the "*Bhagvad*" with those who are "of the womb of sin;" and it is believed that they are doomed to successive transmigrations, until they are regenerated in the body of a Brahmin. Vile therefore in their nature, and become useless and dangerous, to remove them from the earth, would be to study the preservation of order below, and to accelerate the course they have to pass through to a happier state. And thus there is a regular progress from the first stage of a false principle to a practical consummation that is tremendous.

Our supposition, that the original design of this institution was to prevent the dishonour and confusion of castes, appears to be confirmed by the terms of the ordinance in which it is delivered; for after saying that "it is proper for a woman "to burn herself in the fire with her husband's corpse," it adds, "*if she cannot "burn, she is to maintain an inviolable chastity.*" If *she remains always chaste*, she goes (still) to paradise, and *if she does not preserve her chastity*, she goes to hell *.

It is probable that though the ordinance speaks in general terms of any woman, the Brahmins might not mean its operation to extend beyond the higher orders, and might especially intend to preserve their own in all the distinction of purity necessary to maintain their authority. Among the lower castes it is seldom enforced. With the others, what was originally in part at least policy, is now superstition, or an honourable family distinction; and in this last view, the practice seems to have extended to other Eastern nations, who probably adopted it from the Hindoos. Expences and domestic inconveniences attend it, which may contribute to confine it to those alone, even of the superior castes, who are in better circumstances; but among persons of that description, happiness and misery, honour and infamy, the present and the future, are all urged as motives to destruction, with great and horrid success. The number of women thus annually destroyed in Hindostan, probably far exceeds the general conception of Europeans †.

As connected with this subject, it may be added in illustration of the cruel genius which pervades the Hindoo code, that the Vedes undoubtedly enjoin human sacrifices; that such were certainly formerly offered to Kallee, the Goddess of Destruction, one of whose terrific ornaments is a necklace of human skulls; and that there is reason to believe, that this infernal practice, though now publicly disused, has not yet entirely ceased ‡.

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* A paper in the fourth volume of the Asiatic Transactions, published long after this passage was written, exhibits a variety of decretory sentences from the Vedes and Shasters, relative to this subject, confirming in general the view of it here given *Asiatic Transactions*, Vol. IV. page 209.

† No judgment can be formed of the number, from the transactions of this kind, occasionally seen about English settlements; by far the greater part takes place in the interior of the country, out of the view and intelligence of foreigners. Roger, a writer of great credit in the last century, relates that the *Kheterees* compelled their women to burn, reckoning it a disgrace if their wives were not laid on the funeral pile with them; and that during his residence at Paliacatta, a man of distinction of that caste dying, *sixty* of his wives were burnt alive with his corpse. A Hindoo of education stated to a friend of the writer, his conjecture that the victims thus annually burnt in the Bengal provinces, amounted to fifteen thousand. The calculation indeed seems excessive; yet if we adopt moderate data, the result will be enormous. Hindostan has been estimated to contain a hundred millions of inhabitants, and at least one-tenth of these to be Mahomedans. In the more opulent families of the three *inferior* original tribes, particularly the Kheterees, the practice in question is occasionally followed. Suppose then the four original tribes to make up two-thirds of the Hindoos, that is, sixty millions, the Brahmin families, with a small proportion of the Kheterees, and a few of those belonging to the other two tribes, to constitute a tenth part of the four original tribes, or six millions, the heads of families in this number to be one-sixth, or one million, the deaths of these annually, one in thirty, and (and a plurality of wives being in many of these families) one woman only to be burnt for each, the number annually sacrificed in Hindostan will then be about thirty-three thousand.

These data are all hypothetical and have little certainty; but let the proportion be reduced to the lowest probable scale, the annual immolation of human victims to a dire superstition, will still appear an enormity under which language must sink.

The principle alone, however, is so dreadful, that it needs not the aid of numbers to shew its atrocity.

‡ When Mr. Elliot, deputed by Mr Hastings in 1777 to the Rajah of Berar, had advanced into the country, between that prince's capital and our territories, a young man presented himself, and solicited leave to travel under the protection of his suite; on being asked his reason, he replied he understood the rajah or zemindar of a district, before them, offered every year a human sacrifice, and generally seized some stranger passing by at that time.

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One article more shall close the elucidations from the Hindoo code.

Code, page 274. "In cases where it is ordered, a man shall be put to death, "instead thereof he shall pay one hundred ashruffees, (about £. 150); and where "it is specified that one of his hands, or one of his feet, shall be cut off, instead "thereof he shall pay fifty ashruffees; and instead of having two of his fingers cut "off, he shall pay twenty-five ashruffees; so also, when banishment from the king-"dom is his sentence, instead thereof he shall be fined twenty-five ashruffees."

"Men of *rank*, or *good principles*, or *learning*, committing such a *crime as to* "*deserve capital punishment*, if they are not men of property, the Magistrate shall "take less than one hundred ashruffees, according to his fortune."

"If a Brahmin who hath always acted in conformity to the Vedes, commits such "a crime as to deserve capital punishment*, the Magistrate, to prevent him in future "from the commission of such crimes, shall confine him in perpetual imprisonment." (No heavy punishment to a Hindoo, to whom indolent inactivity is a species of enjoyment.)

From what has been stated in the former part of this chapter, it will be understood that the ordinances quoted under this last article, as relating to criminal law, are not now a rule of judgment in our territorial courts, but they are introduced here for the sake of illustrating the genius of the Hindoo code. At first sight, they seem to diminish the cruelty of that code. They only afford however, a fresh and striking demonstration of its injustice and venality.

The best apology for a severe system of laws would be, that they were impartially administered. But here is an office of indulgence set up to the rich, and the pecuniary rates fixed at which they may commit crimes worthy of death. On the poor, who cannot perhaps raise one ashruffee, the laws must still have their course; and thus it becomes evident, that their steady object is not the prevention of offences, and that their remissions do not proceed from clemency; but that there is in the dispensation of punishments, a scandalous partiality in favour of rank and wealth, and a palpable regard to the emolument of the Magistrate. Indeed pecuniary fines are one great object of the code; they occur perpetually, the law is so loosely delivered that in personal disputes almost every thing is left to the discretion of the Magistrate, and one sure issue of them is his private advantage.

From this brief inspection of the Hindoo code, a tolerable adequate idea of its genius, in points upon which the happiness of society essentially depends, may be obtained. The articles which have been selected, are such as do not take their character from the light wherein they are placed, from forced constructions, or extraneous circumstances; their real nature, their intrinsic quality, their conformity or repugnance to the fair unalterable standard of good and evil, is evident. It cannot certainly have escaped attention, that the immorality, the injustice, and the cruelty of the code, are by no means confined to the instances which have been adduced under these heads, respectively, but appear in glaring colours in the numerous regulations which have been quoted, in reference to that wide and important subject, the distinctions in favour of the superior tribes. Actions are indeed often estimated, not according to their intrinsic good or evil, but according to the relation they have to caste.

Immoralities of every description are tolerated on easy terms to one part of the society, and some of the most atrocious kinds are permitted without reprehension, that is to say, have all the encouragement which a legal sanction can give them.

An unfeeling barbarity also runs through the punishments of the code; it defends sanguinary inflictions; and the translator, who is usually its apologist, acknowledges, that its "various modes of capital retribution contradict the general opinion adopted "in Europe, that the Gentoo administration was wonderfully mild, and averse "to the deprivation of life." If such an opinion has ever been general in the West, it was plainly a gross prejudice, and may show the necessity of paying more attention than has hitherto been given to the character of this people, in order to know it.

Of

* The implied consistency of these two suppositions deserves to be remarked.

CHAP. III. *Causes of the present Situation and Character of the Hindoos.*

Of the effects produced upon a feeble, ignorant, superstitious people, by such a departure from the genuine principles of equity, truth, honesty, purity, benevolence, peaceableness, and good order, in a word, by such a standard of morals as these laws, professing the authority of a divine appointment, establish, it cannot be difficult to judge. It is a maxim so plain as not to be mentioned without apology, that a corrupt rule, must produce a practice still more corrupt, since no higher point of perfection being aimed at, and a progressive degeneration common to all establishments, the spirit and manners of the people, if seasonable reforms are not interposed, will in time become generally vicious.

But other causes have essentially co-operated in the formation of the Hindoo character; these are to be found in that part of their complex system which is purely Religious, and of which we next proceed to give some account.

So great an undertaking as a general or systematic exposition of the Hindoo religion, is not here intended. All that is proposed or thought necessary, is only a view of some of its tenets and institutions, which have a direct influence upon the morals and sentiments of the people; and these shall be presented under the five following heads:

First, Ceremonial and pecuniary atonements.
Secondly, Doctrines relating to transmigration.
Thirdly, The characters of the Hindoo deities.
Fourthly, Modes of worship.
Fifthly, Superstitious opinions, immediately affecting the conduct of the Hindoos in common life.

In the first place then, concerning that grand article, *the expiation of the guilt of sin*; the Hindoos are taught to have recourse to various ceremonial works and observances, and confidently to depend on these for absolution: real contrition and amendment, hatred of evil, and a respect to the holiness of the divine nature, do not appear to enter into their consideration of this subject. The whole is reduced to certain external performances; and in the Vedes, there are long enumerations of sins, that is to say, of offences against morality, and every species of offences which men can commit, with the particular expiation prescribed for each*. In general, these

* Ayeen Akberry, Vol. III. page 252.—Roger, pages 162, 267 — Sonnerat, Vol. I. pages 220, 273, & seq. — Religious Ceremonies, Vol VI. pages 190, 221.— Baldæus, in Churchill's Collection, Vol. III page 785.—Bernier, Tome II page 121 — Herbert's Travels, page 334.—Bhagvad Geeta, page 46 et seq.—But see more particularly the Institutes of Menu, published since this tract was drawn up, Chap. II pages 307, 343. The professed business of this chapter is to treat of *penance and expiation*. The efficacy of expiatory penance is laid down as a general principle or doctrine.

"Some of the learned, consider an expiation as "confined to involuntary sin; but others, from "the evidence of the Veda, hold it effectual even "in the case of a voluntary offence."

"A sin involuntarily committed, is removed by "repeating certain texts of the scripture; but a "sin committed intentionally, through strange "infatuation, by harsh penances of different "sorts."

After employing near thirty pages in describing various crimes, many of the deepest dye, and the performances by which atonement for them, if they are publicly known, and thence mischievous by their example, may be made, we meet with some sentences which speak of open confession, repentance, loathing of the sin committed, and abstinence from it. If the most favorable construction be put upon these expressions, what are a few such glimmerings of mental religion, amidst a heap of ceremonial observances, painful or ridiculous? They are overwhelmed and lost in a mass of false principles and senseless practices. They are indeed superseded and contradicted by the general tenor of this very chapter, and by the doctrine of penances; for no hint is any where given that the expiations and sacrifices prescribed in the Vedes are emblematical or typical, the plain and obvious sense of the precepts which enjoin them is that they really atone for sin. "*By these penances*," says the legislator, to quote the conclusion of his imposition for one species of offence, "*may a twice-born man* (one of the three "superior castes) *atone for the guilt* of theft." So with respect to secret sins, "the man who desires "to expiate his secret sins, great and small, must "repeat once a day, for a year, the text *ara* or "the text *yatcinchida*. Though he have committed many secret sins, he shall be purified by "repeating for a month the text *somarandra*, or "the three texts *aryamna*, *while he bathes in a* "*sacred stream*: or if he thrice repeat a *sanditá* "of the Vedas, or a large portion of them, with "all the *mantras* and *brahmanas*, dwelling in a "forest with subdued organs, and purified by three "*páracas*, (a total abstinence for twelve days and "nights,) he shall be set free from all sins, however heinous soever." If some of the Brahmins should have juster views of the evil of sin, and of the necessity of moral purity, we may be assured that the bulk of the people, from whom even the contents of the Vedes are carefully concealed, rest in the external forms which are prescribed to them. So it has happened in various parts of Europe, amidst more general knowledge, and a light truly divine. Men have turned aside from that light, and resorted to inventions of their own, to penances, pilgrimages, indulgences, and supererogatory works; which being corruptly grafted upon a sytem in itself altogether pure and complete, have thence reconciled the practice of allowed sin, with the hope of pardon and of heaven.

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these expiations consist in pilgrimages, in living and dying in places reputed holy, in ablutions, in penances, in the celebration of festivals, in fasts, in largesses to Brahmins, in sacrifices and offerings to idols, in anointing the body with the excrements of a cow, and in other expedients of a similar nature.

It would far exceed the limits of this treatise, to enter into a detail of the methods adopted among the Hindoos for obtaining remission of sin. Besides those which the authority of the Vedes, or general usage has established, there are many other inventions, imposed by teachers individually upon their respective followers:—a few examples however shall be stated, of those which fall under the former description.

I. Holy Rivers, dedicated to one or other of the deities, Brahma, Vishnow, or Mahadeo, may be mentioned in the first place. There are twenty-eight of them named in the Ayeen Akberry, beginning with the *Ganges*, and traversing the whole continent to the *Indus*; so that all the professors of Hinduism are within reach of an antidote against the consequences of guilt. Each of these rivers has some peculiar property ascribed to it, and many places upon the banks are held sacred, and annually resorted to.

The virtues of the river *Ganges* are universally allowed to be pre-eminent;—the water of it assuredly purifies from all sin. Ablutions in it are used continually for this end, as Europeans daily see; and the dying, when within a moderate distance of it, are carried to its edge, and their feet are placed in the river, that thus they may have a happy passage out of life. Its water is conveyed to distant parts for the same purposes; and if persons confiding in its virtue are not within reach of it, thinking of it and invoking it, when they bathe in any other water, will still give them all the efficacy of it. This river is believed to have flowed down from Heaven; hence its transcendent excellency.

II. Holy Places*, dedicated to the same deities, are also spread through all parts of Hindostan. Some of the most distinguished are the following.—The city of *Kashee*, or *Bènares*, with the district around it for ten miles. It is held that those who die here are transmitted immediately to Heaven. The celebrity of this city, and the continual resort to it of pilgrims, are well known.

Ayoda, or *Owde*, is another sacred region of considerable extent, hallowed by the birth of Rama, one of the most popular deities of the Hindoos.

Metra, with a territory around, is famous for the birth of Crishna, another of their distinguished deities.

Herdewar, where the Ganges falls into Hindoston, a place of great annual resort.

Ellahbass, formerly *Pyag* or *Prayaga*, at the confluence of the rivers Jumna and Ganges. This place is esteemed superlatively holy; the man who dies there, not only has the pardon of all his sins, but it is said, that whatever he wishes for, he will obtain in his next regeneration; and there also *suicide*, though in general thought by the Hindoos to incur future punishment, is deemed meritorious.

"The Hindoos," says Abul Fazel† "regard all *Cashmere* as holy land. Forty-"five places are dedicated to Mahadeo, sixty-four to Bishen or Vishnow, three to "Bramha, and twenty-two to the goddess Durgah. *In seven hundred places, there* "*are carved figures of snakes which they worship.*"

Cashmere is about two hundred and forty miles in length, and thirty-five in breadth.

The famous Pagoda of *Jaggernaut*, in *Orissa*, is another place of great sanctity. It is alleged that the body of Chrishna was carried there, by an inundation of the sea, from Dowarka, near Surat, formerly a station of distinguished fame and resort. At Jaggernaut, a Brahmin, who would every where else be defiled even by the touch of a Sooder, may receive, without the least stain, victuals from his hands.

There are many more such places of great resort in the Decan, and the northern parts of Hindostan. Rules are laid down for every pilgrimage to them, and various rewards promised to those who perform them‡.

Not

* Ayeen Akberry, page 255.
† Ibid. - - Vol. II. page 156.
‡ Ayeen Akberry, Vol. III. page 254.

Not only are pilgrimages held beneficial, both to the soul and to the body, but such is the virtue ascribed to the sanctity of the sacred places, that by *naming them only*, men receive the remission of their sins; and on that account great persons, who are somewhat solicitous on this score, run over the names of the principal of them every morning, as if they repeated a prayer; so that where a pilgrimage cannot be conveniently undertaken, yet the benefit may thus be secured*.

III. SACRIFICES, OFFERINGS, and FESTIVALS, are celebrated at particular periods, and by the different castes in their respective forms. These are deemed eminent means of obtaining absolution from guilt.

IV. ALMSGIVING is prescribed in various ways, for the remission of particular crimes, or the obtainment of particular favours†. The Dan-Poojah, a religious ceremony, in which by many fantastic modes, costly presents are bestowed, is conceived to be followed by prodigious rewards in a future state.

V. ENDOWMENTS TO THE BRAHMINS, TO PAGODAS, &c. are all esteemed highly meritorious, and the variety and extent of these cannot be described A large portion of the lands of Hindostan has been transferred, by means of them, into the hands of the Brahminical order.

VI. RIGOROUS PENANCES, procure the pardon of some species of offences particularly enormous.

VII. Methods are likewise devised for the *benefit of those who have not been sufficiently careful during their own lives to ensure the pardon of their sins*, by which their friends who survive, are enabled to be highly useful to them. The body or the bones of the deceased being thrown into the Ganges, temporary happiness at least is procured to the soul, and the advantage of such a condition in another transmigration as shall at last bring it to Heaven. At Gaya, a famous resort of pilgrims in Bahar, there is a particular stone on which the god Vishnow set his foot; and a person by putting on this stone, in the form prescribed, a certain paste prepared there, and by repeating at the same time the name of a deceased friend, can transfer that friend from hell itself to supreme felicity. And this benefit he may extend, not to one friend only, but by repeated applications of paste, to as many as he can recollect, even of his distant connections.

VIII. WORKS OF SUPEREROGATION, to procure distinguished eminence in the heavenly world, are also exceedingly numerous, and many of them altogether astonishing. An account of them would fill a volume; and a few instances, however striking, would give but an inadequate idea. The hideous painful distortions, and tormenting inflictions to which the Joguis subject themselves, till life is wasted away, would be perfectly incredible if they were not so abundantly attested, and yet seen, by many who visit those countries. They afford new proofs of what the human mind can invent, and the body endure, in the way of torture, under the influence of superstition. There is reason however to believe, that this species of zeal rather declines in the present day.

But though the painful details which it furnishes must be spared, it would be injustice to the present subject not to mention that divers kinds of suicide are held by the Hindoos to be meritorious. These, as stated in the institutes of Akber, are five in number. "1. Starving. 2. Covering himself with cow-dung, and, setting it on "fire, consuming himself therein. 3. Burying himself in snow. 4. At the extre-"mity of Bengal, where the Ganges discharges itself into the sea, through a thousand "channels, he goes into the water, enumerates his sins, and prays till the aligators "come and devour him. 5. Cutting his throat at Allahabad, at the confluence of "the Ganges and the Jumna." To this last species of suicide, performed at appointed times, such as eclipses of the sun and moon, great stores of wealth are promised in the next state‡.

In short, the modes of expiating guilt, and of acquiring merit, are endless among this people. To accomplish this end, is the business of all their vast train of ceremonies, services and external performances; it is the very thing that has upheld the

* Roger. † Ayeen Akberry, page 174. ‡ Ayeen Akberry, pages 274. 174.

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the fabric of Hindoo superstition, and has perpetuated the credulity of the multitude, and the impostures of their priests: even the *Bhagvad*, the purest production of Hindoo theology, proceeds upon the same principles for the remission of sin. The ingenious Translator, upon whose authority it has been stated that this work is carefully concealed from the vulgar, also observes that the great ignorance in which they are kept, contrary to the better knowledge of at least the more enlightened of the Brahmins, supports, together with the ceremonies of the Vedes, the consequence, and the very existence of the Brahminical order. But although the *Bhagvad* refines upon the popular system, and contains some moral passages, with others, which though mystical, have respect to the intention of the mind in religious worship; yet it palpably admits polytheism and idolatry, and inculcates such pitiable and pernicious doctrines as the following:

"Those who eat not but what is left of the offerings, shall be purified from all "their transgressions. Some attend to the worship of Devatas or angels; others "sacrifice their ears and other organs in the fire of constraint. There are also the "worshippers with offerings, the worshippers with mortifications. Some there are "who sacrifice their breathing spirit, and force it downward from its natural course, "whilst others force the spirit that is below, back with the breath. *All these "different kinds of worshippers, are by their particular modes of worship, purified "from their offences**."

An intelligent friend of the writer expresses himself thus in a late letter from Calcutta. "One day at a Brahmin's house, I heard a wonderful man, a Poorannee "(a reader of commentaries on their sacred books,) explaining their Shasters. He "frequently made the people burst into tears, and weep aloud. Whenever their "passions were touched with any pathetic passage, the man obtained several rupees, "thrown to him both by Brahmins and Sooders, only the latter attended their "donations with a *pernaum*, or act of worship to the Poorannee. The Sooders, "you know, are taught to worship the Brahmins, and they do it by *pernaum*, that "is, touching the ground with their heads while they pronounce the word, then the "Poorannee holding out his hand in a convex manner, says *ísho*, i. e. *come*, amount-"ing to "thy sins be forgiven thee," for by "come" they mean to call all the sins "on the neck of the Sooder to the hollow of their hand, where a mystic fire "consumes them. The Brahmins are the true idols, while they carry about with "them the powers of absolution, and to break off their yoke will not be easy. One "evening I went to Kallee-Ghaut (a temple of Kallee), at the time of the Arutee, "which is performed by the moving of a lamp with several wicks about the face of "the goddess. When the operation was over, a Brahmin brought up the lamp, "and walked through a passage lined with poor Sooders on each side, who anxiously, "as he passed, put their hands for a moment over the flame before it went out, in "order to procure the remission of their sins *for that day*."

Upon the whole then it appears, that the Hindoos pursue methods of obtaining pardon of sin without regard to the disposition of the mind, or the conduct of life on their own principles. They may go on committing wilful offences every day, and as regularly wiping them off, and die at last pure and in peace, and pass through the water of the Ganges to happiness in a new state. For the violations of conscience, which though smothered is not extinct†; for the disregard of truth, of justice, and of mercy, their system has enabled them, without making any the slightest compensation to men, to give sufficient satisfaction to their gods‡. To them they pay a certain quit-rent, or acknowledgment, for liberty to do whatever their inclination and ability may prompt them to, as far as their fellow creatures are concerned. Can we hesitate to say what must be the effect of such principles on their character? Among such a people, crimes must prevail. True it is, and greatly

* Bhagvad-Geeta, page 55.

† "If having performed any expiation, he feel "not a perfect satisfaction of conscience, let him "repeat the same devout act, until his con-"science be perfectly satisfied."—*Institutes of Menu, On Expiation*, page 339.

‡ This is spoken of their practical system. In a passage of the work just quoted (page 330) it is said that "the penitent thief must always restore "the goods that he stole." But besides that neither restitution nor penance can satisfy the offended justice of God, this seems to be spoken only of those who literally, by the act of stealing, subduct the property of others. It ought certainly to apply to all dishonest agents and traders, but is probably not so understood; if it be, surely no precept was ever less observed. The banks of the Ganges afford every day the sight of multitudes of worshippers of different lines of business, who are in the habitual practice of cheating, and never think of restitution.

greatly to be lamented, the prevalence of crimes is no new thing, nor peculiar to them. The ancient world exhibited a picture of the same kind; and to the dishonour of the Christian name, in countries nearer home, that pure religion has been changed into a mystery of imposture and corruption. But though it must be said, that the light which overspreads Europe, has prevented the same degree of effect from the system of delusive fraud still practised there, yet have not the consequences been infinitely prejudicial to those countries where it has prevailed; and is not that system likely, in the end, to dissolve the frame of society in them?

SECONDLY, The DOCTRINE OF TRANSMIGRATION, and others connected with it, universally received among the Hindoos, have great influence upon their modes of thinking and acting, and serve to weaken their sense of moral obligation. The Hindoos are taught to believe that their present corporeal habitation, and earthly sufferings, whatever they may be, result from their actions in a former state; and that there are inherent original qualities in the constitution of man, *from which* all his good and all his evil actions proceed. From these tenets it follows, that the commission of crimes is the result of *destiny*, and yet that they are punished; and that natural evils, the consequences of personal misconduct, will be regarded as the chastisement of offences to which destiny compelled the sinner in a former state. Thus ideas are introduced of original injustice, of arbitrary destination to sin, and to punishment, in the constitution of things; and offences bear the character of misfortunes rather than of guilt. It is very common to hear a criminal answer, when he is asked how he could be guilty of such atrocity, "that it was his *nusseeb*," his fate. The same persuasion extends to the success of men in life, particularly of warriors and conquerors; and he who has once got the opinion of a happy destiny in his favour, will from that very prejudice, achieve things which a contrary opinion might have rendered impracticable to him.

The doctrine of transmigration tends likewise to weaken the idea of future responsibility. It unites the soul sometimes to the human form, then again to one of the lower animals, in which, even according to the Hindoo notions, there is an incapacity for the exercise of rational powers, and a want of a moral sense: it likewise supposes the consciousness of former states of existence to be lost. Hence there is no sense of personal identity, no suffering from the reflection of past crimes, no real perception of the reasons of suffering; but merely passive temporary endurance. It is true the Brahmins have an art by which they profess to discover the former state and character of persons, by their present sufferings; but the existence of such an imposture does not invalidate these observations, since with whatever credulity it may be regarded by a Hindoo, it cannot impart to him the conscious knowledge of experienced truth. Its chief object seems to be money, and as it affords a curious specimen of the subjection into which the human mind may be brought, some notice of it shall be taken hereafter.

The Hindoos, indeed, entertain such inadequate and obscure apprehensions of a future state of punishment, and have so many ways of fortifying themselves against them, that their moral conduct is little influenced by fear derived from that source.

One of the notions which they have acquired from the doctrine of transmigration is, that some departed spirits may be doomed to whirl for ten days after death, like devils, in the air, suffering from hunger and thirst; and therefore during that space, after funerals, victuals are laid out for the birds, that the unhappy deceased, if they are floating in the airy regions, may partake of the food. On the other hand there is a happy state, to which the *course* of transmigrations may convey men, to the court of *Indra*, God of the Firmament, "where," says Sir William Jones, "the "pleasures, as in Mahomed's paradise, are wholly sensual."

But even he who is arrived at paradise is not secure; for the omission of certain ceremonies, or oblations to the manes of deceased ancestors, by the *descendents* of those no longer in a state of probation themselves, is dreadfully fatal, "precipi- "tating the unhappy persons into *nark*, or hell, thence to be borne again into the "bodies of unclean beasts, until by successive regenerations, all sins are done away*." These offerings, which come under the denomination of sheradha, are made by some daily, by others monthly and annually; and the manner of performance is thus explained in the Ayeen Akberry †. "*He gives to the Brahmins*, money, goods, and "food, dressed and undressed, in the name of his father, grandfather, and great- "grandfather,

* Notes to the Bhagvad. † Vol. III. page 231.

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"grandfather, and of his mother, grandmother, and great-grandmother." The principle upon which they proceed, is that of increasing the welfare, solace, and enjoyment of departed progenitors; the real effects are to provide a stated succession of sacrificial entertainments for the Brahmins, to add to the ceremonial burthens and superstitious terrors of the people, by threatenings of dreadful consequences, as well to those who omit these rites, as to the spirits of the deceased, who are thus neglected.

What suitable ideas of spiritual happiness and of divine justice can a people, adopting such a practice, possess; and how must it discourage virtuous exertion to think, that all may be *undone after the death of the performer*, by the carelessness of another person!

THIRDLY, The CHARACTER of the WHOLE MULTITUDE of HINDOO DEITIES, male and female, is another source of immorality. The legends and histories of their actions are innumerable, and in the highest degree extravagant, absurd, ridiculous, and incredible. But the feature by which they are, above all, distinguished, is the abandoned wickedness of their divinities, Brahma, Vishnow, Mahadeo, (who are held to be respectively the creator, the preserver, and the destroyer of the world,) and of all the rest, in their several subordinate capacities. The most enormous and strange impurities, the most villanous frauds and impostures, the most detestable cruelties and injustice, the most filthy and abominable conceits, every corrupt excess and indulgence, are presented to us in their histories, varied in a thousand forms. These scandalous legends are more or less known among all the millions of Hindostan; they form an immense series of adventures, which fill the imagination of a weak and credulous people; very many of them are perpetuated by images, temples, and ceremonies, and those of such a nature as it were pollution to describe. Representations which abandoned licentiousness durst hardly imagine within the most secret recesses of impurity, are there held up in the face of the sun to all mankind, in durable materials, in places dedicated to religion; nay, they are the objects of religious adoration, and miniatures are taken from them and worn by multitudes about the neck*. Is it conceivable that the senses and imagination of the people, especially of the youth, should not be utterly depraved by such representations; or that all feelings and ideas of natural modesty should not be confounded and extinguished by them? What then must be the effect when religious influence is superadded?

If such indecent exhibitions as are now forbidden by the law in this country, were to be presented to public view with the highest honour, in lofty and elegant edifices, appropriated by the legislature for that purpose, and all ranks, sexes, and ages, were encouraged to resort to them; if religious merit were added as a further encouragement; and if the practice were to be permanent; what would be the effect upon the general manners? A great revolution in all ideas of modesty, chastity, continence, and decorum; the exclusion of sentiment and virtue. Of all these, nothing would be left, but the consideration of what custom had prescribed, and positive institution had forbidden, as to exterior demeanor and conduct. Such is the state of the people of Hindostan as to these points: there is a discernible absence of our feelings and opinions of propriety and decorum in what regards the sexes, a grossness in their language, manners, and ideas, which (whatever allowances are to be made for the differences of eastern or of ancient habits of life) is best to be accounted for by tracing it to this source. There is a certain modesty which seems to be inherent in the constitution of the human mind; traces of it are to be seen in the rudest hordes still uncorrupted; it is positive corruption that destroys it; and the usages of the Hindoos must therefore be an effect, as well as a cause of depravity.

Nor are these which have been enumerated, the only ways in which the Hindoo mythology influences the manners of the people. He who wants to glut his revenge, knows where to address himself to a patroness, Kali (or Kalee), the Goddess of Destruction, has still many votaries; and the Vedes afford examples of sacrifices and tremendous incantations for the destruction of enemies. The robber also, when about to issue forth against the person and the property of his neighbour, propitiates his

* Ceremonies Religieuses, Tome VI. passim.—Roger, page 157.—Voyage de Gentil, Tome I. page 163.—Voyage de Sonnerat, Vol. I. page 41 & 175.—Hamilton's Travels, Vol. I. page 379. Pietra della Volle, page 55, &c.—Sir William Jones, in the first Vol. of the Asiatic Transactions, page 254.—Baldæus, in Churchill's Collection, Vol. III. passim.—Nieuhoff, in Ditto, Vol. II. page 184.—Fryer's Travels, page 179, &c.

his tutelar deity for a successful expedition. We have seen from the code, that the practice of offering worship and sacrifices, in order to compass the death of another, is known to the law. In short, what is the nefarious practice for which a patron may not be found in the Hindoo pantheon? The morals of these people are therefore poisoned at the fountains and altars of religion.

CHAP. III. *Causes of the present Situation and Character of the Hindoos.*

Fourthly. The Worship and Ceremonies practised by the Hindoos, with various circumstances appertaining to them, have the effect of *vitiating*, as well as of *stupifying*, their minds. In an enlightened land it may appear superfluous, formally to state, that such are the consequences of idolatry; but that which is admitted, it may be well also, to recollect and to view, as exemplified in practice. The divine nature is infinitely degraded by every material representation; and the man already so gross as to resort to one, becomes more gross in using it. If he does not at length drop the idea of a distinct invisible power, and think only of the object before him, (as there is reason to suspect he will,) he at least believes that his god inhabits the stock or the stone, which he has set up. European apologists for so monstrous a practice, have been willing to deny this idea of idolatry; but an evidence of far superior authority, the author of the Bhagvad, asserts its reality. He introduces Crishna, who is *there represented as Vishnow, with supreme authority*, saying, "the "ignorant * believe me, who am invisible, to exist in the visible form under which "they see me †." And the learned translator of the Bhagvad is of opinion, that it was one of the aims of that work, "to induce men at least to believe God, that is "the Supreme God, present in every image before which they bent." Between depraved opinions entertained of the Divine Being, and depraved practice, there is a necessary and inseparable connection. Those opinions originate from corruption, and he who makes a god for himself, will certainly contrive to receive from him an indulgence for his corrupt propensities. Hence all the scandalous and shocking proceedings, of which some intimation has been given in the preceding pages. If we suppose the origin of the erroneous notions in question to have been the allegorization of physical truths, or of the powers of nature, still if the inventors had not ceased to be shocked by lust, fraud, and robbery, would they have stamped those qualities on their gods, and chosen extravagant representations of them as badges of religion? In all the popular worship of the Hindoos, God is never set forth under the idea of *Holiness*, "as of purer eyes than to behold iniquity;" nor is any service offered to him worthy of a rational mind. *The Supreme God has indeed neither temple nor honour among the people*; the few Brahmins who recognize his being, do not suppose him to concern himself with the affairs of the world; and the better conceptions which they have of his nature, (though the rays of original truth scattered through their system, are overwhelmed in the mass of polytheism and idolatry,) they hold as speculations, which they conceal from the multitude, and in practice oppose. So that the indulgence in immorality, which we have seen to be carried to such a length, is not the perversion and degeneracy of their system, but its very essence.

Unrestrained however as the Hindoos are, with respect to immoral licence, they gain little satisfaction from their religion, with regard to those things which affect them most, namely, natural evils, and the interests of the present life. They do not consider one Mind, one Power, as governing the universe; they are distracted by a multiplicity of deities, who are not represented as acting in uniform concert, but often as at variance. It must generally therefore be an uncertainty among them, whether the tutelar deity whom they have chosen, is able to protect them; whether the prayers of their enemies may not prevail; whether other deities, whom they do not assiduously serve, may not injure them; though they multiply inventions to persuade themselves, and others, of the pre-eminence of their respective peculiar deities; and the followers of Vishnow and Eswara are, on this account, in mortal opposition to each other.

They invoke indeed particular deities for particular things, (with ceremonies of the most abominable kinds, in which the women are pre-eminent,) and those of the subordinate classes are perhaps not to be enumerated. But after all, they think it best, especially the lower castes, to endeavour to conciliate evil spirits likewise, to deprecate their malice, and implore their friendship. To one of them‡ they sacrifice, on

* The "ignorant," from the whole scope of the work whence this is taken, appear to be all except a few of the most enlightened Brahmins.

† Bhagvad-Geeta, page 71.

‡ Called by Roger, page 245, Ganga-gramma.

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on the festival dedicated to his honour, goats and buffaloes, instead of a man, the sacrifice which it is said was formerly offered; at which time also, some of his deluded votaries were wont to throw themselves before his processional car, that by being crushed under it, they might receive a happy death. The practice still common, of swinging by hooks fixed in the muscles of the back, and attached to ropes, which with a lever raise the body to a considerable height, is performed in honour of this malevolent spirit. This is the same deity described by Sonerat* as a goddess, under the name of Mariatale, who, he says, was a most infamous woman, guilty of all sorts of cruelties; but her body after the head had been deservedly severed from it, being re-animated by an evil spirit, she is now, under this decapitated form, greatly feared and served by the lower Indians on the Coast of Coromandel, and by the Parians in particular, who put her, he adds, above God.

Another mode of honouring their deities, is common in those provinces where the Mahomedan invaders never fully settled themselves. Troops of prostitutes are attached to the pagodas, they are brought up as the servants of the idol, dance in its processions, and make part of the establishment of the place. The accession of such auxiliaries to a religious institution, and the belief of their being even in an enviable state as to another world, are justified by the legendary merit of one of their order, who is related to have been visited by Dewender, keeper of the celestial regions, in the form of a man, and to have shown great fidelity to him. Let this notorious fact declare, whether the impurity of their deities and temples, has any connection with immorality in practice.

The Hindoo mythology has not only the tendency of directly vitiating the heart, but gives such false notions of nature, as must envelop the mind in gross ignorance and error, and thus strengthen the dominion of superstition, and its attendant vices. Their legendary allegorical histories of the creation of good and evil spirits, and saints, with their wars and actions; of the elements, the seasons, and the planets, all of which are personified by them, have come at length literally to be received by the vulgar; who thus seriously believe that the sun and moon are animated beings, or Dewtahs, and that when they are eclipsed, two evil spirits, or dragons, have seized them. On such occasions therefore vast multitudes have been used to resort to the rivers for the purpose of ablution and prayer, to beat the water, and make hideous noises, in order to induce the dragons to relinquish their hold. Bernier witnessed a scene of this sort at Delhi, in the last century, of which he has given a striking description†. The people in our settlements do not seem now to be so loud on these occasions. The learned among the Brahmins know better: but if they have for more than two thousand years, persisted in keeping the vulgar under such absurd deception, they are very unworthy depositories of science. In the knowledge of the globe they seem to be themselves grossly defective, maintaining a scheme of geography, imaginary and ridiculous, the offspring of the same genius as the mythological legends. The extravagant errors of the Hindoos respecting visible nature, tend to render their minds less apt for the perception of moral truth.

Besides the consequences of idolatry, which are universal, the very appearance of the Hindoo idols in general, has a tendency to degrade the worshippers: they are hideously ugly, with many heads, arms, and weapons; with great teeth and eyes, and terrific countenances, of a black colour; many of them smeared with oil, and smelling strongly of it. They are shut up in narrow dark rooms, and the approach to them is through obscurity and silence. The scandalous obscenity of others has been before hinted. Figures of the monkey, the bull, and of various other animals, are often placed around, and worshipped as the attendants of the superior deity of the place.

Of the innumerable, strange, and antic ceremonies, gestures, and postures, practised by the Hindoos in their worship, no full description can be given. They are varied according to the rules of different sects, and the fancies of individuals. The account contained in the Ayeen Akberry‡, of the *Poojah*, a form in daily and ordinary use, will give some idea of them, and hardly fail to excite commiseration for the deplorable blindness of the people.

" *Poojah* is divided into sixteen ceremonies. After the worshipper has performed " his usual ablutions, with the *Sindehya* and *Howm*, he sits down, looking towards " the east or the north, with his legs drawn up in front; then taking in his hand a " little

* Vol. I. page 246. † Tome II. page 97. ‡ Vol. III. page, 226.

" little water and rice, sprinkles the idol, thinking that he thereby begins the worship " of God. Next is the *Kulsh Poojah*, or the worship of the conch-shell. Last is " the *Gunta-Poojah*, which is plaistering the bell with sandal wood. When he has " performed these Poojahs, he throws down a little rice, and wishes that God may " be manifested; thus far includes the first of the sixteen ceremonies. 2. He places " a table of metal, or any thing else, as a seat for the deity. 3. He throws water " into a vessel, to wash his footsteps. In Hindostan it is the custom, that when a " superior enters the house of an inferior, he washes his feet. 4. He sprinkles " water thrice, to represent the idol rinsing his mouth. It is also the custom for " an inferior to bring to a superior water to rinse his mouth before meals. 5. Sandal " flowers, beetle, and rice, are offered to the idol. 6. The idol and his seat are " carried to another spot. When he takes in his right hand a white conch-shell full " of water, which he throws over the idol, and with his left rings the bell. 7. He " dries the idol with a cloth, replaces it upon its seat, and dresses it. 8 He puts " the zenar (a sacred thread) upon the idol. 9. He makes the kushck (lines with a " composition of cow-dung, &c.) upon the idol, in twelve places. 10. He throws " over the idol, flowers or green leaves. 11. He fumigates it with perfume. " 12. He lights a lamp with ghee (clarified butter). 13. He places before the idol, " trays of food, according to his ability, which are distributed amongst the by- " standers, as the idol's leavings. The 14th is called *numskar*, which is worshipping " God with heart and tongue; and stretching himself at full length, with his face " towards the ground, (this prostration is called dundowt); then he lays himself in " such manner that his eight members touch the ground, namely, the two knees, " two hands, forehead, nose, and cheeks; and this they call *shastang*. *These kinds " of prostrations are also performed to great men.* 15. He compasses the idol " several times. 16. He stands like a slave with his hands uplifted, and asks per- " mission to depart. There are particular prayers, and many different ways of per- " forming these sixteen ceremonies; and others believe that only from the ninth to " the thirteenth are indispensable duties. Excepting a *Sonny-assy* and a *Sooder*, all " other Hindoos perform this Poojah thrice every day."

Fifthly, The spirit of superstition extends among the Hindoos to every hour, and every business of life. The particulars recently stated, though striking, give no adequate idea of the universality of its operation; and to follow it through all its influences, would be an endless task. Some further illustrations may however suffice to confirm the existence of such a spirit, and to prove its powerful and incessant influence over the minds of this people. Affecting, in a variety of ways, their understanding and their conduct, it must also enter, in no inconsiderable degree, into the constitution of their moral and national character.

The Hindoos, it has been already observed, are afraid of evil spirits, such as are denominated among us, dæmons and genii. They believe the world to abound with them; every little district has its haunted places; and persons who pass them often, make some offering, or render homage to appease and conciliate the residing genius. Many are the devices in use amongst them to fortify themselves against the assaults of these malignant beings, which they apprehend on small occasions as well as on great; for when a Hindoo yawns, he performs a short exorcism, to prevent the dæmon from seizing that opportunity of entering into his body. Possessions are most firmly believed by them, and the appearance of them is not at all uncommon. The persons are evidently convulsed and agitated in an extraordinary manner; they declare that a spirit has seized them; and there is seldom reason to think them insincere in making such assertions, because the circumstance happens to servants, and others, who from caste, and the usages of the country, hardly ever meddle with the curious arts. The notion of apparitions, is also very familiar among the people. Their legends countenance it, and their imaginations, weak and inordinate, multiply relations of this kind. It is supposed also, that the spirits of the dead have access to the living, in various ways, and may do them good or evil. Witchcraft is universally believed, and practised among them. Every village has one or more female professors of this art, and wizards also abound: these are dreaded, accused, and resorted to, as was the case in Europe in the dark ages. But in Hindostan, this is still an active and flourishing profession. The several arts of divination, soothsaying, sorcery, necromancy, and above all, astrology, are well known and highly regarded. From the work of Abul Fazil, it would appear, that they are all explained and sanctioned in the Shasters. The Vedes, we know, enjoin the horoscope to be drawn at the birth of a child, and this is con-

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stantly practised. The Magistrate, among the Hindoos, was bound always to have skilful astrologers and soothsayers about him. The code imposes punishment upon *any one ignorant of astrology*, who shall presume to predict misfortune to the Magistrate. No affair of importance is at this day undertaken without consulting a soothsayer.

Incantations also, which form another very large branch in the occult arts of the Hindoos, are amply treated of in the Vedes, and in practice are universal. Their object is unlimited; to procure all good, and avert all evil.

With incantations, may be classed the endless variety of charms, spells, talismans, amulets, and other inventions of this nature, of which no individual, small or great, of all the millions of the Hindoo race, is destitute. The confidence reposed in these things is wonderful. It is a part of the duty enjoined in the Hindoo code to the sovereign, "that he keep magicians, men who can cure by spells," upon which far more reliance is placed than on medicine. While the writer of this sketch was in Hindostan, he saw in one morning, two fine young men, the pupils of a snake-charmer, lying dead, in consequence of their undoubting confidence, that the spell which he had taught them would render the poison of the serpent innoxious. Presuming upon this spell, first one and then the other provoked a most venomous snake to bite him, and in two hours they were both corpses, leaving destitute families. Unsuccessful instances of this sort do not open the eyes of the people. They are referred to irregularity in the application of the spell, and do not impeach the efficacy of the art.

As a further illustration of this vast system of imposition, the following transcripts are made from the Ayeen Akberry*, the work it is to be remembered, of a man of the first eminence for talents, rank, and information, who was born and passed his life in Hindostan.

SIR,

"Is the art of predicting events, by observing in what manner the breath issues "through the nostrils. The breath comes out of the nostrils after three ways. First, "when it comes mostly out of the left nostril. This they attribute to the influence "of the moon, and call *adda* and *chandernaree*. The second, when it issues most "from the right nostril, which they attribute to the influence of the sun, and therefore "call *soorejnaree* and *pingela*. The third is, when both nostrils breathe equally. The "following is the order in which the breath ought to pass through the nose:—from "perva to the third tith, chandernaree, and the same number of days soorejnaree, "alternately throughout the month: others, make it weekly, thus, Sunday, Tuesday, "Thursday, and Saturday, soorejnaree; and Monday, Wednesday, and Friday, "chandernaree. Others maintain that it is regulated by the sun's course through the "zodiac, Aries beginning with the soorejnaree, Taurus with chandernaree, and thus "alternately through all the signs. All the learned of the Hindoos believe, that if "a man breathes differently from one of these three ways, some misfortune will befal "him; if the irregularity lasts two days, a quarrel will ensue; if it continues ten "days, some misfortune will befal him; if fifteen days, he will have a severe fit of "sickness; if for a month, his brother will die. Others speak thus of the irregularity "of breathing; if for a day and night, soorejnaree is in excess, the person will die "at the expiration of a year; if it lasts two days and nights, he will live two years; "and so a year for every day; if the excess continues for a month, he will die at the "end of the ensuing month. For the excess of chandernaree, they say, if it lasts "a day and night, that person will have a fit of sickness at the expiration of a year; "and according to the number of days he will be so many years sick."

The manner of predicting events by the knowledge of this art†.

"If any one comes to enquire whether a woman who is pregnant shall be delivered of a boy or girl, the person who is to answer, must examine the nostrils of "the questioner; if he breathes more through one nostril than the other, and stands "on that side, it shall foretel a son; but if he happen to place himself on the "opposite side, it shall indicate that it will be a daughter; if he breathes equally "through both nostrils, there will be twins. Some believe that if the questioner "stands on the soorejnaree side, it will be a boy; and if on the chandernaree, a "daughter; and that if the breathing be equal, it denotes an hermaphrodite."

If

* Vol. III. page 175.

† Ayeen Akberry, Vol. III. page 176.

" If an inquiry is made concerning a person who is sick; if the questioner stands " on the soorejnaree side, the sick person will die; but if on the chandernaree side, " he will recover."

" If it be inquired whether or not an enemy's army will come; if the questioner " is chandernaree, and stands on that side, the army will come, but if he is soorej- " naree, and stands on that side, it will not come."

" If he enquires concerning peace and war; chandernaree implies the first, and " soorejnaree the last."

AKUM *,

" Teaches what incantations are advantageous, and what are hurtful; what " will improve the understanding, *increase rank and fortune*, cure diseases, *subdue* " *enemies*, cement friendships, insure the conquest of countries, and advance the " success of government."

SHOOGUN †,

" Is the art of discovering what is now happening, and predicting future events " by *observing the motions* of birds. This is an art in which many Hindoos " are skilled."

" The learned Hindoos discover hidden things by means of five things; 1, *Astro-* " *logy*,—2, *Sur*,—3, *Shoogun*,—4, *Keyweel*, which are omens learnt by throwing dice, " —5, *Samdrg*, predicting from observing the form of the limbs, and their motion, " and the lines and moles on the body."

GARUD ‡,

" Is the art of repeating certain *incantations* for recovering a person who has been " stung by a scorpion, or snake, or any other venemous reptile. This is done by " repeating his genealogy and praising his ancestors, which obliges the animal to " present itself. The following is a wonderful fact. When they have caught an old " snake of a particular species, they repeat certain incantations, and then make it " bite a Brahmin; when the poison takes effect, the Brahmin continues for some " time in a state of stupefaction, when, upon any question being put to him, he " gives answers which are invariably found to be true. The Hindoo philosophers " believe that during the revolution of the Gal-jowg, nothing is truer than such " answers. And these answers have been collected together into several volumes."

INDERJAL §,

" Includes the art of necromancy, talismans, and slight of hand, in which they " are wonderful beyond description."

But the excessive solicitude of the Hindoos about the future, is in nothing more conspicuous than in their regard to omens, signs, lucky, and unlucky days. They carry this attention to a length almost incredible. It interferes perpetually in all the affairs in which they are concerned, as Europeans who have to act with them have the mortification to find. Roger, a Dutch clergyman of great credit, frequently cited in this treatise, has given in his work, written in the earlier part of the last century, on the Coast of Coromandel, and since translated into French, an account of their proceedings in this respect, which so well suits the present manners of Bengal, that while it fully illustrates the subject under consideration, it evinces the sameness of character, prevalent among them in distant periods and places.

" D'autant‖ qu'il a esté dit dans l'onzieme chapitre, que les Brahmins, et autres " nations payennes, prennent garde aux jours, quand ils ont dessein d'aller faire " la demande d'un marriage, ou pour le confirmer, il ne sera pas pour ce sujet, " hors de propos, de parler un peu comme on prend garde au signes et aux choix " des jours."

" Ils n'entreprendront point une affaire qu'en un jour, qui, selon leur compte, " est bon; et s'il se presente quelque signe ce bon jour-là, qui selon leur opinion, " est mauvais, ils ne la poursuivront pas, craignant que la fin n'en soit pas bonne.

" Quand

* Ayeen Akberry, Vol. III. page 177.
† Ibid. - - - III. - 178.
‡ Ibid. - - - III. - 178.
§ Ayeen Akberry, Vol. III. page 179.
‖ Roger, Porte Ouverte, page 71.

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" Quand ils ont le dessein d'entreprendre un voyage par terre, ils avanceront sou-
" vent leur voyage, pour prendre l'occasion d'un jour et d'une bonne heure, quoique
" ce seroit vers le soir, et qu'ils ne pourroient pas aller plus d'un quart d'heure loin
" de la ville, cela n'estant pas capable de les en empescher, estant asseurez que
" quand ils partent en une bonne heure tout leur voyage sera heureux Ils différont
" souvent leur voyage quelques jours, pour avoir un bon jour et une bonne heure;
" et il arrive souvent, (comme j'ay dit,) qu'ils ont perdu, en attendant les bons
" jours, la bonne occasion, et le temps propre, pour avancer leur voyage, et pour
" avoir un heureux succez de leurs affaires De façon qu'on peut dire, avec juste
" raison, de ces payens-là, ce que *Seneque* disoit des sabats des Juifs, " que
" plusieurs choses, qu'on devoit faire à l'instant, estoient souvent perdues, ou ne
" se faisoient jamais, à cause qu'on différoit, et qu'on ne les faisoit pas en temps "
" Il s'en va de cette façon avec ces payens-cy; car pendant qu'ils attendent assez
" les bons jours, et les bonnes heures, ils les perdent souvent, et souffrent beaucoup
" de dommage; et ce que je n'ay pas vu seulement une fois, pendant que j'ay
" fait là ma résidence, mais d'an en an, que par le retardement, ils ont laissé passer
" le temps de *mouson*, et ont esté contraints de revenir, sans rien faire, apres estre
" parvenus à la moitié du chemin de *Pegu*, Jannassen, et Achim*. C'est une
" chose estonnante, qu'ils ne deviennent pas plus prudents pour l'avenir, par le
" dommage, et la perte qu'ils souffrent continuellement, qu'ils persistent et con-
" tinuent tousjours dans leur ancienne erronée, et inutile practique. Comme
" cette opinion est profondément enracinée en eux, ils n'en peuvent pas estre
" divertis "

" Mais† pour entendre ledit *panjangam* (almanach) il faut sçavoir, comme nous
" avons dit au chapitre précédent, que les payens avoient trente heures au jour, et
" trente heures à la nuict. Il est déclaré dans ce *panjangam*, touchant chaque jour
" de la semaine, et touchant chaque heure qui se rencontre dans le jour, ce qu'on
" peut faire en icelles avec bons succez, et ce qu'on doit laisser."

" 1. Que le dimanche commençant au lever du soleil, la premiers heure est
" bonne pour toutes sortes d'affaires de discours, ou de conseil."

" 2 Si l'on entreprend quelque affaire, qui apporte ordinairement du profit, elle
" succédera bien, et apportera du profit."

" 3 Si l'on entreprend quelque affaire pour en recevoir du profit, elle ne
" succédera pas bien."

" 4 Si l'on espere recevoir quelque chose de bon, l'enemy jouira de ce
" bien-là "

" 5. Il y aura du profit à faire merchandise."

" 6 Il fait bon célébrer une feste, ou entreprendre quelque chose concernant
" joye ou doctrine."

" 7. Traité touchant femmes succédera selon le desir."

" 8. La marchandise ne donnera point de profit."

" 9 Comme en la sixieme heure "

" 10. Ce qu'on entreprend ne succédera pas bien "

" 11. Il est mauvais de prendre médicine, ou de faire quelque chose pour le
" contentement du corps."

" 12. Qui cherche victoire, il luy succédera bien "

" 13. Il fait bon d'acheter des vaches, des bestes, &c."

" 14. Il fait bon de prendre quelqu'un à son service "

" 15. Il est mauvais d'entre dans une maison neuve, ou de visiter quelqu'un dans
" sa maison."

" 16. Il est bon de commencer quelques maisons, village, ou ville."

" 17. Il n'est pas bon d'entreprendre un voyage."

" 18. Il est bon de visiter les grands."

" 19. Il est bon de faire des images à l'honneur des pagoden."

" 20. Il est mauvais d'entreprendre quelque chose "

" 21. Celuy qui pense gaigner quelque chose, sera trompé "

" 22. Celuy qui entreprend une bataille, la perdra."

" 23. Il

* The manners concerned in these voyages were probably Mahomedans, the owners of the vessels may have been Hindoos, but both have this superstition.

† Roger, page 84.

" 23. Il est bon de rechercher l'amitié."
" 24. Il fait bon se battre."
" 25. Il fait bon prendre conseil de quelqu un quelque part "
" 26. La marchandise n'apportera pas de gain "
" 27. Qui aura la connoissance d'une femme, aura un enfant "
" 28. Tout ce qu on entreprendra, réussira "
" 29 Celuy qui entreprendra quelque chose de plantage, aura bon succez "
" 30. Tout ce qu'on souhaitera auparavant, ne succédera pas bien "
" Il en a de mesme la nuict, d'heure à heure, jusqu'au soleil levant "

The other days of the week, and the sixty parts into which each is divided, are detailed in the same strain, and thus every half hour is marked by something specific to be undertaken or to be avoided *. How much the affairs of life, and all rational considerations about them, must be interrupted, how much the poor people, who are enslaved to this superstition, must be harassed by it, may easily be conceived. They seek relief from every thing, and fear every thing except the Supreme Lord

But this is not the only yoke imposed upon them Their ceremonial defilements, pollutions and uncleannesses, the ways in which caste may be stained or lost, the methods of purification, the regulations concerning food, the manner of dressing and eating it, the ceremonies at births, at different ages, at marriages and deaths, all these multiplied beyond enumeration, with a prodigious calendar of burthensome festivals and fasts, constitute a most grievous bondage.

A scrupulous Hindoo cannot go forth from his house without being accessible, on all sides, to dangers from omens and defilements. He must proceed every step with fear and circumspection, lest some calamity should come upon him. " Dust † shaken " from flesh, from a broom, a garment, or from divers animals, the touch of a burnt " net, a crow, a cock, a hen, a rat or mouse, an eunuch, a washerman, a hunter, a " fisherman, a gamester, a distiller, an executioner, a tanner, a dealer in leather, an " oilman, and of any sinner ;" these are some of the manifold ways in which by contact, by accidents, or by the arts of others, personal pollutions may be contracted. The ceremonies which respect the article of food alone, might form a volume Many kinds of provisions are totally forbidden ; others become, in particular circumstances, unlawful, and those which are allowed, may be defiled by a thousand contingencies. The vessels used in preparing food, if touched by one of the lower caste, are defiled The shadow of a chandal, (a person of the base caste before mentioned,) passing even over water, defiles it All things usable, liquids, grain, metals, silks, cottons, vegetables, domestic utensils, the earth itself, are liable to pollution, and the remedies to be applied for their purification are prescribed ‡ " Sunshine, moon- " shine, the light of a fire, air, water, earth, ashes, mustard-seed, wild grain, the " shade of a tree, *the hind part of a cow's leg*, a plough, milk, milk curds, ghee or " clarified butter, the dung and urine of a cow," are a very few of the things which are esteemed to have a purifying virtue, and mostly in cases of personal defilement.

Besides the time employed in their daily ablutions and ceremonies, that which is lost from attending to the lucky and unlucky hours, and that which must be given to the removal of contracted defilements, there are many rigorous fasts § prescribed, and a still greater number of festivals ‖ Of these last only, the whole number appointed for the *different castes* appears, from the Ayeen Akberry, to be about a hundred in the year, and they are in general carefully observed.

It is not however enough, that the Hindoos bear the accumulated evils, natural and fictitious, of their present state of existence. The Brahmins profess a science called *Kurrembeypak*, " by which," says Abul Fazil, " can be discovered whatever was " done by men in their former state of existence;" *and it prescribes a particular expiation for each crime* ¶. It is probable that there has always been more discretion than

* A few articles in the detail are curious enough to be noted,
" Celuy qui entreprendra quelque chose *au* " *desavantage de son procham*, cela lui réussira
" Il fait bon, entreprendre *une mauvaise affaire*
" Il est bon, d'entreprendre quelque chose, pour " donner de la crainte a quelqu'un; celuy qui mange " du poison, il en recevra les mesme avantages que' " de *l'Amortam*," (supposed to be the same as " *Amrita*, the nectar of the gods)
" Il faut bon brusler les malades, ou les couper.
" Celuy qui cherche chose pour tromper, il ne " le rencontrera pas
" Qui veut entreprendre quelque chose, ses " ennemies mourront.

† Ayeen Akberry, page 242
‡ Ibid - - - - 243.
§ Ibid - - - 247.
‖ Ibid - - - - 268.
¶ Ibid. - - - - 167.

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than rigour, in the exercise of the authority derived from this source; but the invention itself is so singular, as to merit some further observation.

The art is subdivided into *four kinds*; and distinct examples of each are given in the Ayeen Akberry, (Vol. III. page 167)*.

From these examples, the following only shall be selected, as being short, and affording a sufficient explanation of the nature, and possible extension of this new species of taxation.

DISEASES which are Punishments for CRIMES in a FORMER STATE.

" Lameness is a punishment for having kicked a Brahmin.—*Cure*, Let him take " one tolah of gold, in the form of a horse, and bestow it in charity; and give food " to one hundred and eighty Brahmins."

" A fever is a punishment for killing an innocent Kheterce.—*Cure*, Repeating one " hundred times the incantation of Mahadeo, feeding thirteen Brahmins, and sprink- " ling with water the image of Mahadeo one hundred times."

" A cough is a punishment for killing a Brahmin.—*Cure*, Making a lotus of four " tolahs of gold, and after repeating certain incantations, performing with it the " ceremony of the *Howm*, and giving it to a righteous Brahmin."

" A woman whose husband dies before her, in her former state was of a great " family, which she left to live with a stranger, and when he died burned herself with " him.—*Cure*, She must pass all her life in austerities, or put an end to her existence " by burying herself in snow."

" A woman who has only daughters, is punished for having possessed a great deal " of pride in her former existence, and not showing proper respect to her husband.— " *Cure*, Besides ornamenting a white ox with gold, &c. she is to satisfy with food " one hundred Brahmins: or she must make ten mashes of gold, in the form of " a deity, and after performing certain incantations, give it in charity, and feed fifty " Brahmins."

The review of the Hindoo religion shall be closed here. Whatever antiquity may be justly ascribed to that religion, whatever acknowledgements its mysterious writings may contain of one Supreme Being†, and of some of his perfections, whatever mixture

* The Institutes of Menu established the doctrine of sufferings for sins committed in a former state, and describe both the signs by which those sins may be discovered, and the expiations which must be made for them Some passages from that work will further illustrate the doctrine.

" If a twice born man, by the will of God in " this world, or from his natural birth, have any " corporeal mark of an expiable sin *committed in* " *this or a former state*, he must hold no intercourse " with the virtuous while his penance remains un- " performed."

" Some evil minded persons, for sins committed " in this life, and *some for bad actions in a preceding* " *state*, suffer a morbid change in their bodies."

" A stealer of gold from a Brahmin, has whit- " lows on his nails; a drinker of spirits, black " teeth, the slayer of a Brahmin, a marasmus; " the violator of his guru's bed, a deformity in " the generative organs; a malignant murmer, " fetid ulcers in his nostrils; a false detractor, " stinking breath; a stealer of grain, the defect " of some limb; a mixer of bad wares with good, " some redundant member;

" A stealer of dressed grain, dyspepsia; a stealer " of holy words, *or an unauthorised reader of the* " *scriptures*, dumbness; a stealer of clothes, le- " prosy; a horse-stealer, lameness."

" Penance therefore, must invariably be per- " formed for the sake of expiation; since they who " have not expiated their sins, will again spring to " birth with disgraceful marks."

Institutes of Menu, page 313.

† It is doubtless very pleasing to discover the recognition of this grand principle, the foundation of all true religion, even under an immense mass of falsehood and superstition; but some persons seem to have thought, that in ascertaining the existence of this principle in the writings of the Hindoos, or in the opinions of their learned men, they had substantially vindicated and established the religious character of that people; making little account of their idolatry, which is practised by the Brahmins, they represent to be no more than a symbolical worship of the divine attributes; and which as admitting among the vulgar, the idea of subaltern intelligences, they represent to arise from the veneration paid to the elements, which are thought to contain a portion of God, who according to an alledged tenet of the Hindoo faith, is held to be the soul of the world*. Not to dwell upon the falsity of this view of Hindoo idolatry, which has been already contradicted by quotations from the Bhagvad-Geeta, it may be sufficient to observe to any who lean to so latitudinarian an opinion, an opinion which falls below even the creed of deism, that the speculative admission of one or more important truths will not, in the least, prove the religious system, or the religious practice, of any person or community to be right. The picture of the ancient Heathens, given to us by unerring authority, is a striking and affecting repretentation of the people of whom we now speak. " They " held the truth in unrighteousness. . . . . From " the visible works of the Creator, they under- stood

* Dow's History of Hindostan, Vol. I. Dissertation on the Religion, &c. of the Hindoos.

mixture of moral principles may be found interspersed in its ordinances (for without some cement of this kind it would be impossible to constitute a religion for creatures, endowed with any share of reason and conscience) it plainly appears, that its general system is in theory most depraved; and that it is a system which, when reduced to practice, renders abortive the few moral principles originally admitted into it; and not only tolerates, but necessarily countenances, and encourages, the most extravagant and abandoned wickedness. The manners of some of the Brahmins who pass their time in going through the ceremonies of their religion, or an indolent application to their books, exempt from the concerns of the world, and therefore unblackened with the crimes so common among those of more active pursuits, form no exception to this remark; nor the rigorous austerities practised by the devotees of another class, who give themselves entirely up to a life of wandering mortification. Both these descriptions of men deny themselves in some things, but it is in order to be more abundantly gratified in others. The pride of their superior rank and qualifications, and above all, of their supposed sanctity, and the idolatrous reverence which they receive from the common people, render them insufferably arrogant; and there is the grossest deviation from rational and meritorious principles in the conduct of both:—in that of the Brahmin, who imposes upon the people a worship and ceremonies, which he knows to be groundless and pernicious; in that of the Jogee, who abandons his wife, children, and connections, to become useless and burthensome to others, and to himself, for the rest of his days.

The absolute dominion which this religion gives to the Brahmins, and a few of the second tribe, over the rest of the people, must also have forced itself upon the attention. No similar invention among men, seems to have been so long and so completely successful. This success may be accounted for, partly, from a favourable concurrence of various circumstances; but chiefly, from the character of the religion itself. Erected upon the darkest ignorance, and the boldest falshood, it has been the work of ages to strengthen these foundations, and to render the fabric impregnable. The understanding is chained and kept in perpetual imprisonment, like dreaded rivals for power in the East, who deprived of their eyes, and immured in dungeons, receive poisoned provisions from the gaoler's hands. Every avenue which might lead to emancipation, is strongly guarded. Fear is immeasurably excited, and incessantly wrought

"stood his eternal power and godhead, ... "But when they knew God they glorified him not "as God, neither were thankful; but became vain "in their imaginations, and their foolish heart was "darkened! . . . . . Professing themselves to be "wise, they became fools . . . . . And changed "the glory of the uncorruptible God into an image "made like to corruptible man, and to birds, and "four-footed beasts, and creeping things. . . . . "Wherefore also God gave them up to uncleanness, through the lust of their own hearts, to "dishonour their own bodies between themselves, "who changed the truth of God into a "lie, and worshipped and served the creature more "than the Creator, who is blessed for ever, amen. "For this cause, God gave them up to vile "affections . . . . . And even as they did not like "to retain God in their knowledge, God gave them "over to a reprobate mind, to do those things "which are not convenient; . . . . . Being filled "with all unrighteousness." *Romans* i. 18 24. 26, 28, 29.

With respect to the real tenets of the Hindoos on subjects of theology, they are to be taken from their ancient books, rather than from the oral declarations of the most learned Brahmins of modern times, who have discovered that the opinions of Christians, concerning the nature of God, are far more rational than those currently entertained among them, and that the gross idolatry of the Hindoos is contemned by the more intelligent natives of the western world. Bernier* seems to have found occasion for the same remark in his time, for after relating a conference between him and some learned pandits, in which the latter endeavoured to refine away the grossness of their image-worship: "Voila (says he) sans ajouter, ni "diminuer, la solution qu'ils me donnerent, mais a "vous dire le vrai, cela me semblant un peu trop "bien concerté, *a la chretienne*, aux prix de ce "que j'en avois appris de plusieurs autre pandits."—It may be allowable to add here, that it is of importance in communicating, through the medium of European tongues, the writings of Eastern nations, not only to render their sense with rigid strictness and accuracy, but as much as possible, with the dress, the air, the manners of the original; for it is conceivable, that elegance of language, harmony of periods, grace of composition, and the illuminations of European learning, may in a version, unintentionally impart to doctrines, sentiments, or narrations, an elevation, a symmetry, or a polish, which, in their original garb, they do not possess. In this view, an author, to whom the world are under considerable obligations, may be quoted with applause.

"In executing this work," (says Mr Wilkins, "of the translation of the Heetopades) I have "scrupulously adhered to the text; and I have "preferred drawing a picture, of which it may be "said, *I can suppose it a strong likeness, although "I am unacquainted with the original*, to a flattering portrait where characteristic features, because not altogether consonant to European "taste, must have been sacrificed to the harmony "of composition. I have ever attended to the "form of my model, and have preserved what "was originally in verse, distinct, by indenting "every line but the first of each distich."—Mr. *Wilkins'* Preface to the Heetopades, page 14.

* Tome II. page 159.

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wrought upon; not a rational fear of falling into moral evil, and offending the righteous and holy Sovereign of the universe, but a fear of numberless fictitious dangers from every part of nature, from things real and imaginary, in every situation, and in every transaction. Fear is the grand instrument by which these poor people are held down, never daring to examine into the reality of what they are told is impending over them. False hope is likewise held out to them; and they are taught to seek deliverance, safety, and happiness, in a multitude of unmeaning, fantastic ceremonies, which constitute a grievous drudgery, engrossing their time, and confining their thoughts. In all these rites, and in whatever regards the civil and personal, as well as the religious concerns of the Hindoos, the Brahmins have made themselves indispensably necessary. They formed the religion, they are the sole exclusive depositaries of its ordinances, they are the expounders of them, they are, under a Hindoo sovereign, authorized to assist in the government of public affairs, and in effect to control it; they are the framers and admistrators of the law, they have exorbitant personal privileges in all the ordinary affairs and transactions of life, they are the sole ministers, either officiating or directing, in all the vast train of ceremonies, observances, ablutions, defilements, purifications, penances, and works of supererogation, of which their religion consists; the endless questions arising about caste, are determined by them. In short, a Hindoo, from the hour of his birth, through the different stages of his existence, in infancy, in youth, in manhood, in old age, and in death, in all the relations, and in all the casualties of life, is subject to an accumulation of burthensome rites, with which the preservation of his caste, his credit, and place in society, are strictly connected: nay, for his conduct in former states of being, preceding his birth, these absolute lords of his faith, conscience, and conduct, bring him to account, nor do they resign their dominion over him when he is dead. The return he has for unbounded subjection, is an indulgence in perpetual deviations, even from those few principles of morality which his religion acknowledges. It is thus that abject slavery, and unparalleled depravity, have become distinguishing characteristics of the Hindoos.

Before we dismiss this branch of our subject, it may be proper to meet an enquiry which may have been rising in the mind of the reader while this account has proceeded. It may be said, If the representation here given be just, if such be the consequences of the complex system of Hindoo government, religion, and laws, how has Hindostan flourished under that system, as it is said to have done in ancient times? How has even the frame of society among the Hindoos been preserved from dissolution?

That country, certainly possessed of various advantages, derived them however from nature, not from its government. It enjoyed a most genial climate, a most fertile soil, a situation the most happy for security and for commerce. But its political institutions cramped its natural powers; in process of time they produced general corruption; the interest of the country, or of the state, came to be no concern with people, who, excluded even from thinking of public affairs, and unalterably fixed to one rank and occupation, had little to hope, or to fear, from a change: whence it was, as the ancients inform us, that the husbandman might be seen calmly tilling his field, while two armies were contending in his sight for dominion. Those institutions failed in effectual provision against foreign invasion, in the same degree that they produced internal degradation; and the people having at length filled up a high measure of immorality, the natural consequence of their principles, their northern neighbours, after many desolating inroads, and massacres, brought them under a foreign yoke.

But though the Hindoos lost the dominion of their own country, the influence of their religion, and their priests, remained. The ignorance and fear of the people, their terrible apprehension, especially of the loss or contamination of caste; the necessity thence resulting of adhering to the profession, and remaining in the country in which they were born; these causes, with the great extent of continent over which Hinduism had anciently spread, and the prodigious number of the people professing it, upheld its institutions (institutions which eventually sacrificed every thing else to perpetuate themselves) long after the transfer of sovereignty to foreigners of another faith. Thus the people were held together in the forms of the social state, by a chain, which the rude bigotry and ignorance of their conquerors only served to fasten more strongly; and this, in a word, with the coercive power exercised by the conquerors,

explains

explains why they still continue united, beyond the period, when their corruptions might have dissolved the frame of society *.

CHAP. IV.

Inquiry into the Measures which might be adopted by Great Britain, *for the Improvement of the Condition of her* Asiatic *Subjects; and Answers to Objections.*

CHAP. IV. *Inquiry into Measures for improving the Condition of our Asiatic Subjects; and Answers to Objections.*

WE now proceed to the main object of this work, for the sake of which all the preceding topics and discussions have been brought forward,—an inquiry into the means of remedying disorders, which have become thus inveterate in the state of society among our Asiatic subjects, which destroy their happiness, and obstruct every species of improvement among them.

That it is in the highest degree desirable, that a healing principle should be introduced, no man surely will deny. Supposing it to be in our power to convince them of the criminality of the annual sacrifice of so many human victims on the funeral pile, of the profession of robbery, comprehending murder; of the indulgence of one class of people in the whole catalogue of flagitious crimes, without any adequate punishment; of the forfeiture of the lives of others, according to their institutes, for the merest trifles; of the arbitrary imposition of burthensome rites, devoid of all moral worth; of the pursuit of revenge, by offerings to vindictive deities; of

* The ancient splendor of India, its career in refinement, and the happiness resulting from its policy, have been viewed by the celebrated author of the *Historical Disquisition*, through a medium which hath magnified them to his apprehension greatly beyond their just dimensions, and guided his masterly hand in the delineation of a picture, far more beautiful than the original. In treating of the progress of society, one position seems of late to be generally assumed, that men at first set out from the savage state; a position which may sometimes at least be questionable, and which in respect to the original inhabitants of Hindostan, must be disputed. From this point however, Dr. Robertson conceives them to advance, through a long series of internal improvements, to the highest stages of refinement, unaided even by the accession of extraneous lights; whereas it appears more probable, that upon the first dispersion of mankind from the plains of Shinar, where the habits of civilized life must have prevailed, the most attractive climates would direct the lines of migration, and that early colonies proceeding to the eastward, through tracts of fertile country, would, without sinking into barbarism, soon spread into the luxuriant regions of India, where the rich abundance of the soil would speedily lead them to the arrangements of regular society. For countries extremely productive of the bounties of nature, seem to ripen the ideas of men, in some respects, with a quickness analogous to the rapidity of their vegetation; and where enjoyments are profusely offered, a certain degree of refinement will easily take place, and rights of property be understood, though the facility of acquisition will not be favourable to the spirit of improvement, and there may be vices in the political constitution which will absolutely limit its progress.

With respect to the Brahminical system of religion, law, and science, from which the strongest arguments for a long progressive course of refinement are deduced, reason has of late been given us to believe, that the elements of them did not spring up in Hindostan, but were derived from a source nearer to the original seat of the post-diluvian race. (See, in the Asiatic Researches, the papers of Sir William Jones, concerning the Hindoos.) But whatever the origin, or extent of knowledge among the Hindoos might be, it was, as we have seen, monopolized and concealed by the Brahmins. It spread little light among the great body of the people, and it is incorrect to refer to the whole nation, what only the priests possessed and guarded as a mystery. So with respect to the accumulations of wealth, which the nation enjoying abundant produce, and having few wants, might at length contain, it would centre with the Princes, Brahmins, and some of the chief persons of the other tribes. There might be numerous armies, splendid retinues and establishments, appertaining to the great, with a profusion of jewels and effeminate finery, in which these people delight; there would be many superb richly endowed pagodas, astonishing for their workmanship and cost, there would be great bodies of indolent well appointed priests, troops of buffoons, players, and dancers, the last belonging to the temples as well as the court; and all these appearances, with the general face of a country ever verdant and luxuriant, would strike the imagination of a stranger, especially if his business were with the metropolis, like that of Megasthenes, from whose superficial account of a country then little known, the opinions of the ancients seems to have been formed. But there is no reason to believe, that wealth was diffused freely through all the body politic; the *head* and *arms* might be enlarged, but the other parts would retain nearly their original size. There is no reason, in short, to believe, that the common people ever lived upon any thing but rice, or other inferior grain; ever wore any thing but a cincture, or at best a slight half covering of ordinary cotton cloth; or ever inhabited any better dwellings than low inconvenient huts, with matted or mud walls, and straw roofs. Such is the present style, and such in all probability it ever has been, not because the people preferred this, but because they had no choice.

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of the establishment of lying, false evidence, gaming, and other immoralities, by law; of the pardon of capital offences for money; of trying to purchase the expiation of wilful and habitual iniquity, by ceremonial observances; and of the worship of stocks, stones, impure and malevolent deities; no man living, surely, would affirm that we ought, that we are at liberty, to withhold from them this conviction.

Are we bound for ever to preserve all the enormities in the Hindoo system? Have we become the guardians of every monstrous principle and practice which it contains? Are we pledged to support, for all generations, by the authority of our government and the power of our arms, the miseries which ignorance and knavery have so long entailed upon a large portion of the human race? Is this the part which a free, a humane, and an enlightened nation, a nation itself professing principles diametrically opposite to those in question, has engaged to act towards its own subjects? It would be too absurd and extravagant to maintain, that any engagement of this kind exists; that Great Britain is under any obligation, direct or implied, to uphold errors and usages, gross and fundamental, subversive of the first principles of reason, morality, and religion.

If we had conquered such a kingdom as Mexico, where a number of human victims were regularly offered every year upon the altar of the Sun, should we have calmly acquiesced in this horrid mode of butchery? Yet for near thirty years we have, with perfect unconcern, seen rites, in reality more cruel and atrocious, practised in our Indian territories. If human life must be sacrificed to superstition, at least the more useless, worthless, or unconnected members of the society might be devoted. But in Hindostan, mothers of families are taken from the midst of their children, who have just lost their father also, and by a most diabolical complication of force and fraud, are driven into the flames.

Shall we be in all time to come, as we hitherto have been, passive spectators of this unnatural wickedness? It may indeed well appear surprising that in the long period during which we have held those territories, we have made no serious attempt to recal the Hindoos to the dictates of truth and morality. This is a mortifying proof how little it has been considered, that the ends of government, and the good of society, have an inseparable connection with right principles. We have been satisfied with the apparent submissiveness of these people, and have attended chiefly to the maintenance of our authority over the country, and the augmentation of our commerce and revenues; but have never, with a view to the promotion of their happiness, looked thoroughly into their internal state.

If then we ought to wish for the correction of those criminal habits and practices which prevail among them, it cannot reasonably be questioned, that we ought also to make allowable attempts for this end; and it remains therefore only to consider in what manner this design may be best pursued.

Shall we resort to the power we possess, to destroy their distinctions of castes, and to demolish their idols? Assuredly not. Force, instead of convincing them of their error, would fortify them in the persuasion of being right; and the use of it, even if it promised happier consequences, would still be altogether unjust.

To the use of reason and argument, however, in exposing their errors, there can be no objection. There is indeed the strongest obligation to make those errors manifest, since they generate and tend to perpetuate all the miseries which have been set forth, and which our duty, as rulers, instead of permitting us to view with silent indifference, calls upon us by every proper method to prevent.

The true cure of darkness, is the introduction of light. The Hindoos err, because they are ignorant; and their errors have never fairly been laid before them. The communication of our light and knowledge to them, would prove the best remedy for their disorders; and this remedy is proposed, from a full conviction, that if judiciously and patiently applied, it would have great and happy effects upon them, effects honourable and advantageous for us.

There are two ways of making this communication: the one is, by the medium of the languages of those countries; the other is, by the medium of our own. In general, when foreign teachers have proposed to instruct the inhabitants of any country, they have used the vernacular tongue of that people, for a natural and necessary reason, that they could not hope to make any other mean of communi-

cation

cation intelligible to them. This is not our case in respect of our Eastern dependencies. They are our own, we have possessed them long, many Englishmen reside among the natives, our language is not unknown there, and it is practicable to diffuse it more widely. The choice therefore of either mode, lies open to us; and we are at liberty to consider which is entitled to a preference. Upon this subject, it is not intended to pass an exclusive decision here; the points absolutely to be contended for are, that we ought to impart our superior lights, and that this is practicable; that it is practicable by two ways, can never be an argument why neither should be attempted. Indeed no good reason appears why either should be systematically interdicted, since particular cases may recommend, even that which is in general least eligible.

The acquisition of a foreign language is, to men of cultivated minds, a matter of no great difficulty. English teachers could therefore be sooner qualified to offer instruction in the native languages, than the Indians would be prepared to receive it in ours. This method would hence come into operation more speedily than the other; and it would also be attended with the advantage of a more careful selection of the matter of instruction. But it would be far more confined and less effectual, it may be termed a species of deciphering. The decipherer is required to unfold, in intelligible words, what was before hidden. Upon every new occasion, he has a similar labour to perform, and the information obtained from him is limited to the single communication then made. All other writings in the same character, still remain, to those who are ignorant of it, unknown; but if they are taught the character itself, they can at once read every writing in which it is used. Thus superior, in point of ultimate advantage, does the employment of the English language appear; and upon this ground, we give a preference to that mode, proposing here, that the communication of our knowledge shall be made by the medium of our own language. This proposition will bring at once to trial, both the principle of such communication, and that mode of conveyance which can alone be questioned; for the admission of the principle must at least include in it the admission of the narrowest means suited to the end, which we conceive to be the native languages. The principle, however, and the mode, are still distinct questions, and any opinion which may be entertained of the latter, cannot affect the former; but it is hoped, that what shall be offered here concerning them, will be found sufficient to justify both.

We proceed then to observe, that it is perfectly in the power of this country, by degrees, to impart to the Hindoos our language; afterwards through that medium, to make them acquainted with our easy literary compositions, upon a variety of subjects; and, let not the idea hastily excite derision, *progressively* with the simple elements of our arts, our philosophy and religion. These acquisitions would silently undermine, and at length subvert, the fabric of error; and all the objections that may be apprehended against such a change, are, it is confidently believed, capable of a solid answer.

The first communication, and the instrument of introducing the rest, must be the English language; this is a key which will open to them a world of new ideas, and policy alone might have impelled us, long since, to put it into their hands.

To introduce the language of the conquerors, seems to be an obvious mean of assimilating the conquered people to them. The Mahomedans, from the beginning of their power, employed the Persian language in the affairs of government, and in the public departments. This practice aided them in maintaining their superiority, and enabled them, instead of depending blindly on native agents, to look into the conduct and details of public business, as well as to keep intelligible registers of the income and expenditure of the state. Natives readily learnt the language of government, finding that it was necessary in every concern of revenue and of justice; they next became teachers of it; and in all the provinces over which the Mogul Empire extended, it is still understood, and taught by numbers of Hindoos.

It would have been our interest to have followed their example; and had we done so on the assumption of the Dewannee, or some years afterwards, the English language would now have been spoken and studied by multitudes of Hindoos throughout our provinces. The details of the revenue would, from the beginning,

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have been open to our inspection; and by facility of examination on our part, and difficulty of fabrication on that of the natives, manifold impositions of a gross nature, which have been practised upon us, would have been precluded. An easy channel of communication also, would always have been open between the rulers and the subjects; and numberless grievances would have been represented, redressed, or prevented, which the ignorance of the former in the country languages, and the hindrances experienced by the latter in making their approaches, have sometimes suffered to pass with impunity, to the encouragement of new abuses. We were long held in the dark, both in India and in Europe, by the use of a technical revenue language; and a man of considerable judgment, who was a member of the Bengal administration near twenty years since, publicly animadverted on the absurdity of our submitting to employ the unknown jargon of a conquered people. It is certain, that the Hindoos would easily have conformed to the use of English; and they would still be glad to possess the language of their masters, the language which always gives weight and consequence to the natives who have any acquaintance with it, and which would enable every native to make his own representations directly to the Governor-General himself, who, it may be presumed, will not commonly, henceforth, be chosen from the line of the Company's servants, and therefore may not speak the dialects of the country. Of what importance it might be to the public interest, that a man in that station should not be obliged to depend on a medium with which he is unacquainted, may readily be conceived.

It would be extremely easy for government to establish, at a moderate expense, in various parts of the provinces, places of gratuitous instruction in reading and writing English: multitudes, especially of the young, would flock to them; and the easy books used in teaching, might at the same time convey obvious truths on different subjects. The teachers should be persons of knowledge, morals and discretion; and men of this character could impart to their pupils much useful information in discourse: and to facilitate the attainment of that object, they might at first make some use of the Bengaleze tongue. The Hindoos would, in time, become teachers of English themselves; and the employment of our language in public business, for which every political reason remains in full force, would, in the course of another generation, make it very general throughout the country. There is nothing wanting to the success of this plan, but the hearty patronage of government. If they wish it to succeed, it can and must succeed. The introduction of English in the administration of the revenue, in judicial proceedings, and in other business of government, wherein Persian is now used, and the establishment of free-schools for instruction in this language, would insure its diffusion over the country, for the reason already suggested, that the interest of the natives would induce them to acquire it. Neither would much confusion arise, even at first, upon such a change: for there are now a great number of Portugueze and Bengaleze clerks in the provinces, who understand both the Hindostanny and English languages. To employ them in drawing up petitions to government, or its officers, would be no additional hardship upon the poorer people, who are now assisted in that way by Persian clerks; and the opportunity afforded to others who have sufficient leisure, of learning the language of the government gratuitously, would be an advantage never enjoyed under Mahomedan rulers.

With our language, much of our useful literature might, and would, in time, be communicated. The art of Printing, would enable us to disseminate our writings in a way the Persians never could have done, though their compositions had been as numerous as ours. Hence the Hindoos would see the great use we make of reason on all subjects, and in all affairs; they also would learn to reason, they would become acquainted with the history of their own species, the past and present state of the world; their affections would gradually become interested by various engaging works, composed to recommend virtue, and to deter from vice; the general mass of their opinions would be rectified; and above all, they would see a better system of principles and morals. New views of duty as rational creatures would open upon them; and that mental bondage in which they have long been holden would gradually dissolve.

To this change, the true knowledge of nature would contribute; and some of our easy explanations of natural philosophy might undoubtedly, by proper means, be made intelligible to them. Except a few Brahmins, who consider the concealment of

of their learning as part of their religion *, the people are totally misled as to the system and phœnomena of nature; and their errors in this branch of science, upon which divers important conclusions rest, may be more easily demonstrated to them, than the absurdity and falsehood of their mythological legends. From the demonstration of the true cause of eclipses, the story of *Ragoo*, and *Ketoo*, the dragons, who when the sun and the moon are obscured are supposed to be assaulting them, a story which has hitherto been an article of religious faith, productive of religious services among the Hindoos †, would fall to the ground; the removal of one pillar, would weaken the fabric of falsehood; the discovery of one palpable error, would open the mind to farther conviction; and the progressive discovery of truths, hitherto unknown, would dissipate as many superstitious chimeras, the parents of false fears, and false hopes. Every branch of natural philosophy might in time be introduced and diffused among the Hindoos. Their understandings would thence be strengthened, as well as their minds informed, and error be dispelled in proportion.

But perhaps no acquisition in natural philosophy would so effectually enlighten the mass of the people, as the introduction of the principles of mechanics, and their application to agriculture and the useful arts. Not that the Hindoos are wholly destitute of simple mechanical contrivances. Some manufactures, which depend upon patient attention and delicacy of hand, are carried to a considerable degree of perfection among them; but for a series of ages, perhaps for two thousand years, they do not appear to have made any considerable addition to the arts of life. Invention seems wholly torpid among them; in a few things, they have improved by their intercourse with Europeans, of whose immense superiority they are at length convinced; but this effect is partial, and not discernible in the bulk of the people. The scope for improvement, in this respect, is prodigious.

What great accessions of wealth would Bengal derive from a people intelligent in the principles of agriculture, skilled to make the most of soils and seasons, to improve the existing modes of culture, of pasturage, of rearing cattle, of defence against excesses of drought, and of rain; and thus to meliorate the quality of all the produce of the country. All these arts are still in infancy. The husbandman of Bengal just turns up the soil with a diminutive plough, drawn by a couple of miserable cattle; and if drought parches, or the rain inundate the crop, he has no resource; he thinks he is destined to this suffering, and is far more likely to die from want, than to relieve himself by any new or extraordinary effort. Horticulture is also in its first stage: the various fruits and esculent herbs, with which Hindostan abounds, are nearly in a state of nature; though they are planted in inclosed gardens, little skill is employed to reclaim them. In this respect likewise, we might communicate information of material use to the comfort of life, and to the prevention of famine. In silk, indigo, sugar, and in many other articles, what vast improvements might be effected by the introduction of machinery. The skilful application of fire, of water, and of steam, improvements which would thus immediately concern the interest of the common people, would awaken them from their torpor, and give activity to their minds. At present it is wonderful to see how entirely they resign themselves to precedent: *custom* is the strongest law to them. *Following implicitly*, seems to be instinctive with them, in small things as well as great. The path which the first passenger has marked over the soft soil, is trodden so undeviatingly in all its curves, by every succeeding traveller, that when it is perfectly beaten, it has still only the width of a single track.

But undoubtedly the most important communication which the Hindoos could receive through the medium of our language, would be the knowledge of our religion, the principles of which are explained in a clear, easy way, in various tracts circulating among us, and are completely contained in the inestimable volume of Scripture. Thence they would be instructed in the nature and perfections of the one true God, and in the real history of man; his creation, lapsed state, and the means of his recovery, on all which points they hold false and extravagant opinions; they would see a pure, complete, and perfect system of morals and of duty, enforced by the most awful sanctions, and recommended by the most interesting motives; they would learn the accountableness of man, the final judgment he is to undergo, and the eternal state which is to follow. Wherever this knowledge should be received, idolatry, with all the rabble of its impure deities, its monsters of wood and stone, its

* Page 48.

† Page 66; and Bernier, Tome II. page 102.

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its false principles and corrupt practices, its delusive hopes and vain fears, its ridiculous ceremonies and degrading superstitions, its lying legends and fraudulent impositions, would fall. The reasonable service of the only, and the infinitely perfect God, would be established: love to him, peace and good-will towards men, would be felt as obligatory principles.

It is not asserted, that such effects would be immediate or universal; but admitting them to be progressive, and partial only, yet how great would the change be, and how happy at length for the outward prosperity, and internal peace of society among the Hindoos! Men would be restored to the use of their reason; all the advantages of happy soil, climate, and situation, would be observed and improved; the comforts and conveniencies of life would be increased; the cultivation of the mind, and rational intercourse, valued; the people would rise in the scale of human beings; and as they found their character, their state, and their comforts, improved, they would prize more highly, the security and the happiness of a well ordered society. Such a change would correct those sad disorders which have been described, and for which no other remedy has been proposed, nor is in the nature of things to be found.

Desirable as it must be that such animating prospects were realized, and reasonable as the grounds on which they are held out are presumed to be, it is nevertheless probable, that various objections, more or less plausible, may be started against all that has been advanced. These objections, as far as they are foreseen, shall now be distinctly met; and it is hoped, that upon examination, none of them will be found to possess that substance and validity, which we are entitled to require in arguments opposed to a scheme resting on principles the most incontrovertible, and having for its end the most diffusive good.

First. The plan here proposed, presenting so new an association of ideas, so strange a revolution, as the abject Bengaleze using the language and the light of Europe, may upon the very suggestion of it, be treated as in its nature *idle, visionary,* and *absurd.*

But this would be the decision of prejudice, rather than the conclusion of mature reflection and reason. If the character of the Hindoos proceeded only from a physical origin, there might be some foundation for thinking it unalterable; but nothing is more plain, than that it is formed chiefly by moral causes, adequate to the effect produced: if those causes therefore can be removed, their effect will cease, and new principles and motives will produce new conduct and a different character. It is unwarrantable to infer, that because the Hindoos, or to narrow the term, the Bengaleze, are at present low in their sentiments, conduct, and aims, they must always remain so. We cannot presume from the past state of any people, with respect to improvement in arts, that they would, under different circumstances, for ever continue the same. The history of many nations who have advanced from rudeness to refinement, contradicts such an hypothesis; according to which, the Britons ought still to be going naked, to be feeding on acorns, and sacrificing human victims in the Druidical groves. In fact, what is now offered, is nothing more than a proposal for the further civilization of a people, who had very early made a considerable progress in improvement; but who, by deliberate and successful plans of fraud and imposition, were rendered first stationary, then retrograde. These considerations alone, forbid us to assume, that if they were released from the darkness and stupefaction of ignorance and superstition, the human mind could not among them, regain some ordinary degree of elasticity; or that if light shone upon them, they would still be incapable of seeing or judging for themselves. Let it however be again observed, that the argument maintained here supposes only a *gradual* change. If we bring into *immediate* contrast, the *present state* of the Hindoos, and the *full, general, accomplishment* of such a change, tacitly sinking in our comparison, a long series of years, and of slow progressive transitions, we shall indeed form to ourselves a picture of egregious contrarieties, but it will not be a just representation. Nothing is contended for, which cannot be supported from the nature of man, and the experience of past ages.

Second. Nearly allied to the objection now considered, is another which some persons acquainted with the Hindoo character and habits, and possibly apologists for them, may derive from the *attachment of that people to their own modes and customs.* "If," may it be said, "the Bengaleze are not to be reckoned below the reach of in-

"struction,

"struction, and incapable of new perceptions and views, still their attachment to "long established opinions and usages, is so rooted, as to form an *insuperable obstacle* "to such an innovation as is proposed; and therefore the scheme may at least be "regarded as *impracticable*."

Is this argument however, quite philosophical? Must it be granted, without fair trial, that there is any portion of the human race, upon which reason and science can have *no* influence, which is doomed by nature to perpetual ignorance and prejudice? It is true that the Hindoos have a strong predilection for their system; but still it must be remembered, that in the bulk of the people, this is a predilection consequent of a privation of light, and riveted by the errors which darkness generates, not an attachment which has resisted the light, or as have ever been tried by it. Many Europeans have implicitly adopted an overstrained notion of the immutability of Hindoo opinions in matters of religion, and of the obstinacy of the people in retaining their own practices, even in civil life. But if we look to facts, we shall find that a variety of sects have prevailed, and still prevail, among them. The rise, especially of the *Sicks*, a new religious order, numerous and powerful, who have abjured the Brahminical faith, is sufficient to evince that the Hindoos are capable of considerable fluctuations of opinion. Hitherto indeed they have more commonly fluctuated only from one delusion to another; though it must be allowed, that the system of the *Seeks*, if the accounts which have been received of it are accurate, is comparatively simple and rational; and we cannot without wonder behold a set of Hindoos casting off at once, in the heart of their country, the whole load of Brahminical incumbrances, and as it should seem, renouncing polytheism and the worship of images*. A sight far more pleasing has also been exhibited to us, in the conversion of Hindoos to the divine religion of the Gospel. These were not encouraged by an armed protection, or actuated by the prospect of conquest, which may have stimulated the followers of the *Seeks*; but in opposition to the allurements and terrors of the world, they yielded to conviction, and rendered homage to the truth. This important fact, which is perfectly established, it may suffice barely to state here, since there will be occasion, in speaking to a following objection, to which it more pointedly applies, to enlarge upon it. When we read of these things on the one hand, and on the other of the extremities which Hindoos have sometimes endured through the bigotry of their Mahomedan masters, or from the pressure of misfortune, rather than submit to apprehended contamination, what is the inference fairly deducible from these dissimilar views but this, that whether the dread either of dishonour in this life, or of degradation in the next transmigration; whether resentment, or the idea of acquiring distinguished merit, were the principle from which these people suffered, still what terror could not induce them, misguided as they were by false notions, to relinquish, they yielded voluntarily to reason and persuasion.

If we now turn to instances of a more familiar nature, in the affairs of common life, here too actual experience will inform us, that it is not insuperably difficult to induce the Indians to depart from old established practices, and to adopt new ones. One or two cases of pre-eminent magnitude and notoriety will suffice to confirm this position. Raw-silk, as is well known, has been for many years a great article of commerce in Bengal. The natives had their own methods of winding it, and much attachment to those methods, defective as they were. The India Company attempted to introduce the Italian mode of winding this article, a mode more complex, but far more perfect; they have completely succeeded, and that mode is now practised in all parts of the country. So again with respect to the culture and manufacture of indigo, which the skill and industry of Europeans have, within these last twelve years, introduced into Bengal, and have now rendered an immense article of commerce between that country and Europe: the natives, though possessed of the indigo plant, from which their dyers extracted a very inferior substance for domestic purposes, held the culture of it rather in disesteem, and had no idea of those modes, and that scale of manufacture, of which the Europeans gave them examples; but those examples they now begin to follow on their own account, and there is reason to believe the Hindoos will come in for a share of the produce of this article in the London markets. Be it acknowledged then, that they are now incurious, and without love of learning; yet make it their interest, and they will attend to new discoveries; make it easy for them also to know the English language, and they will acquire it; show them profitable improvements in agriculture and the arts, and they will imitate them; make

* See Mr. Wilkins's account of the *Seeks*, in the first volume of the Asiatic Transactions.

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make it in short their interest, and why may they not become *in time* students, and even teachers of natural philosophy?

Let not the idea be hastily treated as chimerical, if we add that the India Company possessing the revenues of a great country, might very beneficially for themselves and that country, set the example in introducing such improvements. It would be worthy of them to turn their attention to this fruitful subject, to employ skilful artists of various kinds in ascertaining what improvements are practicable, and in carrying plans for them into execution. Were such a design to be taken up, with due zeal, by the Company, and their governments abroad, the expense and labour would assuredly be repaid in the end, probably by specific returns, but certainly by the augmentation of the agriculture and commerce of the country, and the general effects upon society. In like manner, if *after the English language begun to be diffused*, seminaries, with suitable apparatus, were instituted, for gratuitous instruction in natural philosophy, and premiums assigned to those who should excel, young persons, both Hindoos and Mahomedans, would become students and candidates; and if those who were found competent, were at length to be taken as assistant teachers, with suitable salaries, such a measure would prove a new and powerful means of establishing this species of knowledge. If a kind, patient, and encouraging conduct, were observed towards the Hindoos; that contempt with which Europeans in general regard them, restrained; and their first inaptitude borne with; it cannot be irrational to expect, that in things which come home to their business and interest, which respect the truths of nature, and the improvements of art, such a conduct should be productive of success. Many of the Hindoos and Mahomedans are brought up to the ready practice of writing and accounts; and persons of this class might be more easily carried on further.

THIRD. It may be objected, with more plausibility, that the *Brahmins, by their determined opposition to innovations, which would so essentially affect their interests, would prevent the introduction or success of them.*

It is certainly natural to suppose, that they could not look with indifference upon any attempt *from which they might apprehend danger*, to that system whence they "have their wealth," their honour, and their influence. It shall be readily admitted therefore, that *upon any serious alarm* for the stability of these distinctions, such opposition as should be within the power of that order of men might be expected. But though it will be proper to consider the effect of that opposition, and the force of the objection grounded upon it, we must previously maintain that it can constitute no reason at all against endeavouring, by prudent and pacific means, to make the truth known; for to admit this, would be to make the resistance of those who profit by abuses, an argument for continuing to tolerate them, and upon the same principle, Christianity had never been propagated.

To objections of a prudential or political kind, it is one main design of this piece to oppose answers founded on considerations of a like nature; and we venture to believe, that if the cause here pleaded for, rested on this ground alone, it could have nothing to fear. But the employment of political arguments does not oblige us to decline the use of others justly applicable to the subject; and upon the present occasion, it would be strange to omit one of decisive weight, which flows from the very nature and principles of Christianity.

The divine authority of that religion, its unrivalled excellence, and incomparable fitness to promote the happiness of man, its whole tenor, and many particular injunctions and encouragements which it holds forth, impose upon those who profess subjection to it, the duty of contributing to diffuse, by all proper methods, the knowledge and influence of it in the world. No man who takes the Gospel as the standard of his reasoning, can for a moment dispute this position; to deny it, would be virtually to deny the authority of Christ, and therefore it will not be expected, that we should enter here into the proof of a position which rests upon the truth of Christianity itself. But affirming as we may with perfect right, the validity of this argument, it will apply to communities as well as individuals; the duty is incumbent upon this nation, and it is augmented two-fold by the addition of that which we owe to the misguided Pagans who are become our subjects.

Having asserted the regard due to this important argument, let us proceed, in the next place, to examine how far the present objection is warranted, in ascribing so great an efficacy to the opposition of the Brahmins; or in other words, to inquire into the

the extent and probable amount of their counter-action, *still supposing their resistance to be strongly excited*; for here it will be proper to remark, that in general where they see no indication of *persecution*, they are not likely to feel any alarm. As the more learned and ingenious of them lead a retired life, inattentive to novelties, so the rest, chiefly men busied in worldly concerns, possess the confidence which often belongs to deluded ignorance. They know that their system is held by numerous nations. They believe from their legends, that it always has been, and always will be so. They possess the same spirit as that Pagan votary of old, who felt himself quoting a fact of universal notoriety and authority, sufficient to appease a popular tumult, when he affirmed that the image of the great goddess Diana fell down from Jupiter. When therefore they see a few simple foreigners offering "certain strange "things" to the ears of their people, they may be ready secretly, if not to use the language of the conceited Athenians, yet to say with a more ancient scoffer, "what "do these feeble Jews?" Still less will the people be apprehensive about consequences. And whilst things continue in this state, it will be the business of Christian teachers to confine themselves chiefly to the positive declarations of the Gospel, giving no occasion for an imputation which indeed they should never wish justly to incur, that of being "blasphemers," or resorting to abusive language in speaking of the Hindoo gods, or the Hindoo absurdities. They have greater themes; "tempe-"rance, righteousness, and judgment to come;"—the noble topics brought forward by St. Paul to the superstitious Athenians. "God that made the world..... the "Lord of Heaven and Earth, who is not worshipped with men's hands..... who "giveth to all, life, and breath, and all things..... in whom we live, move, and "have our being..... And that forasmuch as we are the offspring of God, we "ought not to think that the godhead is like unto gold, or silver, or stone graven by "art and man's device..... And the times of this ignorance God winked at; but "now commandeth all men, every where to repent; because he hath appointed a "day in which he will judge the world in righteousness, by that man whom he hath "ordained; whereof he hath given assurance unto all men, in that he hath raised "him from the dead."

If by such doctrines as these, or the fruits of them, resentment and opposition should be provoked, let us now consider what the utmost activity of opposition so stimulated could effect. Usually true religion has been combated, and false religions have been upheld, either by fraud or force, or by both. What artifice, imposture, misrepresentation, and vicious indulgence have not been able to effect, persecution and the coercion of the secular power have been called in to accomplish. False religion shuns fair examination; before this test it cannot stand. Such is the force of truth, that on the first promulgation of Christianity, it prevailed against all the deceits, impositions, ignorance, prejudice, and prescriptive authority of the ancient superstition, aided by the utmost cruelties that tyrannic governments could inflict. Now in the present case, the Brahmins will not possess the instrument most effectual for the support of religious error and imposture, that is, the power of the sword. They may be able to strengthen indisposition to new opinions by their personal influence, by availing themselves of traditional respect and existing habits, by venting calumnies, by denouncing spiritual judgments, especially that most formidable of their punishments, loss of caste; and it shall be granted, that these expedients may be sufficient to narrow the avenues, and retard the progress of truth. Such obstructions are to be contended with only by patient perseverance, maintained on Christian principles. But with these expedients, the means of opposition end; and if all such means have not prevented many Hindoos, even of the superior orders, on the Coast of Coromandel, from embracing the doctrine preached by a few humble Europeans, without national or local consideration, why should it be thought that pious, discreet, intelligent teachers, should have no success in Bengal, where the full establishment of our authority must at least secure the national religion from open contempt or disrespect. In that country, the gross absurdities of Heathenism have never yet been clearly exposed, and their abettors would find themselves extremely at a loss to defend by argument, assumptions wholly destitute of evidence, internal and external. Indeed how is it possible to justify to the common sense and imperfect natural light of men, the monstrous actions ascribed to the deities of the Hindoos, the immoral tenets established by the Hindoo system, and the immoral practices which they are used to sanction? These things could not stand before the pure and heart-searching word of God, which recommended by the lives of those who declared it, could not fail to make a powerful impression; especially as the Hindoos, who easily suppose the authenticity

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authenticity of other systems of religion, (thus with Pagan latitude concluding the certainty of that which they hold to be peculiarly assigned to them,) would not be inclined to controvert the truth of ours, and therefore would be reduced to the task of proving that their own is of divine authority. And the great difference between this kind of contest, and the religious controversies which have usually prevailed in Europe, ought to be considered. For here the dispute has commonly been, which of two contrary systems or tenets was the right one, and entitled to general acceptance. But the Hindoos do not wish for proselytes; they cannot receive any: on the other hand, Christian teachers neither able nor desirous to resort to any kind of compulsion, would be confined to a quiet exposition of the truths of their own system, and of the errors of Heathenism. From such a state of things no violent contention could easily arise. If finding excommunication insufficient to deter Hindoos from embracing Christianity, the Brahmins should attempt to follow with persecution those who had been converted, the calm interposition of the civil government to prevent such an infraction of justice and good order, would be sufficient. And if natives acknowledging from conscience the Christian revelation, at the hazard of sacrifices which the confession of it might require, were thereby rendered more honest, more faithful, and upright, would this be any injury to society? Need we ask whether it would make them better servants and agents, make them more useful and valuable in all the relations of life? Would not such persons be a real accession to European masters; and must it not be supposed, that men professing Christianity, whose interest would be promoted by employing such converts, would not reject them, upon a principle which even Paganism could not justify, that is, because they had honestly followed their convictions? In this way the great terror of excommunication would be obviated; for it is in the loss of employment, the want of subsistence, and protection, that its great evil consists. Let it not be said, that such views might tempt natives hypocritically to assume the profession of Christianity who would afterwards disgrace it. The truth is not to be kept back, nor a credible profession of it discouraged, because it may be thus abused; and those who should act so dishonestly, would generally soon find themselves despised by all parties.

Thus it is hoped a satisfactory answer has been offered to the objection now under consideration, even when admitted in its strongest form; that is, in supposing the great question respecting religion to be brought into early and direct controversy. Of such a collision of systems however, for some considerable time to come, the probability may, from the observations which have been advanced, be reasonably doubted; and if the more gradual process here assumed, a process by the concurring extension of the English language, should be followed, additional aids will, in the mean while, arise to the argument we maintain. That extension for instance, and the employment of the language in public business, cannot be disputed by the Brahmins; for how could they deny the same obedience to our government which they formerly yielded to the Mahomedan, and in a matter on which it is solely the province of government to decide? Brahmins themselves have spoken English for a century past; many of them now speak it; and no religious plea can therefore be henceforth advanced against the use of it. Improvements in manufactures and the arts, the Brahmins could not exclude; for in the adoption of some such improvements introduced by Europeans, they have also joined. The true system of natural philosophy, demonstrable as it is to the sight by machines, could be communicated to the Mahomedans, through whom it would have a wide diffusion, even if the Brahmins could prevent all Hindoos from attending to it, which is not to be imagined; nor could such an expedient occur to them until the progress of light had made an impression. That progress it is probable, would operate silently with persons who would not choose to encounter the painful feelings attendant on the dereliction of caste; and in this way, without any great external change which should excite alarm, a gradual enlargement of views and opinions, guided by that spirit of order and obedience which the Gospel eminently inculcates, and operating rather to the prevention of any vehement conflict of opinions, might take place, to the true happiness, as far as it went, of all parties.

Fourth. It may possibly occur to some of the readers of this tract, that the *Portugueze of India, many of whom speak English, are nevertheless still a vicious and contemptible race.*—There are among them, it must be admitted, many who cannot be cleared from this imputation. These men, descendents of the Portuguese soldiers and free-booters of a rude age, and of the lowest Bengaleze women, born in the

the meanest stations, dispersed under governments foreign to them, adopted by no other class of society, commonly without education, retaining only the errors of the Roman Catholic persuasion, grow up in ignorance, immorality, and superstition, like the Heathen around them, and if they know the English language, it is but imperfectly and colloquially. They cannot be referred to as specimens of the effects of Christianity, any more than some of the Indians of America, for they understand and possess hardly any thing of it beyond the name. But there is another description of persons ranking under the general denomination of Portuguese, more respectable; persons of some education, who are clerks, traders, or merchants. These are often men of decent lives and tolerable information; they are, in some degree, an improving set of people, and have clearly profited from their acquaintance and intercourse with Europeans, particularly the English. Now the proposed plan of communicating instruction to the Hindoos, through the medium of our language, does not suppose that the vilest out-casts of society are first to be selected for the purpose, or that a new name merely is to be imparted, but that men of substance and consideration, men employed in the affairs of government, connected with the revenues and with the administration of justice, will procure for their children, if not for themselves, the knowledge of a tongue which will then be necessary in transacting business, and that the instruction to be conveyed by this, or any other vehicle, shall be important and practical.

FIFTH. Another objection may arise from *the result of the direct attempts which been made to enlighten the Hindoos*, by the preaching of the Christian religion: It has been said by some, that *the success of such attempts has been very small, and has been confined to the Parriars and others of the lowest castes.*——This statement is, in the first place, very erroneous; and in the next, to infer from it the impracticability of extending, by any efforts however strenuous, by any means however prudent, and under any circumstances however favourable, the influence of Christianity in Hindostan, would be altogether illogical and fallacious. Little stress shall be laid here upon the attempts of Roman Catholics; for it must be confessed, that though they made numerous converts, they too often only changed one set of ceremonies and images for another. Yet it must also be admitted, that the Romish establishments in Europe have shewn a zeal in this matter, much superior to that of any of the Protestant nations; and that Xavier, who traversed a great part of the coasts and islands of India, about the beginning of the sixteenth century, and appears to have been a pious indefatigable man, planted the Gospel in various places, in a way that might have led to a large extension of it, if his labours and zeal had been well seconded. The efforts of the Dutch to establish Christianity in their Indian settlements, as being made under circumstances more similar to our own, may deserve greater attention. There was, in the earlier periods of that republic, a very laudable spirit in the government at home for the promotion of this object, and the number of native Christians in their colonies abroad was very considerable. Baldæus, the author of the History of Ceylon, a person of great credit, who was one of the Dutch ministers there in the last century, and wrote from his own knowledge, has stated that in the year 1663, the Christians in the province of Jaffnapatnam,* amounted (exclusive of slaves) to sixty-two thousand, many of whom must no doubt have been educated in the Romish churches, which the Portuguese had founded there; but it is extremely worthy

* The inhabitants of Jaffnapatnam are Malabars, known to have come originally from the continent, and are a distinct people from the Cingaleze, who possess the rest of the island, and follow the religion of *Bowde*, or *Bhoudda*, whom the Brahmins treat as a heretic; whilst some learned Europeans are inclined with great appearance of reason to believe, that his religion, which prevails over many countries of the East, is more ancient in India than the Brahminical system. He is mentioned by Jerome, Clemens Alexandrinus, and other authors of antiquity, and is now held to be the same as the *Sommonacodom* of Siam, the *Foe* of China, and the *Saca* of Japan. See in the first volume of the Asiatic Transactions a curious and learned paper, which has relation to this subject, by *William Chambers, Esq.*

A premature and lamented death has since deprived learning and society of this excellent man, who to an exquisite skill in several Oriental languages, joined a very uncommon knowledge of Asiatic history and manners. But these qualities were in him only themes of inferior praise. He exhibited, during a long residence in India, in all his relations, employments, and intercourses, a consistent and distinguished example of the Christian character: and from him, inquisitive and ingenious natives, both Mahomedans and Hindoos, with whom it was his practice often to converse, received at once just views and favourable impressions of Christianity. If the occasion had permitted, it would only have been doing justice to his name to place it in a far more conspicuous station than the present note assigns to it; and for this particular reason, among many others, that he was always a strenuous advocate for the diffusion of the Gospel in the East. He had himself begun, with great care, a translation of the Gospels into Persian. 1797.

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worthy of remark, that this author declares the number of *children in the schools*, maintained by the Dutch government, to have risen at the time of his departure from the island, *to eighteen thousand.*

The learned John Leusden, Professor of Hebrew at Utrecht, about the end of the last century, produced several letters from his correspondents, which gave the following further accounts of the state of Christianity in the Dutch possessions in Ceylon. "Mr. Herman Specht, minister of the Gospel at Columbo, writes, that in "the province of Jaffnapatnam, without including Manaar, which appertains to it, "there are, according to the last computation and the list sent thence to us, one "hundred and forty-one thousand four hundred and fifty-six Christians, who have "five pastors to take care of them." The same Mr. Specht, in another letter from Columbo, dated January 6th, 1688, says, "the number of converted Indians, who "have embraced Christianity, is in the space of four years greatly encreased; for "the provice of Jaffnapatnam, subject only to the Dutch East India Company, hath "two hundred and seventy-eight thousand seven hundred and fifty-nine inhabitants; "among whom there are Indians professing to be Christians, one hundred and "eighty-eight thousand three hundred and sixty-four*." Another very respectable authority of the same period informs us, that "the Dutch East India Company "maintain in the Indies, thirty or forty ministers for the conversion of poor Infidels, "who are under their dominion, and are at the annual expense of £. 10,000. for "this purpose, and have hereby converted *many hundred thousands of them to the "true Christian faith*; and for the further propagating of it, have lately erected a "college in the Island of Ceylon, in which one place only they have above eighty "thousand converted Indians *upon the roll*, for whose use they print bibles, "catechisms, and many other books†."

The Dutch Company however, it appears from recent information, never could get a sufficient number of ministers to undertake the work of propagating the Gospel in those countries, or even to serve the churches which had been founded in them; and in later times, the funds allotted for the support of those churches and of the clergy there, have been more and more curtailed; so that from want of labourers, of maintenance, and zeal, Christianity has greatly declined in most of the Dutch settlements, through the course of the last fifty years.

Nearer to our own days, the single Protestant mission which has been seriously prosecuted, that of the Danes at Tranquebar, under the patronage of the English Society for promoting Christian Knowledge, though extremely limited in its funds, and aided by little, if any, territorial or commercial influence, has produced solid and valuable effects, not among the lowest castes only, but among the Brahmins and Pandarims, persons of the highest order and greatest knowledge; and some of the converts have themselves become useful teachers to their countrymen. There has been, since the beginning of this century, a succession of zealous missionaries at Tranquebar, who by no other means than preaching the truth, and exposing the errors of Heathenism, have won multitudes over to the faith of Christ, and formed several respectable churches on the Malabar Coast‡. The congregations of native Christians under this mission, have indeed been diminished by the wars and calamities, which within the last twenty years have ravaged the Carnatic; but upon the whole, the number of converts made by it, in spite of all the opposing terror of exclusion from their own tribes, has been very considerable; and it may be asserted, upon unquestionable

* Millar's Propagation of Christianity, Vol. II. page 318, in which is cited *Mastricht's* Theologica Theo-practica.——If it were asked, whether all these converts were sincere in their profession, it might be answered, that probably some were ignorant and some hypocritical; but so would the result be upon any large survey, even in Europe Yet to have discarded the horrid idolatry and mythology of the Hindoos, and to come under the stated instructions of a pure and divine system, would be important changes.

† A proposal from the eminent Dean Prideaux to the Archbishop of Canterbury (Dr. Tennison) for the propagation of the Gospel in the English settlements in the East Indies, contained in a letter to his grace, dated the 20th January 1694-5. In this letter the Dean greatly complains of the indisposition disposition of the English East India Company to the good work which he recommends. The Company, then under the management of Sir Josiah Child, must have much declined from its earlier zeal for the honour of religion.

See the *Life of Dean Prideaux.*

‡ "The Danish mission of Tranquebar was "very highly extolled by several people here, "(Columbo in Ceylon) who at the same time "assured me, that had the Catholics in their endeavours to propagate Christianity in India, conducted themselves with equal gentleness, moderation, and Christian charity, devoid of avarice, haughtiness, and violence, the major part of the numerous inhabitants of Asia would, at this present time, have been converts to this doctrine."—*Thuneberg's Travels, Vol. IV. Anno, 1778.*

able authority, that many of them have been truly sincere and earnest, living and dying in a manner worthy of the Christian profession. It is evident then, that the light of Christianity has not been held out by this mission without effect. Such is the force of eminent goodness, that the name of *Swartz* in particular, a missionary still living, who has laboured with a spirit truly apostolical for more than thirty years in that country, exposed to its hottest sun, and furnished only with the scantiest necessaries of life, is revered all over the peninsula of India, by Hindoos, Mussulmans, and Europeans. The Hindoo King of Tanjore, when dying, was solicitous to make him the guardian of his heir, and to put the whole management of affairs into his hands, a trust which he declined. The famous Hyder Ali, received him as an envoy on the part of the English, and offered to take his word as the guarantee of a proposed engagement, when, as we have been assured, he would trust no one else; and Colonel Fullarton, who was commander of an English army in that country, though severe in his strictures upon others, has declared publicly, that Mr. *Swartz* singly had retrieved the European character in India. This mission, supported by men of such a stamp, has still real success in educating the young, and converting the adult, not to a new name only, but to a better life and conversation. And if the number of missionaries there were greater, it cannot reasonably be doubted, that the success would be proportionably increased.

The history of the Romish missions proves, that it is practicable to induce multitudes of the professors of Hinduism, to embrace a new faith. The present low state of Christianity, both in those missions, and in the Dutch establishments, is clearly to be ascribed, not to the determined adherence of the Indians to their own tenets, but to the remissness, indifference, and at length almost total neglect of the Europeans, whose too general disregard of the spirit, and precepts of their own professed faith, is, it must be acknowledged, a hindrance of another kind, more lamentable and pernicious than all the rest put together; for had they generally lived conformably to their religion, Hindostan would at this time probably have been Christian.

The observation therefore of a late writer, that "notwithstanding the labours of "missionaries for two hundred years, and the establishments of different Christian "nations who support and protect them, out of perhaps one hundred millions of "Hindoos, there are not twelve thousand Christians, and those chiefly Chandalas or "outcasts*," leads to a wrong conception of facts, and to conclusions totally unsupported. Though this number were correct, it ought by no means to be taken as the utmost possible product of united exertions for a long series of time; for nothing is plainer, than that these exertions, never great, never in any degree what they ought to have been, have gradually declined, except in the solitary instance of the small mission of Tranquebar, for more than a century past, and are in most places now entirely abandoned, not for want of success, but for want of the spirit that should animate such undertakings. Even if the success had never been greater than it is said to be at this day, and had been confined to the lower classes, who however have immortal souls, they who consider the value of Christianity, and the vast importance of the interests connected with it, as well as the opposition which the priests of other religions have uniformly made to it, would still think this success an object of very considerable magnitude. But we have seen what had been done in the times of Baldæus, and of Specht†, and we may judge how far it is reasonable to take the number of twelve thousand‡ in the year 1790, as the existing amount of Christians in Hindostan, when we may fairly state no less a number than one hundred and eighty thousand to have been existing in the year 1688, a full century earlier. Length of time however, can be no exact criterion in this case. Persecutions, wars, and famines, may reduce the number of Christians. A want of pastors may disperse them, and in a generation or two leave no vestige of flourishing churches. The diligence and earnestness employed in this work will in general be found the truest test, and wherever these have appeared, the effect has been proportionable. As to "the establishments of different Christian nations, who support and protect them," where are they? Exclusive, first of wandering Romish missionaries, who to do them justice subsist on little, and submit to a painful course of life, and next of the Tranquebar

* Sketches concerning the Hindoos, quoted in Dr. Robertson's Ancient India, page 230.

† Page 165, 166.

‡ A letter recently received from a very respectable person on the Coast of Coromandel, states, that in consequence of the capture of Ceylon by the English, twenty thousand native Christians in the province of Jaffnapatnam were left without pastors, and thence were falling off to Paganism. 1797.

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quebar mission already mentioned, which consists not of above seven or eight ministers, on very narrow appointments, where are the establishments, where are the support and protection? Do the Dutch, possessing many large islands and settlements, now maintain even a sufficient number of clergy for their factories? Do the British, the lords of immense territories, and of twenty-four millions of Heathen subjects, maintain a single missionary? *Pudet hoc opprobrium!* This is a very serious subject, which would require and well deserves a distinct consideration *.

The conclusion therefore, which the writer recently quoted, would draw, that the peculiarly obstinate attachment of the Hindoos to their religion, has prevented, and by parity of reason will ever continue to prevent, their conversion to Christianity, is repugnant to the past experience of Europeans. Wherever an attempt has been seriously and prudently made, a certain degree of success has followed it; and if such attempts were more extended, the success would be correspondent.

Doubtless there is always difficulty in turning men from error to truth; and those who have been taught to place a high degree of merit in abstinence from certain meats and liquors, will be prejudiced, as has also been objected, against a religion which treats these things as indifferent. But prudence and discretion will do much. The Danish missionaries have never encouraged converts to shock their Heathen neighbours, nor to run themselves into unnecessary expense and danger in this respect; for in imitation of the conduct of the first teachers of Christianity towards the Jews, whilst they have explained to them the allowableness of using any kind of food without exception, they have also inculcated the expediency, in their circumstances, of forbearance. But it is idle to lay any great stress as some have done upon such an impediment, when in order to real conversion, much greater obstacles must be overcome. Undoubtedly the grand hindrance, on the part of the Hindoos, to the reception of the Christian faith, is not so much an attachment to their religion, as the dreadful forfeitures which follow the dereliction of it,—excommunication from society, family, wife, children, inheritance, employment, subsistence, every thing valuable in life, and every thing necessary to its support; yet these prodigious sacrifices many have made for conscience sake; and if converts could have protection from persecution, and the means of subsisting themselves by honest labour, which among so many European Christians as are in Bengal could not be wanting, their numbers would be far more considerable than they are at present. In remoter ages, we know from undoubted authority, that the diffusion of Christianity in India, was more general than it has been in modern times †; but the people were the same, their religion and prejudices the same as they are now; nothing was different, but the ardour for propagating the Gospel; and when this ardour revives, in places where the ascendency of Europeans has prevailed over the Hindoo government, it may be expected that more homage will be paid to true religion, than it has yet received.

SIXTH. If after all that has been already said of the causes by which the Hindoo character is formed, any person should still be willing to believe, *that nothing more is necessary for the social peace, order, and happiness, of our Asiatic subjects, than to enact good laws, and duly to administer them*, such persons may be pleased to consider

* National support is here spoken of. The Society for promoting Christian Knowledge, before noticed, from their moderate funds, the subscription of individuals, have for a long series of years given an annual allowance to the Danish missionaries of Tranquebar, or more properly have upheld the valuable mission established there nearly since its commencement, and they wish to extend their labours both on the Coast and in Bengal; but their funds, enlarged as they have lately been, are not adequate to the scheme now proposed.

An evasive plea, with which some persons meet proposals of this kind, is hardly entitled to notice. "Let us, say they, begin at home;" as if they were hindered in any domestic plans of benevolence by such proposals; as if he who sincerely wishes the extension of religion at home, must not also wish it abroad, as if it were ability, and not will, for both, which is wanting, as if we ought to postpone the communication of light to other countries, whilst any individuals remain unInstructed, (though through the fault of appointed teachers,) among ourselves; as if the duties of sovereignty did not extend wherever we hold possessions; as if the communication of the Gospel to all our subjects, were not an indispensable duty, and the obligation to perform one duty, could justify the neglect of another both incumbent and practicable; as if in a word, a resident of this country, having a foreign estate peopled with Heathens, should not immediately attend to their religious instruction.

† A considerable church subsisted on the Coast of Malabar from a very early period, and when the Portuguese first visited India, the Christians on that coast were still very numerous and respectable. They were a simple people, and by a complication of artifice and force were brought into subjection to the Romish see, whence they were incorporated with the Portuguese and shared in their fate. See *Histoire du Christianisme des Indes, par la Croze*, and the Portuguese writers cited by him.

consider a maxim which experience has established in the science of legislation, "that laws are of no avail without manners." Where the general spirit of a community runs counter to particular laws, those laws, instead of overcoming that disposition, more commonly lose their own efficacy, as may be seen in the case of duelling, and many other forbidden practices among ourselves. And it usually happens, that regulations which have the maintenance of good morals for their immediate object, fall sooner into neglect, and are infringed with more impunity, than those made to protect the property of individuals.

Our government in India is besides, in this respect, under some peculiar disadvantages. A handful of foreigners presides over a very numerous people, extremely corrupt, and fortified in their corruptions by their own institutions. Out of that mass, we must take the subordinate instruments of our administration in all departments, particularly in the courts of law, and in the police of very extensive provinces. The number of our courts, and of British judges or officers in them, from the heavy expense which they occasion, can hardly be made equal to what is required for the convenience of the people, of whom also, many reside at a distance from the seats of justice, where moreover the formalities of procedure, and the accumulation of suits, necessarily produce delays repugnant to the nature and circumstances of that people, who earnestly desire prompt decisions.

It may easily be seen, that these causes, especially the national characteristics attaching to the multitudes whom we are obliged to employ in all the inferior lines of administration, would, notwithstanding the many excellent things done to render the fountains and the channels of justice pure, hinder the perfect operation of our legal institutions, even if it were in the nature of such institutions to furnish internal principles of morals, as well as to punish the external violations of right. That it is not, authority and experience concur to assure us. It is the judgment of the great Lord Bacon, a man pre-eminent in jurisprudence as well as in philosophy, "that "good government, and good laws, though they indeed nourish virtue when grown, "*do not much mend that seed.*" Corruption has destroyed many states, where legislation had attained to considerable perfection; and how plainly does it come within our own observation, that even in countries where the awful sanctions of true religion are added to the wisest laws, uprightly dispensed, all are found little enough to check the progress of depravity? The insufficiency of laws alone to this end, cannot then be better stated than in the words of another writer of superior order, which may close the discussion of a topic in itself so clear. "As for human laws, made to "encourage and requite virtue, or to check and chastise vice, it is also manifest that "they do extend to cases in comparison very few; and that even as to particulars, "which they touch, they are so easily eluded or evaded, that without intrenching "upon them, at least without incurring their edge, or coming within the verge of "their correction, men may be very bad in themselves, extremely injurious to their "neighbours, and hugely troublesome to the world; so that such laws hardly can "make tolerable citizens, much less thoroughly good men, even in exterior demeanor "and dealing. However no laws of men can touch internal acts of virtue or vice; "they may sometimes bind our hands, or bridle our mouths, or shackle our feet, "but they cannot stop our thoughts, they cannot still our passions, they cannot bend, "or break our inclinations; these things are beyond the reach of their cognizance, of "their command, of their compulsion, of their correction; they cannot therefore "render men truly good, or hinder them from being bad*."

SEVENTH. There is another species of objection, which does not peculiarly apply to the plan now in question, but equally to all schemes which go upon a principle of proselyting men of one religion to another. The objection is to the principle itself. It supposes that if any religion be necessary, the religion in which a man happens to be born, will do at least as well for him as any other; that being sincere in his hereditary religion, he will be safe and happy in a future state; and that it is therefore wrong to disturb him about any new one. Now this objection plainly assumes, that all religions, however contrary to each other, are much the same as to their end and efficacy. It must suppose that they are all indifferent or all acceptable to the Deity; and if the latter, that either they had their origin from him, or that human inventions of various and opposite systems of faith and practice, according to the different tastes, fancies, habits of men, and their degrees of knowledge, are at least approved of by him.

This

* Dr. Barrow, Vol. II. page 335.

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This is no other than the old Heathen opinion, revived and extended by modern infidels *. But some men who have fallen into it perhaps carelessly, as an easy way of solving points dubious or disquieting to their minds, have surely not reflected on the gross and impious absurdities with which it is pregnant. Allowing that it does not mean to discard morals, it proceeds upon a fatal sophism, too common, that they may equally subsist with any or with no religion, and that only the duties which our fellow creatures claim, are important, those owing to God, mere ceremonies; it implies, that an infinitely pure, wise and good Being, may be pleased with rites fantastic, cruel, and impure, which in their nature violate every idea, even of morals; or what is nearly as monstrous, that he places on the same level, doctrines and services essentially contrary to each other, and many of them utterly unsuitable to his own holy character. In either case, the greatest outrage will at once be offered to right reason and to the infinite perfections of the divine nature. But one inference will thus be reserved, which it is to be feared is too often the main drift of all the crude profane notions unhappily indulged upon a subject the most momentous,—that no religion has an exclusive claim to be preferred, or that in other words, there is no such thing as a divine revelation; for if a revelation were acknowledged, the consequence must of course be, that it is entitled to supreme regard.

But this is directly to attack the truth of Christianity, which claims God for its author, and, including as it does, the Jewish and patriarchal dispensation, to be the only religion that he hath revealed. This is not the place to vindicate the justice of the claim, nor is it necessary. The truth of Christianity has been a thousand times proved, against every species of attack which the abilities or the passions of men have been able to devise. It stands upon such various invincible evidence, external and internal, as belongs to no other object of human belief; evidence sufficient to satisfy the most secret doubts of every honest inquirer, and to astonish him with its clearness and power. All the assaults of ancient and modern enemies have only served to establish the authenticity of Christianity more firmly. It gains by being examined. It courts the light. The age in which it was introduced, and made its way in the world against all opposing powers, was an age of light. With the revived and increased light of modern times, it has received new lustre and confirmation. Those superior geniuses, who have extended the sphere of human knowledge, have been steady believers in Christianity. The discoveries of science invalidate none of the truths of revelation. The improvement of the mental faculties yields no illumination that can disparage the matter, or lessen the importance of those truths. But in proportion as the investigation of nature, and of the character and state of man, enlarges his views of the great Creator, and his acquaintance with himself, he sees more of the suitableness of the Christian scheme, to the perfections of the one, and the condition of the other. It is by a gross perversion of language, that *the light of this advanced period* is spoken of, as affording any ground for disregarding the doctrines or the precepts of the Gospel. Men have indeed, by too general an agreement, departed from them in practice, and thence the transition is easy to a denial of their authority, the source of all which is corruption, and the consequence, a return to the darkness of error; yet this common, profane relaxation, in opinions and in manners, is all that is often meant by such phrases as "the light "of the eighteenth century;" and experience has shown, that wherever the Gospel has been obeyed, it has made communities and individuals better and more happy, as in proportion to the degree in which it has been rejected or slighted, vice and misery have prevailed. It is the only religion which ever has wrought any reformation among mankind; all other systems have made men easy in their immoralities. Christianity will allow no compromise with evil, and this is the true cause of the resistance made to it; men do not oppose it from the love of truth, or any honest intelligent conviction of its want of foundation, but because it holds out too strong a light, and too strict a rule. To argue therefore as if it were untrue, (which is indeed done when the sufficiency of any other is pleaded,) after every attempt to destroy its authority has ended in its stronger confirmation, is a high strain of unjustifiable assumption, and most indecorous in a country where this religion is the established faith,

* It is the creed of Voltaire, and many others styling themselves philosophers, who from pleading for toleration, moderation, indifference, in matters of religion, proceeded gradually, and by a thousand insidious arts, first to bring into contempt, and then to overturn the established faith of that country, in which they were left at liberty to enjoy even their most extravagant dogmas; and to effect this purpose, razed its civil constitution, its monarchy, all its existing establishments, to the foundation, covering them with anarchy and blood.

faith, and a part of the law of the land. This single consideration however, our national acknowledgment and profession of its truths, imposes upon us, as has been already stated, the obligation of communicating, as far as we are able, the blessings of it to the Heathen world, and precludes therefore the use of any such objection as we are now combating, especially in all national or public discussions of this subject.

It may not be unnecessary however, to repeat here, that every kind and degree of compulsion is utterly excluded from this scheme, as subversive of the rights of private judgment and conscience, and totally contrary to the spirit and genius of Christianity. The abuses which have been committed in this way, whether under the name of that religion, or avowedly in opposition to it, have furnished the enemies of revelation with a set of common-place objections, which also require some notice, because they are applied, not merely against religious persecution, but against the principle of propagating the knowledge of the Gospel in Pagan countries. "The "agitation of religious opinions," say those opposers, "and particularly of the doc- "trines of Christianity, has been the occasion of manifold contentions and immense "bloodshed." That is so say, in effect, that because some wicked men have persecuted their fellow-creatures for preaching or embracing Christianity, and others, professing that religion, have been guilty of similar cruelties against those who could not hold every dogma which they sought to impose, nothing should be done that might possibly awaken this persecuting spirit; men ought not to be disturbed in their errors, however fatal; and the occasional or possible abuse of a thing, however excellent in itself, is sufficient to decide against the dissemination or maintenance of it. The mere statement of these objections is enough to expose their weakness: they alledge the conduct of the greatest enemies of religion, against religion itself. They go to supersede reverence to God, love to man, obedience to conscience, and all freedom of opinion.

But the very ground of these objections, surely never sincere, has now ceased. Toleration in matters of religion is well understood. Religion is not propagated by force; and all that is now proposed is, that a certain moderate number of individuals, armed with nothing but truth, reason, and argument, shall in a mild, pacific way, communicate the Christian system to those who have never hitherto had an opportunity of hearing it, and who, whether they listen to it or not, certainly have need of its benign and salutary influences.

It is not, let us again disavow the idea, the introduction of a new set of ceremonies, nor even of a new creed, that is the ultimate object here. Those who conceive religion to be conversant merely about forms and speculative notions, may well think that the world need not be much troubled concerning it. No, the ultimate object is moral improvement. The pre-eminent excellence of the morality which the Gospel teaches, and the superior efficacy of this divine system, taken in all its parts, in meliorating the condition of human society, cannot be denied by those who are unwilling to admit its higher claims; and on this ground only, the dissemination of it must be beneficial to mankind.

Do we then wish to correct, to raise, to sweeten the social state of our Indian subjects? Would we at little cost, impart to them a boon, far more valuable than all the advantages we have derived from them? The Gospel brings this within our power. Of the effects which it would produce in civil society, if men acted according to its principles, we may, in the words of a distinguished prelate*, say, that "in superiors it would be equity and moderation, courtesy and affability, benignity "and condescension; in inferiors, sincerity and fidelity, respect and diligence. In "princes, justice, gentleness, and solicitude for the welfare of their subjects; in "subjects, loyalty, submission, obedience, quietness, peace, patience, and cheerful- "ness. In parents, tenderness, carefulness of their children's good education, "comfortable subsistence, and eternal welfare; in children, duty, honour, gratitude. "In all men, upon all occasions, a readiness to assist, to relieve, to comfort one "another. Whatsoever, in a word, is pure, and lovely, and good."—Can we help exclaiming, with the celebrated author of *the spirit of laws*,—"How admirable the "religion, which while it seems only to have in view the felicity of the other life, "constitutes the happiness of this†!"

And

* Bishop Horne. Sixteen Sermons, page 101. † L'Esprit des Loix, Liv. XXIV Chap. 3.

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And is this the religion which we hesitate to communicate,—to communicate to those whose welfare it is alike our duty and our interest to consult? Is it not enough that more than thirty years have already elapsed, more than twenty millions of our subjects have passed into eternity, without our making any attempt to instruct them?

Eighth and Last. Another objection still remains to be stated, one of an opposite nature to some of those which have been discussed, and in appearance more formidable than any of them. Its constituent idea is, *the danger which might result from the adoption of the proposed plan.* Put in its strongest and amplest terms, it may be thus expressed: "if the English language, if English opinions, and improvements, are introduced in our Asiatic possessions, into Bengal for instance; if "Christianity, especially, is established in that quarter; and if, together with these "changes, many Englishmen colonize there, will not the people learn to desire "English liberty and the English form of government, a share in the legislation of "their own country, and commissions in the army maintained in that country? Will "not the army thence become, in time, wholly provincial, officered by natives of "India, without attachment to the sovereign state:—will not the people at length "come to think it a hardship to be subject, and to pay tribute, to a foreign country: "and finally, will they not cast off that subjection, and assert their independence?"

Before we proceed to offer a reply to this objection, it is fair to remark, that whoever seriously entertains it, cannot also entertain those which may be advanced against the practicability of the plan, or the possibility of its succeeding. And in like manner, he who thinks success hopeless, can feel no real alarm for the danger which another might conceive success to be capable of producing. Hence though every man is unquestionably entitled to follow the best decision of his own judgment, yet in this case, an opposition, increased in numbers by contradictory principles, would therefore be diminished in argumentative strength, since objections incompatible with each other could not both be valid.

It will be proper likewise, previously to separate and exclude from this complex objection, some parts of it, which can with no justice be reckoned among the imaginable consequences of any estimated improvement in the state of our Indian subjects. Such are the free colonization of Europeans in that country, and the gradual transfer of military appointments and military power into the hands of provincials. These are things which do not depend on the admission of any particular religion into our territories, or its exclusion; nor upon the will of the people inhabiting them; but upon the government of this country. They are wholly unnecessary; they would, in our humble apprehension, be most unwise; and that light which we now possess regarding our Eastern affairs, that sound policy in the management of them, of which late years have furnished so many proofs, forbid the admission of suppositions so superfluous and extravagant.

With respect to colonization, the nature of our connection with that country, renders the residence there of a certain number of Europeans, for the various lines of public service, necessary. The admission of a further number as merchants, navigators, artists, and professional men, is useful and important; but beyond such a fair proportion as may be requisite for these different lines of employment, and the prosecution of useful improvements and enterprizes, in which the energy and skill of Europeans are essential, their ingress into that country ought not to be permitted; for otherwise a new race might spring up, with larger pretensions, and more untractable than the Hindoos. Those also admitted should be laid under particular restrictions; the more considerable settlements should be confined to the sea coasts; and the laws against the entrance of unlicensed adventurers be strictly enforced; for these adventurers may be of nations hostile to our interests, they will be less known, less to be depended on by us, more liable to fail of success in their own views, and from necessity, be more likely to colonize. But in all the decent and liberal classes of Europeans, there is even an ardent desire to return at length to their native country; and hardly an instance can be found of any person, capable from his circumstances of following this course, who has deliberately chosen to make India his ultimate home. The state of native society there, may, no doubt, contribute to form this disposition; but the Indian climate is not congenial to the European constitution, and the strong endearing attachments of early days, with the rational judgment

judgment of maturer years, powerfully impel the natives of this happy island to their original seat*.

The other idea, which makes our Indian power to depend at length on provincial officers and soldiers, proceeds upon the supposition of previous unrestrained colonization, which has just been shown to be needless and inadmissible, and upon other imagined changes, into the probability of which we need not now examine. For upon any hypothesis compatible with our retention of the country, it is not conceivable how we should ever be exposed to the danger here alleged. Is it not among the first prerogatives of government to select its military servants? What inducement could possibly arise to transfer the delicate and important trust of military command from the natives of this country to those less connected with it? Do we act thus with our American colonies, peopled by subjects of the British race? As we now ultimately depend not only on British officers, but on British troops, *so*, in the opinion of most competent judges, an opinion which appears to be indisputably solid and important, *ought we to do in all time to come*†.

Among

* The following remarks, added as a postcript to the first copy of this tract, and intended to apply to the subject of the Company's charter, then about to be renewed, it may still not be improper to insert here.

"Lest the scope of these observations should "be misunderstood, the writer begs leave to de-"clare, that he is no advocate for any system "of intercourse between this country and our "Eastern territories, which shall give Europeans "an unlimited freedom of entrance there, but "would most earnestly deprecate all schemes, of "which such unlimited freedom should be the pro-"fessed basis, or the actual, though unavowed "consequence. There is a question concerned "here, of far greater importance than the merely "commercial one of an open or a restricted trade "to India; it is a question that involves in it the "welfare, both of Great Britain and of our Asiatic "possessions.

"If the subjects of this country are permitted, "at their pleasure, to visit those possessions as "they may our American colonies, though pro-"fessedly but for the purposes of traffic, great "numbers of them will settle; for mercantile "transactions must entail residence, because it "will be impossible for a government to say, that "all such transactions shall be closed, and the par-"ties be gone within a certain time, or to take "cognizance in this manner of the conduct of "every individual; and if such a measure were "at first attempted, it would not continue any "time. All the lines of trade and manufactures "would soon be overstocked, and then men would "seek to fasten themselves on the soil. Coloni-"zation would therefore very soon commence in "India, especially in Bengal; those whom uncon-"trouled enterprizes in commerce would carry "thither, would see a rich soil, apprehend great "scope for exertions, and regard the natives as a "subjected people, feeble, timid, and contemptible, "all things would tempt them, and many, both "agents and seamen, would remain. But the in-"crease of Europeans there would not be regulated "by the gradual progress of colonial industry. "Multitudes of the needy and the idle, allured by "the fame of that country, and eager to seize "novel privileges, would flock thither at once. "Britain would, in a short space, be thinned of "inhabitants, and those eastern provinces filled "with a new race of adventurers, many of them "low and licentious. Being there, they must "subsist; they would spread themselves through-"out the country, would run into the inland trade, "fix themselves wherever they could on the lands, "domineer over the natives, harass, extrude, ex-"asperate them, and at length provoke them to "plots and insurrections; they would be bold and "assuming towards our own government there, "its present form calculated chiefly for the na-"tives, would not be sufficiently coercive in such "a new state of things, and hardly any govern-"ment which we could maintain in that quarter, "would controul swarms of Europeans, thus let "loose, and animated by the spirit of adventure "and acquisition. Nor would the emigrations be "confined to our countrymen only. If we tole-"rated the practice of free colonization in India, "people from all the nations in Europe, would "resort thither, mix with other subjects, and ag-"gravate the mischiefs of such an invading sys-"tem. In a certain degree, we should have that "lawless destructive scene acted over again, "which the Spaniards exhibited when they first "poured into America. It was thus that the "Portuguese power in the East, declined. The in-"tolerable licence of the roving adventurers of that "nation, rendered them odious to the natives, and "armed the coasts and islands of India against "them, so that weakened before, they fell an easy "prey to the Dutch. And thus too, we should "ourselves be exposed, perhaps at no distant "period, to the danger of general convulsion and "revolt in those possessions, which prudently "guarded and cultivated, may under the favour "of Providence, to conciliate which should be our "first care, be preserved for ages, to our great ad-"vantage, and the happiness of their native in-"habitants.

"The question now therefore, with respect to "these possessions, is not, whether all British "subjects shall have a right to trade thither in "their own persons, but whether the natives "shall be protected from being over-run and op-"pressed by foreigners. A different cause recom-"mends, that the intercourse with these provinces "be still carried on by one national organ, like "the India Company. At first, such a collective "body was preferred, as a better defence against "the arbitrary and rapacious temper of the native "governments. Now that the countries are our "own, such a limited channel is also preferable, "to save this nation, and our Asiatic subjects, "from the evils which might accrue from too great "a transfusion of the people of Europe among the "Hindoos."

† If, upon premises very opposite to those on which the objections we are now answering are grounded, a doubt should be started of the propriety of keeping any people perpetually under foreign rule, this would be to agitate a question involving the right of conquest, and the nature of government; but it might perhaps be sufficient to reply, that we can foresee no period in which we may not govern our Asiatic subjects, more happily for them than they can be governed by themselves

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Among the articles unreasonably crowded into the objection now to be examined, are those which state the people as becoming, in consequence of some future supposed events and combinations, dissatisfied at the payment of a foreign tribute, and with subjection to a foreign country. Is it to be thought, that such ideas are then only to have existence, or that the people have in any past time been contented under the dominion of strangers? Surely not. The only point for consideration here is, their comparative acquiescence in this condition under their present circumstances, and under those which it is assumed may hereafter arise.

We shall now enter upon the consideration of the objection itself; and the first things which attract our attention here, are the *foundation* on which the whole of this objection rests, and the *principle* upon which it proceeds. The *foundation* is *pure hypothesis*, or conjecture; and hypothesis supported by no real experience of any case similar to the one assumed to happen, nor by any just analogy. Some general apprehension, prepossession, or unexamined suspicion, suggests the possibility of certain events; and to this suggestion, without any satisfaction concerning the premises on which it is advanced, or the conclusion deduced from it, without regard to all the other relations of the subject in question, we are required to give our assent. The *principle* of the objection, at least equally remarkable, is plainly no other than this, that to prevent the remotest chance of such consequences as the proposed improvements might produce, our Asiatic subjects must be for ever held in the same state of ignorance and error in which they now are. "Give them not," says the unstrained sense of this objection, "the light of true religion, teach them not a "better system of morals, provide no stated means for their public or private in- "struction, impart not to them our knowledge of nature, be not liberal to them, even "in communicating the principles of our arts; afford them, in a word, no benefit "whatever of light and improvement, lest our interest should in some future period "suffer; keep them blind and wretched for all generations, lest our authority should "be shaken, or our supremacy over them incur the slightest possible risk." Surely those who may have inconsiderably lent themselves to this objection, will not, upon a clear deliberate view of its principle, seek to justify or to contend for it. A Christian nation cannot possibly maintain or countenance such a principle To do so would be virtually to trample upon every sentiment which we profess in religion or in morals. It would be to make ourselves parties in all the impositions of the Brahminical system; and in effect to hold with its priests, the doctrine of Demetrius,* "by this craft, we have our wealth." To enlarge upon so very obvious an argument, must be unnecessary.

Besides the series of effects which the objection professedly supposes, certain other positions are tacitly comprehended in it, which next claim our notice. It implies, that the establishment of Christianity in a country may, on the whole, prove unfavourable, or less favourable than some other religious institution, to good government; that its efficacy may, on the whole, be inferior in securing the subordination, obedience, and attachment of the people, and the authority of the sovereign. Since reason, experience, and general consent, have fully decided against this position, it would be superfluous and unbecoming to enter into any refutation of it. It is certainly one of the grossest misconceptions of the nature and tendency of the religion of the Gospel, which is known to afford precepts, motives, and encouragements to lawful submission and good order, infinitely more powerful and efficacious than those of any other system. Its real genius is so contrary to licentiousness and anarchy, that as we have seen in a late memorable instance, their triumph can be raised only upon its extinction. If we would read the judgment of enlightened Europe upon this subject in a single sentence, the celebrated author already quoted, who spent a long life in profound and certainly unbigotted investigations into the nature of different systems of religion and law, may supply it. "True Christians," says he, "must be citizens "thoroughly enlightened respecting their duties, with the greatest zeal for fulfilling "them; the more they feel the obligations of religion, the more must they be "sensible of what they owe to their country. The principles of Christianity well "engraven on the heart, must be infinitely stronger than the false honour of monar- "chies, the humane virtues of republics, and the servile fear of despotic states†."

the

or any other power; and doing this we should not expose them to needless danger from without and from within, by giving the military power into their hands.

* Acts, Chap. 19.——Page 159.

† L'Esprit des Loix, Liv. XXIV. Chap. 6.

The objection implies also, that rather than expose ourselves to the possibility of suffering future evils, which it is assumed Christianity might ultimately introduce, we should forego great advantages which are confessedly within our reach. The probability of effecting considerable improvements is not denied; it is, on the contrary, supposed; and this supposition constitutes the very ground of resistance. "Though the field be spacious, and much might be done, attempt not to benefit either "your subjects or yourselves, lest success should, at some very distant day, be abused. "Let us not do moral good, that political evil may not come." Such is the language of the objection; an acquiescence in the propriety of which, since the duty of aiming at those salutary meliorations has been sufficiently established, would imply this further notion: "that the way of duty is not, on the whole, the way of prosperity." It is enough to have pointed out these exceptionable positions.

But another still remains to be mentioned, which goes to the essence of the present subject. The objection silently assumes, "that in a system opposite to the one pro-"posed in this essay, must consist our future safety and stability in India." The high importance of this proposition, not surely one of such intuitive evidence as to command instant assent, entitles it to particular consideration; but that consideration will be more conveniently bestowed, after we have viewed the direct matter of the objection, to which we now proceed.

It alleges then, the probability of the utmost possible success from the adoption of a system of improvement, and the greatest possible abuse of that success. We have no design to exaggerate the effects or events which are necessary to justify these large conjectures; but we apprehend, that upon any reasonable estimate of them, they will be found to form a long series of stages, not only in the advancing, but also in the descending scale of human society; for no partial change in the people, either with respect to opinions or to numbers, seems adequate to the production of them. Let us endeavour therefore, to trace the career which is thus imagined, and to expand to the view, the various gradations of that ample progression by which we are to be conducted through greatness to decline. First, the diffusion of a foreign language, of foreign opinions and arts, of a spirit and religion the most dissimilar to those of the natives, who are a people exceedingly numerous, and from remote antiquity peculiarly attached to their own customs and notions; next a large increase of agriculture, manufactures, commerce; with new wants, tastes, and luxuries; a great demand for English productions and fashions; and a gradual separation from neighbouring nations, in whom these changes, probably misrepresented to them, would beget disgust and aversion to the converted Hindoos. The objection must imply moreover, not only the rise of just notions of civil liberty, but that they have become deeply rooted in a country where despotism seems to have been in all ages, and to be still, the natural and only idea of government*; it must imply vigour and unanimity to assert this liberty; then (before it can be abused) the possession and enjoyment of it; after this, a progress to licentiousness; and lastly, the violent dissolution of their connection with their sole protector, in the midst of nations become hostile to them, without a rational prospect of improving their situation, if they threw themselves upon the support of other European or native powers, or of maintaining independence if they stood alone.

To what distant age, may we not now ask, does this immense process lead us? If we even contract it to any space which an objector could urge as at all commensurate to the assumed consequences, should we still, in reasoning upon such conjectural delineations, stand upon any solid foundation? Would we act in serious and great concerns, even of private, individual import, upon such precarious remote contingencies? Do they not set us afloat upon the ocean of possibilities, where the prospect, extended so far as to become wholly indistinct, confounds sea and sky, and, in interspersed clouds of many shapes, gives fancy easily to discover formidable promontories and rocks?

But if we look to known realities, to some of the many and great obstacles which will stand in the way of any such political revolution as is imagined, we shall be at a loss to give any sober satisfactory account of the manner in which they are to be removed. We insist not on the difficulty of disseminating, only by just and rational means, a new religion, opposed by inveterate habits and prejudices. The friends of that

* The government of the *Seeks*, though it have more of an aristocratic or republican form, seems no real exception to this observation, still less the aristocratic connection of the Mharatta chiefs.

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that scheme, indeed, dare not speak of success, with the confidence which the language of the objection seems to favour; yet they are not without hope; and they are animated by a conviction, that even a partial diffusion of Christianity, would improve the whole mass of society. But if we inquire, for instance, into the probable period of the general abolition of castes, which allowing it ever to happen, must be conceived, in the natural order of things, to precede some other supposed changes, what place shall we assign to it? Some point, we may venture to say, not within our ken; and beyond which, it seems vain to stretch our political solicitude in so changeable a world as this, wherein political prediction is so often baffled; perhaps indeed, because it is so seldom connected with present duty. Supposing, however, the tendency of events to be towards such an abolition, we may conclude, that the progress to it will be gradual. With the institution of castes, are blended not only religious doctrines and legal privileges, but the whole system of Hindoo manners. Deep rooted prejudices, combined with strong interests and immemorial habits, cannot reasonably be expected to give way to sudden impressions. The entire manners and usages of a people do not change at once. The institution therefore, will not be deprived of its power by any violent rupture or convulsion. And even after the doctrine of castes shall have lost its religious authority, and its tyrannical influence in society, (still arguing on the supposition that these things may happen,) the manners which it contributed to form, will, in a considerable degree, and for a certain time, remain. Among the Malabar converts to Christianity, distinctions of caste have not lost all their force; the habit of separation, the repulsive feelings, the secluding reserves, which spring from that source, though abated, still exist, in some degree perhaps analagous to the ceremonial prejudices of the first Christian Jews. As long as a principle of this nature remains in society, preventive as it will be of an intercommunion in marriages and professions, no formidable political association is likely to arise. Hence as the decline of the institution of castes will be slow and imperceptible, so the moment of its expiration will be unperceived; subsequent observation only will discover that it is past: therefore neither can this change be a signal for new events.

The grand danger with which the objection alarms us is, that the communication of the Gospel and of European light, may probably be introductive of a popular form of government and the assertion of independence. Upon what grounds is it inferred, that these effects must follow in any case, especially in the most unlikely case of the Hindoos? The establishment of Christianity in a country, does not necessarily bring after it a free political constitution. The early Christians made no attempts to change forms of government; the spirit of the Gospel does not encourage even any disposition which might lead to such attempts. Christianity has been long the religion of many parts of Europe, and of various protestant states, where the form of government is not popular. It is its peculiar excellence, and an argument of its intended universality, that it may subsist under different forms of government, and in all render men happy, and even societies flourishing; whereas the Mahomedan and Hindoo systems are built upon the foundation of political despotism, and adapted, in various instances, only to the climates that gave them birth. Christianity seeks moral good, and general happiness. It does not, in the pursuit of these objects, erect a peculiar political system; it views politics through the safe medium of morals, and subjects them to the laws of universal rectitude.

Nor are we to expect, that Christianity is entirely to supersede the effects of physical causes. The debilitating nature of the climate of our Eastern territories, and its unfavourable influence upon the human constitution, have been already mentioned *, and by others represented in strong colours: "Notwithstanding," says the celebrated historian of the British Transactions in Hindostan, "the general effemi-
"nacy of character which is visible in all the Indians throughout the empire, the
"natives of Bengal are still of weaker frame, and more enervated disposition, than
"those of any other province; bodily strength, courage, and fortitude, are unknown;
"even the labour of the common people is totally void of energy; and they are of a
"stupidity, which neither wishes, nor seems to be capable of extending its opera-
"tions into any variety of mechanical dexterity. All those of the better castes, who
"are not fixed to the loom, are bred to the details of traffic and money, in which
"their patience and perseverance are as great as their detestation of danger, and
"aversion

* Chap. III, pp. 39, &c.

"aversion to bodily fatigue*." From this striking description ought to be excepted the military tribes, to whom it will not properly apply; and the general features, we must take the liberty to say, are overcharged: but having made due allowances on these accounts, the picture will certainly possess no faint resemblance of the original.

Indolence, pusillanimity, insensibility, as they proceed not wholly from physical sources, would be at least partially corrected by moral improvement; but the influences of a tropical sun would still be oppressive. The slight structure of the human body, with its ordinary concomitants, still forming the taste to a vegetable diet, would ill second ardent designs, even if the mind were vigorous enough to conceive them. In the early formation of the relations and habits of domestic life, which modify, in no inconsiderable degree, the Hindoo character, there would be no material innovation. The nature of the country adds to the effects of the climate. It is unfavourable for long journies; and the Hindoos, in general a remotely inland people, have a strong aversion to the sea; even the air of it is offensive to them. They are thus deprived of all the advantages which the intercourses of navigation, and an acquaintance with the world at large, would procure to them. Nor is there the least probability, that they will ever become maritime; and as little likely are they to become in other respects, an enterprizing people. More calculated for passive suffering than for arduous attempts, they little love such exertions as freedom demands, and wish rather to be protected, than to have the trouble of protecting themselves.

Where then is the rational ground for apprehending, that such a race will ever become turbulent for English liberty? A spirit of English liberty is not to be caught from a written description of it, by distant and feeble Asiatics especially. It was not originally conceived nor conveyed by a theoretical scheme. It has grown in the succession of ages from the active exertions of the human powers; and perhaps can be relished only by a people thus prepared. Example is more likely to inspire a taste for it than report; but the nations of Europe have seen that liberty and its great effects, without being led to the imitation of it; for the French revolution proceeds not upon its principles; it is an eruption of atheism and anarchy.

The English inhabiting our settlements in India, have no share in the British government there. Some are employed as servants of the Public, but no one possesses any legislative right. Why then should we give to the natives, even if they aspired to it, as it is unlikely that they will thus aspire, what we properly refuse to our own people? The British inhabitants would be extremely averse to such a participation. Our Government, as it is now constituted, interests Europeans in its support, without the danger which colonization might ultimately incur, their views of establishment and of final comfort centering in the mother country.

The conduct of the British American colonies has raised, in some minds, confused surmisings and apprehensions of the possibility of similar proceedings on the part of our Indian provinces. These alarms are easily caught by such persons, as shrink from the idea of whatever might have a remote tendency to advance our Asiatic subjects in the scale of human beings; conceiving, (with what political truth may perhaps hereafter appear,) that the more entirely they continue in their present ignorance, superstition, and degradation, the more secure is our dominion over them†. But never surely were apprehensions more destitute of solid foundation. There

* Part II, page 5th, of the History of Military Transactions, &c. by *Mr. Orme*, an author well entitled to the high rank he holds in public estimation, by his generally just and comprehensive views of the subjects which he treats, the clearness, accuracy, vigour and dignity of his narration; but not appealed to in the former part of this Tract in the account there given of the state of society among the Hindoos, from an idea that he had not any large opportunities of intimately observing the conduct and manners of the middling and lower classes, who live remote from European intercourse.

† From the mischief which has recently been done in this country, by the dissemination of pernicious publications among the lower people, some persons seem inclined to think, that it would be better for the national security and tranquillity, if that class of the community received no education. As this opinion touches very nearly the main argument which is maintained in the present Tract, the writer, though conscious that neither his ability, nor the limited space of a note, can do justice to the subject, hopes he shall be pardoned in throwing out a few observations upon it.

Springing probably from much better motives than the old exploded maxim, that "ignorance is "the mother of devotion," it nevertheless seems to go upon a principle of a similar kind; it seems to imply, that "ignorance is the surest source of "obedience." But it is presumed, that neither history nor reason will justify such a position, in any sound sense, or indeed in any sense at all, unless a government could be supposed to confine all the knowledge of a country to itself. *Knowledge* has been said, with apparent truth, *to be a species*

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There is, and there ever must be, an essential dissimilarity between the two cases. The Americans were, in fact, Englishmen, (with some infusion of foreign Europeans, which may have contributed to alienate the colonies from this country,) they possessed all the energy of the European character, all the lights of Europe; they were born in a temperate climate, nursed in the largest principles of freedom; nay the seeds of republicanism were sown in the first formation of the leading colonies. They had already

species of power. The *knowing* have power over the *ignorant*, even *the pretence of knowledge*, where *ignorance only* is opposed to it, has a similar advantage; and *knowledge*, like other kinds of power, the more exclusively it is possessed, the more it may be made an instrument of abuse. In the dark ages, when the stock of learning and information was comparatively little, and that little was shared only among a few, the abuses of knowledge and of pretended knowledge, and the ill consequences of those abuses, were greater than they have been in more enlightened times. In our own country, what numerous and gross evils prevailed in society from these causes? Corrupt churchmen and ambitious nobles, (who had the credit of superior intelligence as well as the honour of superior rank,) led the common people within their respective spheres, as they pleased. The common people indeed, had then a spirit of implicit obedience, but it subjected them continually to the impositions of those who assumed the direction of them, and generally to the detriment of the nation at large. Hence the history of this island, prior to the Reformation, exhibits a frequent succession of internal convulsions. That grand event introduced new light; and it was diffused among the lower orders, whose instruction became thenceforth an object of particular care. The consequences were, greater internal order, peace, and stability, thence sprung enlarged industry, adventurous enterprizes, and all the long succession of prosperity which this country has enjoyed.

We have advanced to a high degree of improvement in sciences and arts, in all the conveniences and enjoyments of civil life. Vast commerce has brought vast wealth, and wealth has been followed by its too inseparable attendant, corruption of manners. Our old solid principles, which were the foundation of our greatness, have been gradually falling into disregard and neglect. They might have been well enough in our humbler beginnings, or, in a less liberal age; but encreased lights, greater elevation, and a fulness of all means of gratification, have seemed to many to plead first for relaxation, and then for the admissions of other principles allowing a suitable enlargement in indulgencies without fear. This spirit has spread through the whole mass of society. Writings and representations have helped the diffusion of it. Its effects have been visible on morals, and on the happiness of private life. Reverence for religion and for government has decayed. Both have been insidiously attacked from time to time; and at length, as the more mature produce of this spirit, some, disdaining the measured advances hitherto made in unprincipling men, and encouraged by the fatal consummation of a like career in a neighbouring country, have openly and furiously attempted the subversion of all legitimate authority, human and divine. The incendiary torch and the secret mine, have been industriously employed to destroy the venerable fabrics of our religion and our constitution. Seditious and atheistical writings, superlative in the impudence of their falsehood, have been particularly adapted to the vulgar taste; and obviously, because the ignorance of the vulgar exposes them to easier imposition, as the too general example which they had long seen around them, predisposed them to progressive boldness in licentiousness. Then it is, that some men seeing the foundations of our polical existence thus attacked, begin to argue from the abuse of a thing against its use, and to think it would be better for the community, that the lower people should not be instructed even to read, as by such privation they would, it is conceived, be inaccessible to infection from the press.

But in fact, the evils of which we complain, originate in no small degree from the ignorance that has naturally followed the dereliction of right principles. The symptoms indicate a method of cure contrary to that which is proposed. The habit is diseased; the disorder, too deep to be reached externally, requires that the application be directed to its source. A return to ignorance may hasten the destruction of a society become corrupt through refinement, but can hardly contribute to restore it to soundness. At our advanced stage of improvement, it must be vain to imagine, that any retrograde movement we could effect in knowledge, would avail to secure the common mind from agitations and commotions. If any scheme of that kind even succeeded so far as to confine knowledge again among a smaller number, it could not reach to such characters as are now zealous to loosen and root out all received opinions in religion and government; but they would, on the contrary, be able to do more mischief than they effect now, because the more profound were the ignorance of the multitude, the more scope would there be, as in the dark ages, for the arts and activity of wicked men to work upon their credulity. Of this France has furnished a recent instance, too memorable to be ever forgotten. The want of knowledge and principle among the lower classes, left them a prey to Jacobinical impostures and delusions, by which they were hurried at once into the atrocities of anarchy and atheism.

It is not then by exposing our common people, unarmed and defenceless, to the daring blasphemies and sophistries of the preachers of impiety and sedition, that we can hope to keep them quiet. Our security lies, and lies only, in diffusing good instruction and right principles among them. In this too, the French revolutionists have afforded a lesson, which may suggest something useful to us. They endeavour that the minds of the people may not remain in that unfurnished state, of which they made advantage; but that the young especially, may be imbued with the tenets and prejudices favourable to their cause.

It is perhaps a mistake to suppose, that the common people among us, who have been most prone to tumult and disorder, are such as can read and write, or that the tendencies to commotion which have appeared, are to be ascribed to any degree of education possest by that class. Besides that one reader in a circle or in a village would be sufficient to disseminate what was level to the vulgar understanding and acceptable to vulgar prejudices, and that the lower ranks are more affected by what they see or hear, than by what they read; those tendencies have chiefly manifested themselves in large towns, abounding with manufacturers, or idle vagabonds destitute of character or qualities sufficient to procure an honest livelihood, and it is therefore fair to presume, the least instructed part of the community. The manufacturers, generally put to work when yet children,

already a popular government. They were inured to arms, to hardships, and toils. The spirit of improvement animated them in a thousand different lines. They were expert seamen; their country abounded in excellent harbours, and in their geographical situation, they were (with the exception of one or two of our detached, more recently settled colonies) the sole civilized people in a great tract of continent, which seemed to offer to them the tempting prospect of becoming there the only political power. With all this, they were near enough to our insidious enemies to be constantly instigated to resistance by their arts, and effectually aided by their arms and resources. To what one of these many particulars, shall we discover a parallel among our Hindoo subjects? To none, as they now are; and in various important points, no resemblance is ever to be expected. The origin, the physical character and

dren, often receive no education. When grown up, they are, not unfrequently congregated in large numbers, sometimes without due attention to decorum; they encourage each other in vice, and the gains of their labour enable them to pass the time of relaxation, in which they commonly include what ought to be allowed to sacred purposes, in dissolute indulgence. Among people of this character, there is combustible matter already prepared for the designs of those who seek to kindle discontent and disturbance But the writer of these observations had occasion, not long ago, to see a contrast to this description, in a populous country parish. In that district there were very few persons of sufficient age, who could not read. The people were in general sober, decent, regular in their attendance on public worship; and in the course of twenty preceding years, one instance of the commission of a capital crime among them had not occurred. The doctrines of Paine found little to work upon in such a community; the Bible was reverenced there, and every man kept steadily within his own place.

But we are not left in this case to smaller instances of individual observation. An experiment has been going on upon a large scale for a long series of years, in the sight of the whole nation, in the two countries of Ireland and Scotland. The common classes of the former country have unhappily been too generally kept in ignorance to the present day; and are not the consequences most obvious and most serious? How lamentably are the lower people there distinguished by vicious, turbulent, and lawless proceedings? In what division of the British dominions has there appeared so great a propensity to embrace democratic, disorganizing principles? And it is observable, that these principles, and the barbarities of which we hear so much, have prevailed chiefly in remoter, less enlightened parts of the kingdom, whilst the vicinities of Dublin, Cork and other considerable places more civilized by knowledge, have been more orderly and quiet. Scotland, on the contrary, has been remarkable for attention to the instruction of the lower classes of its inhabitants, and they have, in general, been distinguished for near two centuries past by a spirit of sobriety and order. In the more remote inaccessible parts of that country, whether, obstructed by particular causes, light penetrated more slowly, regularity and good order were also of later establishment; but the natives of those divisions, misguided into excess on some occasions now long past, have since been as eminent for a quiet and peaceable demeanour at home, as for standing numerously in the foremost ranks of those who have bled for the interests and the honour of this country in every quarter of the globe; and at the present critical juncture have come conspicuously forward, in many bands, for the support of our constitution and our religion, against all enemies, foreign and domestic.

Indeed, if we were even to set aside the consideration of religion, and the good principles it inculcates, and to regard knowledge merely as power, or as an instrument of civilization, we might safely rest the present question upon this ground. The diffusion of knowledge would, in the end, render a nation more disposed to check the admission of disorganizing principles. Doctrines it is admitted, while new, might make, as they often do, an irregular impression, but at length these irregularities would be corrected by good sense and reflection; and surely literature, even in its lowest stages, must be allowed to be more favourable to the production of good sense and reflection than ignorance.

But when we take into the question the influence of religion and all its salutary principles, certainly no one who considers their force and tendency can hesitate how to decide. Christianity was given to be a "*a light to the world*;" ignorance is declared in the inspired writings to be one of the leading causes of the ruin of the Jewish nation, and of the vices of the Heathens. The ancient Pharisees were condemned by the Author of our religion for taking away the key of knowledge, that is, the use of the Scriptures from the people; which also has been eminently the sin of the Romish Church. It is, on the contrary, a stated prayer of the Church of England, that the people may so *read* the word of God as duly to profit by it; and as that word "*thoroughly furnishes*" those who submit to it "*for all good works*," so where else shall we find such pointed authoritative precepts for the due regulation, order, and peace of society? "*Put the people in mind to be subject to principali-*
"*ties and powers, and to obey magistrates, not only*
"*for fear of human punishment, but for conscience*
"*sake; to submit to every ordinance of man for*
"*the Lord's sake, whether it be to the king as su-*
"*preme, or to governors as sent by him, for so*
"*is the will of God. Prayers, are to be made for*
"*Kings and all in authority, that we may lead a*
"*quiet and peaceable life, in all godliness and ho-*
"*nesty.* Christians are commanded *to study*
"*to be quiet and to mind their own business, to*
"*fear God and the King, and not to meddle with*
"*those who are given to change.*"

Those therefore, who would, by with-holding the knowledge of letters from the vulgar, abridge the use of the Scriptures, would in fact aid the views of such as wish to overthrow our Christian faith and our civil establishment. If there be any who misuse the doctrines of the Gospel, by teaching a wild and shallow religion, which may indeed too easily connect with political error and disorder, the remedy must assuredly be, in this or in any similar case, not to leave the field entirely to mistaken guides, but more strenuously to oppose error by truth; and if the same zeal, the same *personal interest*, with which the emissaries of sedition have laboured, were universally employed on the other side, rationally and solidly to inculcate right principles and wholesome instructions, we might comfortably hope, that the attempts of domestic and foreign enemies to excite internal troubles among us would end in their disappointment and disgrace.

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and condition, the intellectual, moral, and political state of the Hindoos, have already appeared, in the course of this essay, to be totally different. On their local circumstances only, it remains to say, in addition to what was before intimated, a few words. If they were ever "to exalt the spear of enmity" against their ancient masters, they would do so almost environed by Hindoos, whose faith they had renounced, and to whom their apostacy would have rendered them odious. Could they trust such neighbours as allies, or resist them as enemies? What their interest would obviously require them to avoid, surely we have no right to assume that they would be so unwise as to commit. And if they called in the assistance of an European power, would they thus obtain independence, or only change one master for another? On all the coast of Hindostan there are but three or four good ports, and these at great distances from each other; though the shore is in many places accessible to an invading force, and there are some tolerable harbours in the islands of the Bay of Bengal, of which an enemy could take great advantage. Now if the Hindoos could be renovated in every other particular, no assignable period can be imagined for their acquiring and practising the art of navigation; and therefore those of them now subject to Great Britain must, in their supposed new circumstances, not only continue to need the supply of many wants from that country, but always be exposed to the hostile approaches of the navies of Europe. By a people so circumstanced, it does not appear how independence is attainable. They must, in effect, be at the mercy of the strongest maritime power. Whilst therefore, we continue to be that power, it is rather to be expected that their own interest, and the preference which their imitation of our manners will have given us over other European nations, will jointly induce them to remain safe under our protection; as these motives, on their part, will strengthen us in India against European invaders, and so contribute to maintain our naval superiority at home; which superiority, in the present state of our Hindoo subjects, is still more necessary for the preservation of our Eastern possessions, than it would be on the suppossed approximation of that people to the British character.

It may now be fair to enquire into the propriety with which that species of doubt or apprehension, which has just been considered, insinuates, as it does, some moral relation between the American revolution, and such principles as are proposed to be introduced among our Indian subjects. Is it to be supposed, that if the Americans, being in their physical character, their local and political circumstances, the same, had professed Mahomedanism, or any pagan religion, they would not have been at least, equally prone to a revolution? If we had maintained in America, the same kind of despotic government which has prevailed in the East, where the sovereign, when dispatching a viceroy to a distant province, could seldom know that he should not soon have to send an army to reduce him to obedience, will it be asserted that our authority would have been better or equally secured? But after all that is said of the separation of the American colonies from Great Britain, it is now a fact well known, that it did not spring from the general disposition, or the previous design of the people: in the possession of all the advantages, which have been enumerated, they had not become impatient for independence; and among the reasons to be assigned for the attachment which then still remained among them for this country, may certainly be reckoned their possession of the same language and religion.

If it be urged, that a comparison between the American colonists, and the natives of our Eastern territories, can be justly instituted only in considering the latter, not as they are at present, but as they would be after all the proposed improvements were diffused among them, it may be answered, that our previous statement of the effects of these improvements, affords matter for this comparison, so far as things contingent and unknown, can be compared with things established and known; and that it is fair, for a double reason, to state the present disparity between the two races of people, first to shew the immense career which the Hindoos have yet to run, even in the prosecution of such improvements as are attainable, and secondly to demonstrate, that in the character, situation, and circumstances of the Americans, at the æra of their revolution, there were radical important distinctions, which no improvement, on the part of the Hindoos, could annihilate; or in other words, that they could never be expected to arrive at the point at which the Americans then stood.

Indeed those who know the country of Hindostan will probably think that political liberty is the last thing likely to flourish there. Though that country has been, from causes

causes of a different nature which will be hereafter noticed, always subject to revolutions and convulsions: a revolution, the idea and act of the popular mind, upon the principles, or rather from an abuse of the principles of civil liberty, would be as great a political phenomenon as the world has exhibited, and one of which Asia has given no example. To bring a timid submissive people, whom the Tartars called "*worshippers of power*," up to the manliness of the European character, to elevate the feeblest of them, the Bengaleze, to so high a point of energy, that like the American descendants of the British themselves, they should plan the daring project of an independent empire, seems to be something beyond what has yet been seen, or is reasonably to be expected from the effects of institutions, civil or religious, upon nations.

Having thus considered the adverse consequences held forth by the objection, it may now be proper to notice more particularly, the favourable suppositions which it contains. The dangers it fears, are the dangers of prosperity. If then, this prosperity were realized, and the produce, the manufactures, and the riches of the country were greatly encreased, as according to the objection, English manners, tastes and wants, must also have become common, would not exports thither, and the reciprocal commerce arising from the change (not to reckon the imposts which merchandize, now hardly taxed at all, would then easily bear) be proportionably augmented? For what series of years, and with what multiplying powers, may we then conceive this augmentation to be progressive? Large as the assertion may seem, perhaps the shortest term we could assign to it would produce an accumulation of commercial profits and advantages, more than tantamount to a very high valuation of the fee simple of our provinces, if we could suppose a sale of them to be now made. And it is fair also to admit, that if the country were finally lost, our commerce might still be necessary to it, and possibly even continue to encrease. Such then would be the conclusion afforded by this formidable objection; if for the sake of argument, we were to allow the process described in it, to go on without resistance to its exceptionable parts. But we trust, we have already shewn, that it is not entitled to this concession, and that whilst it holds forth evils, only as distant and hypothetical, it is obliged, as the sole ground of its apprehension, to admit advantages to be certain and proximate.

It remains now to examine one important position, already mentioned to be tacitly contained in the objection, "that in a system, opposite to the one here proposed, must consist our future safety and stability in India." Unwilling as the writer is, to enter on so delicate a subject, and indeed inadequate to the due treatment of it, he feels himself called by his argument, to make some circumspect observations upon it. Certainly in a political view, the great question which this country has to determine respecting India is, "What are the best means of perpetuating our empire there*?" Not, what set of measures or line of policy may suit with the aspects of the day, or keep up the motion of the machine of government; but upon what general principles may we best hope to make our connection with that country permanent, and, as far as we can, indissoluble? Towards the determination of this question, perhaps it will be well to revert to the past history of our Indian provinces (or let us say to those of Bengal in particular, the chief seat of our dominion) and to the character of the natives of them. The English, it is true, were at first guided in their eastern administration, rather by nascent events, than by abstract principles or recorded experience; but however natural this may be, in the progress to establishment, a more extended survey of the course of past affairs in the acquired country, with their causes and consequences, may well befit the new possessors, when firmly settled in their power. It is not perhaps enough to exempt them from this review, that they follow a system of government widely different from the system of their predecessors, and are themselves a very different people. Among their Asiatic subjects, certain general properties which belong to human nature, and certain peculiar qualities resulting from a peculiar composition of society, may be expected to have a steady operation, where not controlled by stronger influences. If we look back then to the history of Bengal for five centuries, we

* Some will be ready to answer, "By securing to the people their religion and laws;" and in the just sense of the words, namely, that no violent change in either, contrary to the sense of the people, is to be enforced, we agree to the proposition. But what if the religion should be less favourable to our dominion than another system, and the people were induced voluntarily to make that either their religion; would not the change be for our interest?

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we shall find, that except in the period when the Mogul empire was in its vigour, and the component parts of it thereby kept in peace with each other, that country has been the scene of frequent revolutions; and we cannot fail to discover, that as the despotism of eastern government may be reckoned the first and remote principle of such changes, so they have immediately proceeded from two causes, the lawless spirit of ambitious adventure common among all the military tribes of Hindostan, and the nature of the general mass of the people inhabiting that region.

The Persians and Tartars, who have poured into it from early ages, have generally been soldiers of fortune, who brought little with them but their swords. With these they have not unfrequently carved their way to dignity and empire. Power has been, and is their darling object; nothing was scrupled by them to obtain it; the history of Mahomedan rule in Hindostan is full of treasons, assassinations, fratricides, even parricide is not unknown to it. These northern adventurers by their spirit and pursuits, became in fact an accession, of more active and stronger qualities indeed, to the military division of the people of Hindostan. The Hindoos, though held to be less prone to the shedding of blood, have not however, carried their nicety far, when the prize of sovereignty or authority has been in question; but among them, sanguinary ambition has been usually confined to the Brahmins and the military caste; to the latter more.

The military class of the Hindoos, which in its institution has some of the features of a militia, forms in reality a great standing army of mercenaries, ready to be hired on all occasions, though usually not obliged to enter into actual service. Thus the sovereign of a country cannot always command their assistance, whilst the existence of such a body may often render a domestic competitor, or a foreign enemy, formidable to him. From this copious source, any man of enterprise, whatever were his views or pretensions, could always find partisans, if he had funds to entertain them; the treasure of the prince has been often used by his servants, to hire men to despoil him also of his throne. No character has been so bad, no cause so unjust, as not to find an army to support it if there were money to pay them. The members of the military caste, conceiving themselves destined by their creation to fight, often take up arms with the same indifference and indiscrimination as a labourer takes up a spade; insomuch that it has not been unusual to see a defeated army join the standard of the victor, upon the same principle which carries the labourer from one employer, with whom business runs low, to another whose service and means he deems more sure. The military Mahomedans (for many of the descendants of the Tartars who settled in Hindostan fell into the lines of civil life) are equally ready as the military Hindoos to engage themselves in commotions, quarrels, and any species of warfare, both having always, in times of confusion, an eye to plunder.

From this institution of a military class, the wisdom of which is surely impeached by the general effects it has produced, the military spirit came at length to reside almost wholly in one portion of the people. And hence may, in part at least, have followed the abjectness of the inferior tribes, composing the main body of the nation, and their want of public spirit. However much they may, on different accounts, have preferred a Hindoo to a Mahomedan government, no instance is recollected of their rising to support any native prince, or keep out any invader. The whole history of the Mahomedan empires in Hindostan, as well as the traces we have of the anterior government of the Hindoos, and what we see in modern days, all concur to prove the slavish disposition of that people, and their want of attachment to their rulers.

From these several causes, the despotic genius of Eastern government, the exclusive hereditary allotment of the military profession to one class, and the abject character of the people, have proceeded the great encouragement of individuals to the violent assumption of power, and the frequency of insurrections, convulsions, and revolutions in that country. And the same causes, though their operation may, by various circumstances, be occasionally suspended, will as long as they exist, have a tendency to produce the same effects. Hindostan has alternately been united under one great head, or partitioned into many states. New conquerors have, in different ages, appeared on that continent, who encreasing as they went on, have at length, by the vast number of their followers, overwhelmed every thing that opposed them. We now, indeed, see the empire of the Moguls prostrate, and may be apt to think, that arranged as the politics and powers of Hindostan are, the same order of things

things is not likely to return; but it was upon the subversion of the Pátan empire that the Moguls rose; and may not a new adventurer, and a new horde from Tartary, establish yet another dynasty? It was perfectly in the option of Nádir Shaw, when he entered Delhi as a conqueror, in 1739, to have done this*. And if one of those scourges of mankind who have so frequently desolated India, should again arise, sending his fame, and the idea of his "happy destiny" before him, might not the multitudes collected in his progress, poured out at length into the remote quarter of Bengal, endanger our existence there? Whether we suppose him to advance in the first flush of conquest, or after he had given a central consolidation to his power, he would be backed by the resources of a vast inland region, by large armies of horse, and myriads of infantry. If we now figure to ourselves the progress of his operations, it will not bring them nearer; it will be in order that we may be better guarded against them. The Tartars, unaccustomed to cope with our steady military gallantry and skill, might be repeatedly repulsed. Still fresh swarms of assailants might be brought forward, and season after season, invasion be renewed. We could bring few cavalry into the field; the numerous squadrons of the enemy might waste and exhaust the country; the landholders, from whom the revenues are derived, would, as is usual in Hindostan, upon the appearance of commotion, withhold the payment of their rents; the produce of the districts which the enemy might occupy, they would immediately appropriate; and the credit of our government, as indeed we even now experience in times of exigency, would not procure us any adequate supplies. We should thus be straitened and embarrassed in our resources; suspicions of our stability might arise in the minds of our subjects, and among them would be a great number of the military caste, unemployed by us, and ready to make their own use of any promising occasion. Many of those subjects, won by the splendor of new power, and the proud display of an imperial standard, or desirous of securing an early interest, perhaps indulging new hopes from a revolution, would fall away from us: others would wish for a cessation of predatory vexations, at the expence of our expulsion. The Seapoys, whose attachment to us has appeared surprising, though the causes of it seem neither inexplicable nor immutable,† supplied tardily, and perhaps only partially with the pay, of which the regular advance had before so conciliated them to our service; and instead of being animated by the career of victory, cooped up in a dubious defensive warfare, might also be tempted to listen to the large offers of a dazzling leader, in whom their ready notions of fatalism might easily present to them a new *king of the world*. In such an arduous crisis, we trust that every thing to be expected from bravery, fortitude, and military science, would be performed on our part; but must not our lasting dependence be chiefly on British troops, on our maritime power, and on supplies by sea? With all these, it is very easy to see how oppressive, how threatening a long struggle, maintained under such circumstances, possibly by aids derived from the mother country, must be to us; how much also it must shake our interests and our stability in the rest of India. Now in any such state of things, in any case of the same nature, less extreme, what would be of more importance to us, what could so effectually fortify our cause, as to have the people of our territories sincerely attached to our government; to have established in their minds such an affectionate participation in our lot, such an union with our interests, as should counteract the defection, defalcations, and treachery, to be otherwise apprehended from the ordinary bent and practice of the Asiatic character? We should thus have the service of all the resources which our rich provinces contained, we should have the steady adherence and co-operation of the people, and in this way, might certainly confound and baffle even the powerful preparations of an imperial despot, to whose affairs long and spirited resistance might prove highly detrimental, by encouraging distant provinces which he had before over-run, to throw off the yoke. And how are our subjects to be formed to a disposition thus favourable to us, to be changed thus in their character, but by new principles, sentiments, and tastes, leading to new views, conduct, and manners; all which would, by one and the same effect, identify their cause with ours, and proportionably separate them from opposite interests? It is not, we may venture to affirm, from such a change, but in continuing as we are, that we stand most exposed to the dangers of political revolution. The objection which conceives remote evils to result from a plan of improvement, does not advert to others which may, in the mean time, arise from causes of a different kind. We join with it in the desire of securing in permanence, the fair possession this country has

* If he had, we might probably have still been mere merchants in India.

† See note to page 31.

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has obtained (more, it may be concluded, by the overruling dispensation of Providence, than by any scheme of man,) but differ as to the means. To us it appears, that nothing promises so fair for the end proposed, as engaging the attachment and regard of the people, and removing those causes which have hitherto made them so acquiescent in every change. It was this passive temper, joined to the expectations which many might entertain from the deposition of the reigning Nabob, that contributed to our easy acquisition of the country; but the same temper would render our hold of it less sure in any arduous contest. At present, we are every way different from the people whom we hold in subjection; different in country, in language, in manners, in customs, in sentiments, and in religion; their interest also, for the reasons mentioned in the early part of this memoir, they must conceive to be different from ours. What then can be a healing principle with regard to all these points, but a principle of *assimilation*, a *common-bond*, which shall give to both parties the reality and the conviction of mutual benefit from the connection? Without an uniting principle, a conjoining tie of this nature, we can suppose the country to be, in fact, retained only by mere power; but in the same degree that an identity of sentiments and principles would be established, we should exhibit a sight new in the region of Hindostan, a people actively attached, cordially affected to their government, and thus augmenting its strength. In this laudable way, we should become more formidable to the other powers of that continent, we should be best secured against foreign enemies, insurrections, and the dangers of an hereditary military body; we should have more support from the mass of the people, and in a word, be most effectually guarded against a revolution.

It is remarkable, that the radical principle of the conclusion thus made, a conclusion to which an acquaintance with the Indian character, and the experience that progressive time has afforded of the effects of knowledge, particularly the divine knowledge of Christianity, may now easily lead an ordinary mind, directed, according to the judicious historian of *The ancient European Intercourse with India*, the policy of the Grecian conqueror of that country, in securing his Eastern acquisitions. However different, in other respects, the circumstances of that celebrated personage may be from ours, in this we agree with him, that we have an Asiatic empire to maintain. And Dr. Robertson, who in acknowledging the eccentricities of that extraordinary man, gives him also the credit of profound political views, observes, "he early perceived, *that to render his authority secure and permanent, it* "*must be established in the affection of the nations he had subdued, and maintained* "*by their arms*; and that in order to acquire this advantage, all distinctions between "the victors and the vanquished must be abolished, and his European and Asiatic "subjects be incorporated and become one people, *by obeying the same laws, and by* "*adopting the same manners, institutions, and discipline.*" It is the leading idea only of this policy, that is meant to be applied here; and that leading idea is plainly the principle of *assimilation*. It would neither suit us, nor our subjects, to act upon it universally, as Alexander proposed. We ought not to wish, that the distinctions between the two races should be lost, or to aim at introducing into Asia laws framed for this country; but to attach our subjects by affection, by interest, by winning them to our religion and our sentiments,—this would be at once to add to their happiness, and to arrive at the same object which the great conqueror had in view, that of rendering our authority "permanent and secure."

This policy is recommended by some other considerations, which shall be briefly noticed. It is sufficiently understood, that since our first appearance on the theatre of Indian war and politics, the native powers have improved in military discipline, and that we now find it necessary to bring into the field, armies proportionably larger than those that served to achieve our early victories. Having so interesting an evidence of the capability of the natives to improve, there appears no good reason to conclude, that their advancement in military skill may not be further progressive. It is extremely probable, that the beneficial effects of our civil policy will also in time force themselves upon their attention, and from the cogent motive of self-interest, produce at least some imitations. All the advances they make in the arts of war or of peace, will serve to lessen that superiority in both, by which, under the disadvantages attaching to us as foreigners, and with forces comparatively small, we have acquired an ascendancy among the powers of Hindostan. The nearer we approach to an equality, the more these disadvantages will be felt. Our business seems to be therefore, by new resources in policy, still to preserve the relative rank in which we have hitherto stood; and what can more directly conduce to this end, than to infuse new

principles

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principles of attachment, of activity, and industry, among the people we govern, thus strengthening their character, and deriving additional support from them?

The European nations have an undisputed possession of the Indian seas, and are now so much connected with the continent of India, that every material change which takes place in them, may be expected, in some shape or other, to extend its influence thither. It cannot be irrational, therefore, to suppose, that the astonishing events which have lately convulsed Europe, and are likely to produce consequences durable, and momentous, may have their bearings upon our Asiatic interests. That exorbitant ambitious power which seeks our destruction, may aim, by different channels and instruments, to excite troubles and disorders in our possessions, or to embroil us with our Indian neighbours. The Cape of Good Hope, the head of a vast country, in a fine climate, and singular in the felicity of its position for a great emporium, whether it remain with us or fall under French influence, will probably, by a change already begun in its internal policy, swarm, at no distant period, with a numerous race, of European character and descent, planted at the entrance into the Indian seas, and within two months sail of the Indian coasts. Another great colony of the same race, in a climate equally favourable to the human constitution, is springing up on the eastern side of the Indian Ocean. The appearance of many adventurers of these descriptions on the shores of Hindostan, as one day they may be expected to appear, (a day perhaps nearer than it is possible to bring other apprehended improvements,) can hardly fail to have some effect upon the political affairs of that country, those of the native princes as well as our own. In all these, or any other supposable cases then, the more closely we bind the people under our rule to ourselves, the more firmly shall we be prepared, in that quarter, against adverse events and combinations.

It may be urged by some, in opposition to the systematical improvement here proposed, that the influence of the British government and character, especially where the intermixture of Europeans is large, will of itself gradually produce a change in the sentiments of our Eastern subjects. Let this position be, to a certain degree, admitted; it is one interesting enough to merit some attention. The English, in their obscure commercial state, were little known or regarded by the people whom they now govern. Their elevation to power, brought into public display all the particulars of their character, with their manners and customs. These, in various instances, at first shocked the prejudices of the Hindoos, who thought, with a kind of horror, of the new masters to whom they bowed. But by degrees they perceived, that usages the most repugnant to their ideas, were free of that turpitude which they had associated with them. They found these foreigners superior to them in general powers and knowledge, in personal honour and humanity; and at length saw the British government assume a character of equity and patriotism, unknown in their preceding administrations. These qualities, it shall be granted, have a tendency to conciliate in some measure, the natives *who are near enough to observe them.* Among those who live in our settlements, or are much connected with Europeans, long habits of intercourse have softened down repugnancies, or blunted the sensations which our manners at first inspired; and there is in such, an apparent, perhaps a real abatement of jealousy and solicitude respecting their own notions and punctilios. But in all these varying aspects of the European character, something essential to those disposed to fall into an imitation of it has been absent. Men that meet together in this country for the purposes of business, seldom enter into communication respecting the foundations of their faith and practice; any serious discussion of this nature, occurs still more rarely there. The indifference for religion, which Mr. Hume ascribes to the English in general of the present age,—(he calls it profound indifference,)—may there pass for liberal toleration, or complaisant forbearance towards inferiors of another faith. Discovering in their intercourses with us little of the nature of the religion we profess, they will not, of course be apt to refer the good qualities of which the English appear possessed, to that source; nor will they know, that the national standard of morals formed from it, has an influence, even upon the conduct of those who pay no particular regard to a religious system. If then any of the Hindoos should, in time, feel some tendency to imitate that freedom in manners, sentiments, and intercourses, that latitude as to religious opinions and observances, which they see in their European masters, what would be the consequence but evidently this, that they would be loosened from their own religious prejudices, not by the previous reception of another system in their stead, but by becoming indifferent to every system. For a transition from one error to another is, it must be acknowledged,

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more readily made, than a transition from error to truth. Error is more easily imbibed, more hardly eradicated; truth more slowly received, more easily resigned. And in this way it is, that if we conceive the anarchial principles which have burst forth in Europe ever to spread to India, they will be most likely to have their entrance. Indeed so wonderfully contagious do they appear to be, so congenial to the worst qualities of human nature, that it may be difficult to point out a place where they can find nothing to fasten upon. Societies in which much corruption and much superstition prevail, seem in general more liable to them, than those in which true religion and morals are still strongly rooted. The French, it will readily be allowed, fell into them more readily than they would have embraced any scheme of personal reformation, or a more pure and strictly practical religious system. The abuses of civil and religious institutions lead to them, and furnish the most plausible pretences for them. False principles, and the fooleries of a false religion, even when used to support things good in themselves, as government and subordination, would ill stand before such arts and abilities as have lately assailed the truth. Truth only is invincible. To teach it therefore, is to take the surest means of excluding the infection of licentious disorganizing sophistries. A change from false religion to the true, is a movement from an exposed place to a strong fortress; and every advance made in the system of moral and religious instruction here recommended, so far from opening the way to those loose latitudinarian notions which tend to a rejection of all authority, would establish rights, human and divine, upon their proper basis, and bind the conscience to the observance of them.

To these considerations, which on the whole may certainly be deemed not unworthy of attention, two other reflections may serve to give additional weight. First,—It is to be feared, that the number of lower Europeans will go on to encrease in our territories; they mix most with the natives, and by them the worst parts of our manners will be exhibited. Secondly,—By the security which we have with great wisdom given to the land tenures of Bengal, the value of property there, and the consideration arising from the possession of it, will naturally be enhanced, so that in process of time, the owners of large estates, hitherto little productive to them, may become of consequence by their wealth and possessions. We know also, that encreasing prosperity tends to strengthen pride and disorderly propensities. Here again, therefore, we find motives for the introduction of our principles; for if some at least, both of the higher and lower orders, may be led, by European manners, to adopt new ideas of relaxation, at the same time that new powers are put into the hands of the former, we ought, in good policy and reason, to communicate to them a system which, divested of all burthensome unnecessary ceremonies, and all superstitious folly, is yet calculated to produce a purer and higher influence than their own, upon the general moral conduct, and all the relative duties of life. As then we have already been gradually led, by good sense and expediency, to introduce regulations derived from our national ideas and principles, into the government and management of our possessions, their advantage and our safety may dispose us also to wish, that our religion and moral principles might obtain a fair establishment there; for if we can suppose, that through the encreasing relations between Europe and India, the common lights and manners of Europeans adventuring thither should ever make a strong impression, unaccompanied by the knowledge of those principles, which do not propagate themselves spontaneously, and are not to be implanted without culture and care, that change might not be favourable to our interests; since the present circumstances of Europe seem emphatically to point out, that nothing but such principles can be depended upon, for keeping subjects in obedience and subordination *.

In

* These several objections, and the answers to them, excepting the sixth and seventh, were, as to their substance and scope, committed to writing in the latter end of the year 1792, though not then in any shape brought into notice. In April 1793, a discussion took place in a general Court of Proprietors of East-India Stock, in which almost all the same objections were advanced, by persons with whom the writer never had any communication on such subjects. This was on occasion of two resolutions which the House of Commons, very honourably for itself, had voted in the view of introducing the purport of them into the Act of Parliament then about to be passed, for renewing the charter of the East-India Company. The resolutions were these:

"RESOLVED, That it is the opinion of this "House, that it is the peculiar and bounden "duty of the legislature, to promote, by *all just* "and *prudent means*, the interests and happiness "of the inhabitants of the British dominions in "India; and that for these ends, such measures "ought to be adopted, as may *gradually* tend to "their advancement in *useful knowledge*, and to "*their religious and moral improvement.*

"RESOLVED, That sufficient means of religious "worship and instruction be provided for all "persons of the Protestant communion in the "service,

In coming, as we now do, to the close of the answer to the last and most material of the objections which are foreseen against the proposed scheme, that objection which questions the expediency of using the English language, it will be proper to call to recollection what was stated in the first opening of it,—that the *principle* of communicating our light and knowledge, and the *channel* or *mode* of communication, were two distinct things; that the admission of the former did not depend on the choice

" service, or under the protection of the East " India Company in Asia, proper ministers being " from time to time sent out from Great Britain " for those purposes; and that a chaplain be " maintained on board every ship of 500 tons " burthen, and upwards, in the East-India Com- " pany's employ; and that moreover, no such " ministers or chaplains shall be sent out, or " appointed, until they first shall have been ap- " proved of, by the Archbishop of Canterbury, " or the Bishop of London, for the time being."

Several Proprietors of East India Stock made a violent attack upon these resolutions, and the following is an abstract of all the arguments or objections urged against them, as they are reported by Mr. Woodfall. It is with reluctance that any reference is made here to the opinions then given, because they stand connected with particular names; and it is far from being the wish of the writer, to introduce any thing that may seem to have even a remote tendency to personality; but as opinions delivered in a public assembly, and afterwards made more public by the press, are fairly open to animadversion, so justice to the present subject, renders some notice of those now in question, indispensable.

OBJECTIONS STATED GENERALLY. " That " sending missionaries into our Eastern territories, " is the most wild, extravagant, expensive, un- " justifiable project, that ever was suggested by " the most visionary speculator. That the prin- " ciple is obnoxious, impolitic, unnecessary, full " of mischief, dangerous, useless, unlimited."

SPECIFIC ARGUMENTS, *First Class.* " The plan " would be dangerous and impolitic; it would " affect the peace and ultimate security of our " possessions. It tends to endanger and injure " our affairs there most fatally, it would either " produce disturbances, or bring the Christian " religion into contempt. Holding one faith or " religion, is the most strong common cause with " mankind, and the moment that took place in " India there would be an end of British su- " premacy.

" That the principle of proselyting was *im-* " *politic*, and was, or ought to be exploded, in so " enlightened a period as the eighteenth century."

" That it would be a most serious and fatal " disaster, if natives of character*, even a hun- " dred thousand of them, were converted to " Christianity.

" That the establishment of seminaries and " colleges in America, was one of the most " efficient causes of the loss of that country.

" That suffering young clergymen, (who are " usually of pleasurable habits,) to over-run the in- " terior of India, would be dangerous, and prove ul- " timately destructive to the Company's interest."

Second Class. " The scheme would be un- " successful. It is extravagant to hope for the " conversion of the natives. They are invincibly " attached to their own castes; their prejudices, " manners, and habits, are all against a change."

" It is vain to attempt to overcome pre- " judices fixed by the practice of ages, far ex- " ceeding the time in which Britons had any idea " of religion at all. The attempt is, in these " views, idle, absurd, and impracticable."

" Only the dregs of the people can be con- " verted; they will pretend conversion, and dis- " grace Christianity.

" The higher, and more respectable natives, are " people of the purest morality, and strictest " virtue, (this was said only by one speaker, who " knew little of India.)

" The services of religion are devoutly per- " formed in the Company's settlements and ships, " either by clergymen or laymen, and their eccle- " siastical establishments are sufficient."

Third Class. " The *scheme would be expen-* " *sive.* The expence would be enormous, into- " lerable; one, two, or three hundred thousand " pounds."

Fourth Class. " The scheme would be un- " limited, in respect of the numbers and qualifi- " cations of the missionaries."

All these objections will be found already answered in the text. A few brief remarks upon them may however be proper, and will be sufficient here.

1st. The objections urged in general terms, are merely declamatory. They are accompanied by no reasonings or elucidations. But *the principle* which they censure as the most wild, extravagant, unjustifiable, mischievous, dangerous, useless, impolitic, that ever was suggested by the most visionary

* It will be remembered, that these are chiefly *Idolaters*, something of whose character and worship we have already seen. With whatever indifference idolatry may be viewed, and however venial it may be accounted in these times, even by persons born in Christian countries, it is a crime against which the displeasure of the holy and true God, the sovereign and unerring judge of the qualities of actions, is expressed, with peculiar indignation, contempt, and abhorrence, throughout that revelation which he hath vouchsafed to us; and it is therein shewn to have often brought on, by its nature and effects, the misery and ruin of individuals and of nations.

Even the wiser men of ancient Pagan Europe, between the superstition of which, and the idolatry of the Hindoos, an identity has been proved, (by Sir William Jones, in the Asiatic Transactions, Vol. I) saw and complained of the evils of their popular system of religion. Cicero brings in an Epicurean philosopher, arraigning that system in severe terms " The most absurd things, observes he, are said by " the poets, things which are noxious even by the agreeable " style in which they are conveyed, for they have intro- " duced gods mad with anger, inflamed with lust, and have " presented to our view their wars, battles, fightings, " wounds, their hatred, differences, strivings, their births, " deaths, deaths, complaints, lamentations, their lusts, exceeding " in every kind of intemperance, their adulteries, fetters; " their lying with mankind, and mortals begotten of im- " mortal gods" (*De Nat. Deor, Lib.* I §. 16.) And again, in the person of a Stoic, he thus reprobates the same system. " The introduction of feigned gods, has begotten false " opinions, and turbulent errors and superstitions, no better " than old wives' fables; for the figures of the gods, their " ages, dress, and ornaments, are set forth; their alliances, " marriages, affinities; and all are reduced to the similitude " of human imbecility They are brought in as men dis- " turbed by passion, we hear of their lusts, sickness, " anger; yea as fables tell us, the gods have not wanted " wars and battles ..... These things are said and *believed* " most sottishly, and are full of extreme vanity and futility." (*Ibid. Lib.* II. §. 28.)

To these base gods, however, temples were erected, and divine honours paid. They had their costly trains of priests, services, sacrifices, festivals, and games. Some of their rites were atrociously cruel, others infamous for debauchery, prostitution, and the most unbridled excesses. Hence corruption was diffused among the people, the moral system, even of the philosophers, was very defective, and their allowed practices, in some respects abominable.

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choice which might be made of the latter, and was alone absolutely contended for. The channel of the English language, however, has been preferred, in the present plan, as being deemed the most ample and effectual; and though new, also safe and highly advantageous. Against this channel, however, the writer thinks it possible, that reluctancies may remain when arguments are obviated. Stongly as he is himself persuaded, that great and peculiar advantages would flow from it, he nevertheless would

sionary speculator, *is the principle of the Gospel itself.*

The Gospel was propagated by missionaries; missionaries planted it in the different countries of Europe. Almost all those countries have, in imitation of the same practice, sent missionaries into infidel parts; and how is it possible for men to communicate it otherwise? In this kingdom, two societies are established by royal charter, for propagating the Gospel in Heathen lands; and there is a third society of long standing, employed in the same object, which enrolls among its members, many of the most eminent persons of the nation. So much for the antiquity, authority and general acknowledgment of *this principle*, which is treated as if nothing like it had ever been heard of before.

2d. It is obvious, that the first and second classes of specific objections, militate against each other. Since the scheme proposes only a pacific exposition of Christian truths, it cannot be both dangerous and unsuccessful. The danger is avowedly founded mainly, if not wholly, on the supposition of success. If success therefore is not to be hoped for, where is the danger? And again, if the scheme really threatens so much danger, what becomes of the argument against success?

These contradictory objections cannot both be just. The same speaker however, who is reported to have "*thanked God*" that the conversion of the natives would be a matter of *impracticability*, strenuously opposed the scheme on this ground, that the moment they and we came to hold one faith there would be an end of our supremacy in the East: but, if he thought it *impracticable* to convert them to our faith, with what reason could he urge the *danger* which would follow from such conversion as a serious and alarming objection? When the *cause* does not *exist*, neither can that, which can only flow from it as its *effect*.

3d. The *principle of not communicating to the Hindoos the Christian religion, lest this should in the end, destroy our government over them*, is however here fairly acknowledged and argued upon. The establishment of seminaries and colleges in our American colonies, is in the same spirit adverted to in a way of warning; as if Christianity had produced the revolution there, when in fact they were men of infidel opinions, who planned both the American and French revolutions.

The reason assigned in justification of this precautionary principle also deserves attention; "be-"cause holding one religion is the most strong "common cause with mankind." If the proposal had been, that the English should become converts to Hindooism, this argument might have been well placed; but applied to the present scheme, it can only operate in favour of it.

4th. It is curious to find it alleged, among the arguments against the proposed clauses, that some of the Hindoos were too good, and others too bad to be converted.

This was advanced by only one gentleman, little acquainted with India, whose speech happening by a common newspaper to reach the Reverend Mr. Swartz, already noticed as long a missionary of distinguished reputation in the Tanjore and Trichinopoly districts, produced from him a vindication of the conduct and effects of the mission in which he is concerned; a vindication framed indeed in modest and simple terms, suitable to the character of the writer, but highly honourable to the cause of missions, and though he intended it not, to his own. This piece, too good to be concealed, has been printed in the Transactions of the English Society for promoting Christian Knowledge, and a copy of it is given in the Appendix.

The assertion of the same speaker, that the higher natives of India are people of the purest morality and strictest virtue, is altogether new, and in palpable opposition to testimony and experience. Upon the gospel scheme, no man is too good or too bad for the benefits it proposes; and there is a very large class between the best and the worst, of whom the speaker took no notice. His other assertion, that the ceremonies of religion, or the service of the Common-prayer Book, were with great decency and devotion regularly performed by laymen on board the Company's ships, and on land, in places where there happened to be no clergyman, is a topic for ridicule, if the subject were not of so serious a kind; the reverse of this assertion being so notorious. And is there no use for a minister of religion, but to perform a ceremony, or to read a form of prayer once a week?

5th. The objections urged on the ground of the *unlimited* expence of the scheme, the *unlimited* numbers of the clergy that would be sent, their *improper* character, and *their roving through the country*, all go upon assumptions not only unwarranted, but contradicted by the tenor of the clauses themselves, and in opposition to the dictates of common sense. The Directors of the Company were themselves to be entrusted with the execution of the scheme; they were to judge of the number of missionaries sufficient, they were to regulate the expence. Was it conceivable, that they would have gone, in either article, to a length burthensome or dangerous to the Company? Was it conceivable that they would have suffered missionaries to ramble, at their pleasure, through the country, if the missionaries sent should have been men so disposed? but can it be imagined, that the friends of the scheme, and the respectable authorities whose testimonials were to render the missionaries receivable by the Company, (not to force them into their employ,) would have had so little regard to the success of their own object, as to select persons the least likely to promote it? In fact, the danger was of another kind; so much was left in the discretion of the Directors that if they should have had the disposition, they might also have possessed the power, very materially to thwart the prosecution of the scheme. And as to the real number and expence of missionaries at first, the former, if proper persons should have been found, would perhaps have been thirty; and the annual charge of their establishment, including dwellings, probably about fourteen thousand pounds.

6th. Upon the whole of this discussion, it appears, to have been undertaken with a vehement determination against the principle of introducing Christianity among our Asiatic subjects; but without much previous consideration, or a large acquaintance with its bearings and relations, still less with a dispassionate temper of mind; for arguments subversive of each other, assertions palpably erroneous, assumptions clearly unwarrantable, were pressed into the opposition; the question was argued chiefly upon a partial view of supposed political expediency, and the supreme importance

would do injustice to the cause for which he pleads, if he were to suspend its success entirely upon the adoption of this mode. The channel of the country languages, though less spacious, less clear, less calculated to transmit the general light of our opinions, our arts, and sciences, less free also for the conveyance of the light of religion itself, is nevertheless so far capable of rendering this last and most important service, in which are essentially involved all the other proposed meliorations, that if the question were between making no attempt, or making it in this way, undoubtedly there could be no hesitation This mode ought, by no means to be declined or neglected, if there were no other. Through the medium of the country languages, though more contracted, more dim, and distant, still something may be done, and that in a concern which is of the last importance to present and to future happiness. But in choosing this method, more instruments ought necessarily to be employed; and then the meliorations which are so much wanted, may in time be partly effected; and the apprehensions which some may entertain from the diffusion of the English language, will have no place. But still it must be maintained, that for every great purpose of the proposed scheme, the introduction and use of that language would be most effectual; and the exclusion of it, the loss of unspeakable benefits, and a just subject of extreme regret.

THUS, we trust, it has been evinced, that although many excellent improvements have of late years been made in the government of our Indian territories, the moral character and condition of the natives of them is extremely depraved, and that the state of society among that people is, in consequence, wretched. These evils have been shewn to lie beyond the reach of our regulations, merely political, however good; they have been traced to their civil and religious institutions; they have been proved to inhere in the general spirit and many positive enactments of their laws, and more powerfully still in the false, corrupt, impure, extravagant, and ridiculous principles and tenets of their religion. Upon any of these points, it is conceived, that persons who either form their opinion, from actual observation, or from the current of testimony, will not greatly differ; shades of distinction there may be between them, but no substantial, radical contrariety. A remedy has been proposed for these evils;—the introduction of our light and knowledge among that benighted people, especially the pure, salutary, wise principles of our divine religion. That remedy has appeared to be in its nature suitable and adequate, the practicability also of applying it has been sufficiently established; our obligation to impart it has been argued, we would hope convincingly, from the past effects of our administration in those countries, from the more imperious consideration of the duties we owe to the people of them as our subjects, and from our own evident interest, as involved and consulted in their welfare. Our obligation has been likewise urged from another argument, the authority and command of that true religion which we have ourselves the happiness to enjoy and profess*. As the leading subject of this essay has been intentionally treated chiefly upon political grounds, the argument now mentioned has not been insisted upon at great length; but all its just rights are claimed for it, and it is transcendent and conclusive.

Nothing it would seem besides these intrinsic properties of the proposed measure, and these powerful extraneous motives, can be necessary to recommend the adoption of it. Yet since some persons have appeared to think, that the improvements which they allow to be likely from the prosecution of the suggested scheme might, by producing a course of encreasing prosperity, at length open the way to consequences unfavourable to the stability of our Indian possessions, these conceived consequences have

importance, authority, and command, of Christianity, were left out of sight.

It ought to be remarked, upon the second of the two resolutions passed in the House of Commons, that the maintenance of a chaplain on board every ship of considerable size, employed in the long navigation to and from India, was the early spontaneous practice of the Company, and enjoined to them in the charters of King William and Queen Anne, the clauses of which, respecting this point, the said resolution did no more than revive.

* To disallow either the fitness of our religion as a remedy, or our obligation to promote the knowledge of it, would be to differ from the reasoning of this essay in first principles; and such a difference, if any mind were influenced by it to resist the projected communication, ought in candour to be avowed.

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have also been largely examined; and if the whole of the reasoning used by the writer has not been erroneous, they have been found to resolve themselves at last into mere apprehensions, conjectures, and general surmises, which the causes assigned for them seem so little to warrant, that in proportion to the degree in which those causes may actually exist, effects propitious to the permanence, as well as prosperity of our Eastern dominion, effects more propitious than our present system can generate, may rather be expected from them; as indeed it would not be less a phenomenon in the political than in the natural world, that from a root the most excellent, the worst fruit should be produced. The principle also upon which such consequences are objected, and the improvement of our Heathen subjects opposed, the principle of keeping them for ever in darkness and error, lest our interest should suffer by a change, has been shown to be utterly inadmissible in a moral view, as it is likewise contrary to all just policy.

In reasoning about things future and contingent, the writer would wish to stand remote from whatever should have the appearance of dogmatical decision, which indeed is not the right of even superior penetration, and to speak with that diffidence of himself, and deference for others, which so well become him; he would wish to speak for no cause further than the truth will bear him out; but the views he entertains of the present subject afford him no other conclusions than those he has advanced, and in them he thinks he is well supported. That a great remedy is wanted; that we have an excellent one in our hands; that it is our duty, on general and special grounds, to apply it; all these, are in his apprehension, positions nearly self-evident: from these alone a strong presumption, he conceives, arises, that it must be our interest to make the application; and if cogent specific reasons are further adduced to prove, that our interest would, in fact, thus be promoted, opposition to this scheme ought, in his opinion, to be justified by arguments very clear and very powerful; and such, he must honestly say, he has not been able to discover.

This subject has not hitherto received a formal consideration; but the objection which would resist all improvement, lest future inconvenience should arise from it, necessarily brings on this decisive question, whether we shall, in all time to come, passively leave our subjects in the darkness, error, and moral turpitude in which they now grovel, or shall communicate to them the light of truth, and the means of melioration, and of happiness personal and social? The question may more properly be,—whether we should *keep* our subjects in their present state? For if improvement ought not to be communicated to them, we should not be merely passive, but be careful to exclude it; as on the other hand if it ought to be communicated, or if it is possible that any rays of light may fortuitously break in upon them, we should not leave the task to others, or to chance, but be ourselves the dispensers of the new principles they receive, and regulate the administration of them. This question then is to determine the grand moral and political principle, by which we shall henceforth, and in all future generations, govern and deal with our Asiatic subjects: Whether we shall make it our study to impart to them knowledge, light, and happiness; or under the notion of holding them more quietly in subjection, shall seek to keep them ignorant, corrupt, and mutually injurious, as they are now? The question is not, whether we shall resort to any persecution, to any compulsion, to any sinister means:—No; the idea has been frequently disclaimed; it is an odious idea, abhorrent from the spirit of true religion; but whether, knowing as we do the falsehood and impiety of idolatrous polytheistic superstitions, knowing the cruelties, the immoralities, the degrading extravagancies and impositions of the Hindoo system, we shall silently and calmly leave them in all the fulness of their operation, without telling our subjects, who ought to be our children, that they are wrong, that they are deluded, and hence plunged into many miseries? Whether, instead of rationally, mildly explaining to them the divine principles of moral and religious truth, which have raised us in the scale of being, and are the foundation of all real goodness and happiness, we shall wink at the stupidity which we deem profitable to us; and as governors, be in effect the conservators of that system which deceives the people? Whether, in a word, we shall do all this merely from fear, lest in emerging from ignorance and error, they should be less easy to rule, and our dominion over them be exposed to any risk.

The wisdom, as well as the fairness of such a proceeding, must also be determined; whether on the whole it would be the best policy for our own interest, even if we look only to the natural operation of things: and here at least we should be careful

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careful and clear; for if we mistake our interest, we lose our all, the very thing to which we sacrifice other considerations. especially it should be pondered, whether believing the moral government of the world, we can expect the approbation and continued support of the supreme Ruler of it, by willingly acquiescing in so much error, so much moral and political evil, when so many just means for the alleviation of them are in our power.

These are the inquiries which this subject presents; the inquiries which fidelity to it, and to all the interests involved in it, would not permit the writer to suppress when he originally considered it, and the same motives, to which he may add, the duty of the station wherein he has since had the honour to be placed, forbid him to keep them back now: But does he in stating them, mean to point them offensively to any individual or body of men? No,—far from it; they were, at first, penned as they are now delivered, in good will and with a general aim: in this great question he strives rather to abstract his mind from personal recollections; and if it glances involuntarily at the idea of any one who he fears may not accord with his sentiments, if he should especially dread to find among such any whom he particularly respects and loves, it is a painful wound to his feelings. He cannot wish to offend or to dispute,—he has no objects to serve by such means; and is sufficiently aware of the situation in which a work of this nature may place him, both in Europe and in India, never to have brought it forward but from some serious sense of duty. This question is a general one; if it seem to carry in it any retrospective censure, that censure applies to the country and to the age. Circumstances have now called for a more particular consideration of it, and of the result of that consideration he entertains encouraging hopes. He will not allow himself to believe, that when so many noble and beneficial ends may be served by our possession of an empire in the East, we shall content ourselves with the meanest and the least, and for the sake of this, frustrate all the rest. He trusts we shall dare to do justice, liberal justice, and be persuaded, that this principle will carry us to greater heights of prosperity, than the precautions of a selfish policy. Future events are inscrutable to the keenest speculation, but the path of duty is open, the time present is ours. By planting our language, our knowledge, our opinions, and our religion, in our Asiatic territories, we shall put a great work beyond the reach of contingencies; we shall probably have wedded the inhabitants of those territories to this country; but at any rate, we shall have done an act of strict duty to them, and a lasting service to mankind.

In considering the affairs of the world as under the controul of the supreme Disposer, and those distant territories, as by strange events, providentially put into our hands, is it not reasonable, is it not necessary, to conclude that they were given to us, not merely that we might draw an annual profit from them, but that we might diffuse among their inhabitants, long sunk in darkness, vice, and misery, the light and the benign influences of truth, the blessings of well-regulated society, the improvements and the comforts of active industry? And that in prudently and sincerely endeavouring to answer these ends, we may not only humbly hope for some measure of the same success which has usually attended serious and rational attempts for the propagation of that pure and sublime religion which comes from God, but best secure the protection of his providential government, of which we now see such awful marks in the events of the world.

In every progressive step of this work, we shall also serve the original design with which we visited India, that design still so important to this country,—the extension of our commerce. Why is it that so few of our manufactures and commodities are vended there? Not merely because the taste of the people is not generally formed to the use of them, but because they have not the means of purchasing them. The proposed improvements would introduce both. As it is, our woollens, our manufactures in iron, copper, and steel; our clocks, watches, and toys of different kinds; our glass-ware, and various other articles are admired there, and would sell in great quantities if the people were rich enough to buy them. Let invention be once awakened among them, let them be roused to improvements at home, let them be led by industry to multiply, as they may exceedingly, the exchangeable productions of their country, let them acquire a relish for the ingenious exertions of the human mind in Europe, for the beauties and refinements, endlessly diversified, of European art and science, and we shall hence obtain for ourselves the supply of four and twenty millions of distant subjects. How greatly will our country be thus aided in rising still superior to all her difficulties; and how stable, as well as unrivalled, may we hope our commerce will be,

when

Mr. Grant's State of Society among the Asiatic Subjects of Great Britain.

when we thus rear it on right principles, and make it the means of their extension? It might be too sanguine to form into a wish, an idea most pleasing and desirable in itself, that our religion and our knowledge might be diffused over other dark portions of the globe, where nature has been more kind than human institutions.—This is the noblest species of conquest; and wherever, we may venture to say, our principles and language are introduced, our commerce will follow.

To rest in the present state of things, or to determine that the situation of our Asiatic subjects, and our connection with them, are such as they ought to be for all time to come, seems too daring a conclusion: and if a change, a great change be necessary, no reason can be assigned for its commencement at any future period, which will not equally, nay, more strongly recommend its commencement now. To say, that things may be left to their own course, or that our European settlements may prove a sufficient nursery of moral and religious instruction for the natives, will be, in effect, to declare, that there shall be no alteration, at least no effectual and safe one.

The Mahomedans, living for centuries intermixed in great numbers with the Hindoos, produced no radical change in their character; not merely because they rendered themselves disagreeable to their subjects, but because they left those subjects, during that whole period, as uninstructed in essential points as they found them. We are called rather to imitate the Roman conquerors, who civilized and improved the nations whom they subdued; and we are called to this, not only by the obvious wisdom which directed their policy, but by local circumstances, as well as by sounder principles and higher motives than they possessed.

The examples also of modern European nations pass in review before us. We are the fourth of those who have possessed an Indian empire. That of the Portugueze, though acquired by romantic bravery, was unsystematic and rapacious; the short one of the French was the meteor of a vain ambition; the Dutch acted upon the principles of a selfish commercial policy; and these, under which they apparently flourished for a time, have been the cause of their decline and fall. None of these nations sought to establish themselves in the affections of their acquired subjects, or to assimilate them to their manners; and those subjects, far from supporting them, rejoiced in their defeat: some attempts they made to instruct the natives, which had their use; but sordid views overwhelmed their effects. It remains for us to shew how we shall be distinguished from these nations in the history of mankind; whether conquest shall have been in our hands the means, not merely of displaying a government unequalled in India for administrative justice, kindness, and moderation, not merely of encreasing the security of the subject and prosperity of the country, but of advancing social happiness, of meliorating the moral state of men, and of extending a superior light, further than the Roman eagle ever flew.

If the novelty, the impracticability, the danger of the proposed scheme, be urged against it, these objections cannot all be consistent; and the last, which is the only one that could have weight, presupposes success. In success would lie our safety, not our danger. Our danger must lie in pursuing, from ungenerous ends, a course contracted and illiberal; but in following an opposite course, in communicating light, knowledge, and improvement, we shall obey the dictates of duty, of philanthropy, and of policy; we shall take the most rational means to remove inherent, great disorders, to attach the Hindoo people to ourselves, to ensure the safety of our possessions, to enhance continually their value to us, to raise a fair and durable monument to the glory of this country, and to encrease the happiness of the human race.

APPENDIX.

Extract from the Transactions of the Society for promoting Christian Knowledge, for the year 1795.

Appendix.

"ANOTHER letter has been received from Mr. Swartz, dated at Tanjore, February 13th, 1794, which being of a particularly interesting nature, the Society judge fit to produce at length. As moreover the Society, after forty years experience, have had constant reason to approve of Mr. Swartz's integrity and veracity as a correspondent, his zeal as a promoter of Christian knowledge, and his labours as a missionary, they take this opportunity of acknowledging his faithful services, and recommending his letter to the consideration of the Public, as containing a just statement of facts relating to the mission, believing that Mr. Swartz is incapable of departing from the truth, in the minutest particular."

To the Reverend Dr. GASKIN, *Secretary to the Society for promoting Christian Knowledge.*

Reverend and Dear Sir, Tanjore, February 13, 1794.

AS His Majesty's seventy-fourth regiment is partly stationed at Tanjore, and partly at Vallam, six English miles distant from Tanjore, we commonly go once in a week to Vallam, to perform divine service to four companies of that regiment.

When I lately went to that place, the 210th number of a newspaper, called the Courier, Friday evening, May 24th, 1793, was communicated to me.

In that paper I found a paragraph, delivered by Mr. Montgomerie Campbell (who came out to India with Sir Archibald Campbell, in the station of a private secretary) wherein my name was mentioned in the following manner:

"Mr. Montgomerie Campbell gave his decided vote against the clause, and reprobated "the idea of converting the Gentoos. It is true, missionaries have made proselytes of the "Parriars; but they were the lowest order of people, and had even degraded the religion "they professed to embrace.

"Mr. Swartz, whose character was held so deservedly high, could not have any reason to "boast of the purity of his followers: they were proverbial for their profligacy. An instance "occurred to his recollection, perfectly in point;—he had been preaching for many hours "to this caste of proselytes, on the heinousness of theft, and in the heat of his discourse, "taken off his stock, when that and his gold buckle were stolen by one of his virtuous "and enlightened congregation. In such a description of natives, did the doctrine of the "missionaries operate. Men of high caste would spurn at the idea of changing the religion "of their ancestors."

As this paragraph is found in a public paper, I thought it would not displease the Honourable Society to make a few observations on it; not to boast (which I detest) but to declare the plain truth, and to defend my brethren and myself.

About seventeen years ago, when I resided at *Tirnolimpelly*, I visited the congregation at Tanjore. In my road, I arrived very early at a village which is inhabited by *Colleries*, a set of people who are infamous for stealing; even the name of a Collary (or better, *Kella*) signifieth a thief.

These *Colleries* make nightly excursions, in order to rob. They drive away bullocks and sheep, and whatever they can find; for which outrage, they annually pay fifteen hundred chuckrums, or seven hundred and fifty pagodas, to the Rajah.

Of this caste of people, many live in the Tanjore country, still more in Tondiman's country, and likewise in the Nabob's country.

When I arrived at one of those villages, called *Padaloor*, I took off my stock, putting it upon a sand-bank. Advancing a little to look out for the man who carried my linen clothes, I was regardless of the stock, at which time, some thievish boys took it away. Not one grown person was present. When the inhabitants heard of the theft, they desired me to confine all those boys, and to punish them as severely as I pleased.

But I refused to do that, not thinking that the trifle which I had lost was worth so much trouble.

That such boys, whose fathers are professed thieves, should commit a theft, can be no matter of wonder.

All the inhabitants of that village were Heathens; not one *Christian family* was found therein.

Many of our gentlemen, travelling through that village, have been robbed.

Append'x. The trifle of a buckle I did therefore not lose *by a Christian*, as Mr. Montgomerie Campbell will have it, but by Heathen boys.

Neither did I preach at that time: Mr Montgomerie Campbell says that I preached two hours: I did not so much as converse with any man.

This poor story totally misrepresented, is alleged by Mr. Montgomerie Campbell to prove the profligacy of Christians, whom he called, with a sneer, virtuous and enlightened people.

If Mr. Montgomerie Campbell has no better proof, his conclusion is built upon a bad foundation, and I shall not admire his logic: truth is against him.

Neither is it true, that the best part of those people who have been instructed, are *Parriars*. Had Mr. Montgomerie Campbell visited, even once, our church, he would have observed that *more than two thirds were of the higher caste*; and so is it at Tranquebar and Vepery.

Our intention is not to boast; but this I may safely say, that many of those people who have been instructed, have left this world with comfort, and with a well-grounded hope of everlasting life.

That some of those who have been instructed and baptized, have abused the benefit of instruction, is certain. But all sincere servants of God, nay even the Apostles, have experienced this grief

It is asserted, that a missionary is a disgrace to any country. Lord Macartney, and the late General Coote, would have entertained a very different opinion. They, and many other gentlemen, know and acknowledge, that the missionaries have been beneficial to government, and a comfort to the country.

This I am able to prove, in the strongest manner. Many gentlemen who live now in England, and in this country, would corroborate my assertion.

That the Reverend Mr. Gerické has been of eminent service to Cuddalore, every gentleman, who was at Cuddalore at the time when the war broke out, knows. He was the instrument, in the hands of Providence, by which Cuddalore was saved from plunder and bloodshed.

He saved many gentlemen from becoming prisoners to Hyder, which Lord Macartney kindly acknowledged.

When Nagapatnam, that rich and popular city, fell into the deepest poverty, by the unavoidable consequences of war, Mr. Gerické behaved like a father to the distressed people of that city. He forgot that he had a family to provide for. Many impoverished families were supported by him; so that when I, a few months ago, preached and administered the sacrament in that place, I saw many who owed them, and their childrens' lives, to his disinterested care. Surely this, my friend, could not be called a disgrace to that place. When the Honourable Society ordered him to attend the congregation at Madras, all lamented his departure. And at Madras, he is esteemed by the governor, and many other gentlemen, to this day.

It is a most disagreeable task to speak of oneself. However, I hope that the Honourable Society will not look upon some observations which I am to make, as a vain and sinful boasting, but rather as a necessary self-defence. Neither the missionaries, nor many of the Christians, have hurt the welfare of the country.

In the time of war, the fort of Tanjore was in a distressed condition. A powerful enemy was near; the people in the Fort, numerous; and not provision even for the garrison. There was grain enough in the country, but we had no bullocks to bring it into the Fort. When the country people formerly brought paddy (rice in the husk) into the Fort, the rapacious dubashes deprived them of their due pay. Hence all confidence was lost; so that the inhabitants drove away their cattle, refusing to assist the Fort. The late Rajah ordered, nay intreated the people, by his managers, to come and help us; but all was in vain.

At last the Rajah said to one of our principal gentlemen: "We all, you and I, have lost our credit; let us try whether the inhabitants will trust Mr. Swartz." Accordingly he sent me a blank paper, empowering me to make a proper agreement with the people. Here was no time for hesitation. The seapoys fell down as dead people, being emaciated with hunger; our streets were lined with dead corpses every morning; our condition was deplorable. I sent, therefore, letters, every where round about, promising to pay any one, with my own hands; and to pay them for any bullock which might be taken by the enemy. In one or two days, I got above a thousand bullocks, and sent one of our catechists, and other Christians, into the country. They went at the risk of their lives, made all possible haste, and brought into the Fort, in a very short time, eighty thousand kalams (of rice.) By this means, the Fort was saved. When all was over, I paid the people (even with some money which belonged to others) made them a small present, and sent them home.

The next year, when Colonel Braithwaite, with his whole detachment, was taken prisoner, Major Alcock commanded this Fort, and behaved very kindly to the poor starving people. We were then, the second time, in the same miserable condition. The enemy always invaded the country when the harvest was nigh at hand. I was again desired to try my former expedient, and succeeded. The people knew that they were not to be deprived of their pay, they therefore came with their cattle. But now the danger was greater, as the enemy was very near. The Christians conducted the inhabitants to proper places, surely with no small danger of losing their lives. Accordingly they wept, and went, and supplied the Fort with grain. When the inhabitants were paid, I strictly enquired whether any of the Christians had taken from them a present. They all said, No, no; as we were so regularly paid, we offered to your catechist a cloth of small value, but he absolutely refused it.

But

But Mr Montgomerie Campbell says, that the Christians are profligate to a proverb.

If Mr. Montgomerie Campbell was near me, I would explain to him who are the profligate people who drain the country. When a dubash, in the space of ten or fifteen years, scrapes together two, three, or four lacks of pagodas, is not this extortion a high degree of profligacy?

Nay, government was obliged to send an order, that three of those Gentoo dubashes should quit the Tanjore country. The enormous crimes committed by them, filled the country with complaints; but I have no mind to enumerate them.

It is asserted, that the inhabitants of the country would suffer by missionaries.

If the missionaries are sincere Christians, it is impossible that the inhabitants should suffer any damage by them. If they are not what they profess to be, they ought to be dismissed.

When Sir Archibald Campbell was governor, and Mr Montgomerie Campbell his private secretary, the inhabitants of the Tanjore country were so miserably oppressed by the manager and the Madras dubashes, that they quitted the country: of course, all cultivation ceased. In the month of June, the cultivation should commence; but nothing was done, even at the beginning of September. Every one dreaded the calamity of a famine. I entreated the Rajah to remove that shameful oppression, and to recal the inhabitants He sent them word, that justice should be done to them; but they disbelieved his promises. He then desired *me* to write to them, and to assure them, that he, at my intercession, would show kindness to them. I did so. All immediately returned, and first of all, the Kallar (or as they are commonly called, Collaries) believed my word, so that seven thousand men came back on one day. The other inhabitants followed their example. When I exhorted them to exert themselves to the utmost, because the time for cultivation was almost lost, they replied in the following manner: "As you have showed kindness to us, you shall not have reason to repent of it, we intend to work night and day, to show our regard for you."

Sir Archibald Campbell was happy when he heard it; and we had the satisfaction of having a better crop than the preceding year.

As there was hardly any administration of justice, I begged and entreated the Rajah to establish justice in his country. "Well," said he, "let me know wherein my people are oppressed." I did so. He immediately consented to my proposal, and told his manager, that he should feel his indignation, if the oppression did not cease immediately. But as he soon died, he did not see the execution.

When the present Rajah began his reign, I put Sir Archibald Campbell in mind of that necessary point. He desired me to make a plan for a court of justice, which I did; but it was soon neglected by the servants of the Rajah, who commonly sold justice to the best bidder.

When the Honourable Company took possession of the country, during the war, the plan for introducing justice was re-assumed; by which many people were made happy. But when the country was restored to the Rajah, the former irregularities took place.

During the assumption, government desired *me* to assist the gentlemen collectors. The district towards the west of Tanjore had been very much neglected, so that the water-courses had not been cleansed for the last fifteen years. I proposed that the collector should advance five hundred pagodas to cleanse those water-courses. The gentlemen consented if I would inspect the business. The work was begun and finished, being inspected by Christians. All that part of the country rejoiced in getting one hundred thousand collums (of rice) more than before. The inhabitants confessed, that instead of one collum, they now reaped four.

No inhabitant has suffered by Christians; none has complained of it. On the contrary, one of the richest inhabitants said to me; "Sir, if you send a person to us, send us one who has learned all your ten commandments;" for he, and many hundred inhabitants, had been present when I explained the Christian doctrine to Heathens and Christians.

The inhabitants dread the conduct of a Madras dubash. These people lend money to the Rajah, at an exorbitant interest, and then are permitted to collect their money and interest, in an appointed district. It is needless to mention the consequences.

When the Collaries committed great outrages in their plundering expeditions, Seapoys were sent out to adjust matters; but it had no effect. Government desired *me* to inquire into that thievish business. I therefore sent letters to the head Collaries; they appeared; we found out, in some degree, how much the Tanjore, and Tondaman's, and the Nabob's Collaries had stolen; and we insisted upon restoration, which was done accordingly. At last, all gave it in writing, that they would steal no more. This promise they kept very well for eight months, and then they began their old work; however, not as before. Had that inspection over their conduct been continued, they might have been made useful people. I insisted upon (their) cultivating their fields, which they really did But if the demands become exorbitant, they have no resource they think, but that of plundering.

At last some of those thievish Collaries desired to be instructed. I said, "I am obliged to instruct you, but I am afraid that you will become very bad Christians." Their promises were fair I instructed them; and when they had a tolerable knowledge, I baptized them. Having baptized them, I exhorted them to steal no more, but to work industriously. After that, I visited them; and having examined their knowledge, I desired to see their work. I observed, with pleasure, that their fields were excellently cultivated. "Now," said I, "one thing remains to be done. You must pay your tribute readily, and not wait "till it is exacted by military force," which otherwise is their custom. Soon after that, I found that they had paid off their tribute exactly.

The

Appendix.

The only complaint against those Christian Collaries was, that they refused to go upon plundering expeditions, as they had done before.

Now I am well aware, that some will accuse me of having boasted. I confess the charge willingly, but lay all the blame upon those who have constrained me to commit that folly.

I might have enlarged my account; but fearing that some characters would have suffered by it, I stop here.

One thing, however, I affirm, before God and man, that if Christianity, in its plain and undisguised form, was properly promoted, the country would not suffer, but be benefited by it.

If Christians were employed in some important offices, they should, if they misbehaved, be doubly punished; but to reject them entirely, is not right, and discourageth.

The glorious God, and our blessed Redeemer, has commanded his Apostles to preach the Gospel to all nations.

The knowledge of God, and his divine perfections, and of his mercy to mankind, may be abused; but there is no other method of reclaiming mankind, than by instructing them well. To hope that the Heathens will live a good life, without the knowledge of God, is a chimera.

The praise bestowed on the Heathens of this country, by many of our historians, is refuted by a close (I might almost say, superficial) inspection of their lives. Many historical works are more like a romance than history. Many gentlemen here are astonished, how some historians have prostituted their talents by writing fables.

I am now at the brink of eternity; but to this moment I declare, that I do not repent of having spent forty-three years in the service of my Divine Master. Who knows but God may remove some of the great obstacles to the propagation of the Gospel? Should a reformation take place amongst the Europeans, it would no doubt be the greatest blessing to the country.

These observations I beg leave to lay before the Honourable Society, with my humble thanks for all their benefits bestowed on this work, and sincere wishes that their pious and generous endeavours to disseminate the knowledge of God and Jesus Christ, may be beneficial to many thousands.

I am sincerely,

Reverend and Dear Sir,

Your affectionate Brother, and humble Servant,

C. F. SWARTZ.