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A = History + Politics

(Pamphlets 10 in all)

Rare section

- 5) Observations on the proposed Council of India. V2:2.M5 A858
- 6) Bright (John): Speech on legislation and policy for India. V2:2.M5 A858
- 7) Blanshard (Henry): Appeal to the inhabitants of Great Britain on behalf of the native population of India in a letter to Sir Charles Forbes.
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- 8) Anglo-Indian: India under the British Rule. V2, L.M4 B8
- 9) Blacbett (J.B): Speech on the Indian question. V2:2.M5 A853
- 10) Zeta: Reply to a pamphlet entitled India and Lord Ellenborough.
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- 11) Caulfield (James): Observations on our Indian administration. V2, L.M3 A832
- 12) Wilberforce (William): Substance of speeches on the clause in the East India Bill for promoting religious instruction . . . in India.
T: 84, (Q6).2.M A82
- 13) Memoir of the public services rendered by Lieut. Gen. Oubram.
V2, L, 847M03 A853

D E B A T E S
IN THE *Rare sect*
HOUSE OF COMMONS

FROM

MONDAY THE 12TH TO FRIDAY THE 16TH
OF JANUARY, 1784;

INCLUDING a particular Detail of the Proceedings
on both those Days; and containing, amongst
other important Matters, a full and complete
Account of the very interesting Debates upon
the moving for, and first Reading

OF

MR. PITT'S BILL

FOR REGULATING

THE TERRITORIAL CONCERNS

OF THE

EAST INDIA COMPANY;

TOGETHER WITH A

CORRECT COPY OF THE BILL.

L O N D O N :

PRINTED FOR J. STOCKDALE,

OPPOSITE

BURLINGTON-HOUSE, PICCADILLY.

MDCCLXXXIV.

V2:2.L9

A784

18851

D E B A T E S
IN THE
HOUSE OF COMMONS:

HOUSE OF COMMONS:

Monday, January 12, 1784:

On the Dissolution of Parliament:

SUCH was the curiosity of the public, that by half after twelve all the avenues to the House were crowded; the gallery was filled by one; holding as many persons as ever were wedged together in the same place on any occasion: there was also the greatest attendance of Members at prayers ever seen; and every appearance spoke the expectation and the importance of the day.

Soon after two; Mr. Fox moved, "That the order of the day be read." This motion, the making of which gave Mr. Fox possession of the House, was scarcely uttered, before three Members were brought up to be sworn. These were

Mr. Fox

B followed

followed by others, and it was nearly half past three when all those who had vacated their seats before the recess, on their acceptance of official situations, and been returned again, were sworn in.

Mr. Fox and
Mr. Pitt.

That business over, Mr. *Fox* and Mr. *Pitt* rose together, and the two sides of the House re-founded with their names: the Speaker, however, pointing to Mr. Fox, the cry of *Chair! Chair! Chair!* predominated, and at length order was restored, when Mr. *Pitt* said, he had a Message to deliver from the King.

The Speaker.

The SPEAKER informed the House, that Mr. Fox had made a motion an hour and a half ago, but had been interrupted by a Member being brought up to be sworn.

Mr. Pitt.

Mr. *Pitt* said a few words. He observed, he had a Message from his Majesty, which he had before thought was entitled to supersede any other business; however, as he understood it then to be otherwise, he would chuse another opportunity to deliver it: at the same time, he would submit it to the candour of the House, though the Right Honourable Gentleman had got the start of him, whether he ought not, considering the peculiar circumstances of the times, and that in which he stood, to be permitted to state a few things to the consideration of the House, before they should be hurried, with

to much rapidity and precipitation, into the business which it was an evident scheme to introduce before them.

Mr. Fox then said, that no man in that House should prove himself on all occasions more forward than he would to shew every mark of respect and reverence to the Crown; that if he knew how he could, consistently with the forms of the House, waive his right of having his motion made first, and let the Message from the King take the precedency, he would: but as the business he wished to be urged was of the dearest importance to the very existence of the House, and as it had been suggested to him that the Message from the Crown was not upon a subject that made it at all material whether it was received then or a few hours hence, he should persist in his motion.

Sir Grey Cooper seconded the motion.

Mr. Fox.
Sir G. Cooper.
per.
Mr. Pitt.

Mr. Pitt then said, he did not mean to dispute the Right Honourable Gentleman's claim to priority, nor was it possible for him to have known that the Right Honourable Gentleman had risen and made a motion at so early and so unusual an hour as half after two o'clock, because he had not many minutes taken his seat, and could not be aware of what had passed in his absence. He said, he would not enquire what *management* the Right Honourable Gentle-

man had practised to obtain possession of the House; but as he found him in that possession, he would not dispute it any further, but would take as early an opportunity as possible of delivering his Majesty's Message, declaring, that whenever he was honoured with the commands of his Sovereign, and had any matter in charge to deliver to that House, he should make it a point to fulfil his commission in a manner most respectful to the Crown, and most likely to answer the royal intention.—After this exordium, Mr. Pitt went into a series of arguments to persuade the House to wave the order of the day for a short period, merely to afford him an opportunity of moving for leave to bring in a Bill relative to India, and opening to the House, in as few words as possible, the scope and purport of the Bill he should propose. In the course of his speech, he declared, he wished as ardently as any Gentleman could do to go into a Committee on the State of the Nation; that he was conscious the critical situation of affairs called for their most sober, serious, and deliberate consideration. He hoped, therefore, that the House was met with a full determination to investigate the circumstances of the time, to look into the situation of the country, to examine it to the bottom; to take such measures for the general welfare of the people, as the exigency of

of affairs might be found to require; and to proceed in so important a business with temper, with candour, and with impartiality, without clamour, or petulance, or passion, and without favour or affection. He urged the necessity of coming as soon as possible to some decision with regard to the East-Indies; reminded all sides of the House of their having, on more than one occasion, recently acknowledged their conviction, that some essential step, founded equally in vigour, in wisdom, and in policy, was absolutely necessary; and desired that his character as a Minister might stand or fall by the merits or demerits of his Bill, candidly and fairly compared with those of the Bill of the Right Honourable Gentleman opposite to him, which had been lost in the House of Lords a few days prior to the unusually short Adjournment that had taken place, which was now just over. He adverted to what had passed in that House after he had vacated his seat; declared that their proceedings had been not more hasty and violent, than extraordinary and unprecedented; and said, he thought them the more unjustifiable, as they were proposed and adopted in the absence of his Majesty's Ministers, who, it was well known, were gone down to their elections, and whose presence must obviously be at all times essentially necessary in that House, whenever measures
of

of importance were under consideration. He spoke of his present situation, and said, 'his Majesty had been graciously pleased to command his services at a critical moment, when he felt himself bound in duty and in conscience to accept the offices his Sovereign had been pleased to bestow on him; that he was conscious how many there were more able than himself to stand in so eminent and arduous a station, but he flattered himself there was not in existence an individual, who would act in it with a more studious integrity, a more zealous endeavour to discharge its duties to the satisfaction of his Sovereign, of Parliament, and of the Country; that he was in hopes the House would go into the Committee of the Nation, with a firm desire to maintain the principles of the Constitution in that pure and inviolate condition, which had so long preserved it the pride, the glory, and the boast of this country, as the source of all the blessings and all the security we derived from it. As *the Minister of the Crown*, he declared he should never shrink from enquiry, but would at all times cheerfully meet every imputation that might be thrown on his conduct, and court investigation. Insinuations, he said, had of late been thrown out, but he was not to be shaken by such means; and he trusted the House was too just to be biassed by partial representations

tions made in his absence, and urged by those whom he was at all times ready to challenge to accusation. He was glad the House was now so full, and that the Committee on the State of the Nation would open with so complete and numerous an attendance. He regarded the sense of the House of Commons, and wished to have that sense fairly, fully, and impartially collected. Having expressed his satisfaction, that this was likely to be the case for the future, but observed that it had not been so collected before the recess, he proceeded to declare his eager desire to have any man now come forward, and change insinuation for assertion, to substitute ferocious facts for declamatory violence, and to embody and to realize what had hitherto been bandied about by the clamours artfully raised and industriously circulated throughout the kingdom. He spoke of the late India Bill in terms of the severest reprobation; declared it had been his pride and his pleasure to have been one of a minority who voted uniformly against that Bill, and who had exerted their best endeavours to overthrow it in that House. He thanked God, it had been defeated in another; and declared his conviction, that, had that Bill passed into a law, the chartered rights of individuals would have been unnecessarily trampled upon and violated, the prerogatives of the Crown invaded,

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the liberties of the people attacked, and the constitution itself alarmingly endangered. Had not that been the case, had it not been felt to be the case, to the conviction of the people at large, he should have thought a change of Administration unnecessary. Government ought at no time to be lightly disturbed, and he should have held himself highly blameable, had he taken any part in a matter so essential to the whole country, had not the critical situation of affairs rendered such a measure indispensably necessary. He next mentioned the urgent occasion that pressed for their immediately proceeding to take some step relative to India, and therefore exhorted the House to consent to postpone the order of the day for a very short time; while he moved for leave to bring in his East-India Bill, and open the principles of it. He repeated it, that he desired to stand or fall by the merits or demerits of his Bill; and said, the point at issue between the Right Honourable Gentleman and him, was, whether his India Bill, or that of the Right Honourable Gentleman, was the least objectionable, and at the same time the best adapted to its purpose.

Mr. Erskine.

Mr. *Erskine* said, he was not one of those to whom the Chancellor of the Exchequer had given the terms of petulant and clamorous; nor did he conceive that any unbiassed man would

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say, that the persons with whom he had the honour to act had shewn any such disposition. The Right Honourable Gentleman had not only called himself a Minister, but *the* Minister of the Crown; a name very seldom arrogated before, and the House would judge in how becoming a manner it was assumed on the present occasion. But what were those measures which the Right Honourable Gentleman was pleased to stigmatise with the epithets of petulant and clamorous? He (Mr. Erskine) had moved an address to the throne, and an answer had been given to it, saying, that their deliberations should neither be prevented by a prorogation or dissolution. There were doubts entertained on the precise meaning of this answer, and it was now required, that, in a Committee on the state of the nation, a more unequivocal answer be given from *the* Minister of the Crown, or from a higher authority, that the House is not yet subject to the danger of a hasty dissolution. Whether they are to meet the India question freely, or whether they are to be merely tenants at will, dependent on the Minister, called not to discuss, but merely to register his edicts, with the rod of dissolution hanging over their heads, to scourge them into a compliance with his wishes? We must be told, says Mr. Erskine, the exact state of our situation; whether we are to be the sport and foot-

ball of every junto who may desire to be the Ministers of this country, and who condescend to be so by means of the secret advisers of the Crown? This is the exact question now at issue. We are now to enquire, whether the present Ministers are to keep us under the corruption of fear; and we are also to enquire, whether the present Ministers are to govern the affairs of this kingdom without the confidence of this House? The House had given the most decided reprobation to all the principles on which the present Ministers came into power; they had done that which the House of Commons could never approve; they had resorted to the power of secret influence, and they had by their measures made a division between the legislative and executive branches of the constitution; they forced the House to agitate strong and unpleasant questions, and, by a most unjustifiable connection with the secret advisers of the Crown, they had given a very serious alarm to every man who wished well to his country. He asked if the people could think of giving their confidence to a Ministry, who stood upon the secret influence of the Crown, in opposition to the sense and confidence of the House of Commons? It was impossible that any such Ministry could stand, even though decorated with the shining talents of the Right Honourable Gentleman.

Gentleman. Great as his talents were, they would not support him in such a station:—like the convulsions of a strong man in disease, whose strength, though it makes his struggles the greater, accelerates his death; whereas the yielding principles of weakness keep the patient in long and lingering illness, and death but slowly comes to snatch him from his torture. He hoped the Right Honourable Gentleman's fall would be like the convulsive death of the strong man, violent and sudden; for his present station did not become him. It reminded him of the famous passage in Hamlet, where, speaking to his mother, he says,

Look on this picture, and on this,
 The counterfeit presentments of the same man,
 See what a grace was seated on this brow!
 Lord Chatham's face! the front of Pitt himself!
 An eye like his, to threaten or command;
 A station like the herald Mercury,
 New lighted on the top of Freedom's hill;
 A combination and a form indeed,
 Where every God did seem to set his seal,
 To give the world assurance of a Patriot.
 This was Lord Chatham.—Look now
 What follows.—Here is his son!
 Secret Influence, like a mildew'd ear,
 Blasting his character. Had he eyes?
 Could he on this free Assembly leave to feed,
 To batten on that bench?

he condemned it still, and should always continue so to do. But he thought it no more than justice to say, that, if the noble Lord was deluded or deceived in the means which he pursued to prevent the separation of Great Britain and America, he had had for his companions in his delusion almost the whole House of Commons, and by far the greatest part of the nation. The noble Lord had acted, though mistakenly, for what he conceived to be the good of his country; and the accusers of that noble Lord ought not to forget, that the object of the American war had not been to raise the royal prerogative, but to assert and maintain the legislative authority of Parliament over the colonies. The noble Lord never attempted to hold his situation against the sense of the House of Commons. He did not trust to secret influence for support; for as soon as he understood, from a much gentler hint than he hoped the Right Honourable Gentleman, who was *the* Minister of the Crown, and of *THE day*, would receive before the candles in the branch should be burnt out, that he possessed not the confidence of the House, his Lordship immediately withdrew, nobly scorning to hold his office when he found the House no longer confided in him. He was not so weak, or so wicked, as to go on backed by the secret influence of the Crown, when he had lost the

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the support of that House. The question relative to the American war being at an end, there was no impediment to an agreement on other matters between the noble Lord and those who had differed with him on the justice or policy of that war. But what were the coalitions which they had seen since that time? where men had joined together even while the topics which had kept them formerly apart still existed. His noble and Right Honourable friends, when the occasion of their quarrel ceased, to their immortal honour, coalesced; for they coalesced to save their country. For what purpose had the others joined? To erect *secret influence* above the House of Commons. They now came, and modestly desired the confidence of that House; they came forward and insulted their dignity, by asking them, without a reason, to relinquish their sentiments as well as their independence;—and if they dared to disobey, they were threatened with dissolution——if they dared to talk about their insulted character, it was called clamorous mischief; and this was the outset of the new Ministry. While such a Ministry continued in power, it was the duty of that House not to lose a moment in proceeding to those measures, in a Committee on the state of the nation, which should appear necessary to guard against the fatal evils with which the

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fling the government of the East-Indies ; and as the Right Hon. Gentleman had said he was ready to bring in his bill, it surely ought to be their immediate desire to give him the opportunity. He called not for concurrence, but a hearing. But it was said the House met under the dread of a dissolution, and it was wished that in the Committee on the state of the nation they should come to some resolution to guard themselves from this danger. If this was their fear, why not at once bring in a bill to prevent the dissolution of the present Parliament ? Was it the Minister to which they objected ? Why did they not say so ? They ought not to have suffered a day to pass without declaring that he had not their confidence. They had been strangely negligent of their duty not to have done so before the recess. Was it that they believed that it was impossible for this country to be governed well, or to be governed at all, unless it was in the hands of the Noble Lord and the Right Hon. Gentleman ? If this was the case, why did they not say so ? A fair, distinct, and audible exposition of their designs would be better than propositions remote and equivocal. The fact was certain—that the House was pledged to the discussion of the India business. It was their declaration to the Throne, that they would immediately pursue it ; and as it was said before, as an argument with some men for voting for the last bill,

bill, that they had no option, because there was no other, no less violent measure to substitute in its room; he wished the option might be given, and that for this express purpose the Right Hon. Gentleman might have an opportunity of bringing in his bill. But as he knew that the present was a trial of strength, he was sensible that all argument would be to no purpose. He presumed, however, to remind the House of the great points of their duty—that it was certainly their first regard to attend to the welfare of their country, rather than to the aggrandizement of this or that party; for while they were struggling for power, and contending for points of particular interest to themselves, it was literally death to the country.

“ *Quicquid delirant reges, plebuntur Achivi.* ”

He wished to heaven, therefore, it were possible to put an end to the contests of faction, and to bring those men to act together again, who, while they were together, did so much for their country. It would immortalize the man who could accomplish this great reconciliation; for he confessed he viewed, without much consolation, the state of the present Ministry. He could not be fond of an arrangement formed to the exclusion of such talents, strength, and character, as were to be found in this country. He could not be very fond of an Administration which had not the Noble Duke who was at the head of the last Treasury in it—

which had not the integrity of the last Chancellor of the Exchequer—which had not the commanding talents, the unconquerable genius, of the Right Hon. Gentleman over the way. Though he was thankful that a bill had been thrown out which vested in the persons of the last Ministers a power paramount to all controul, and which, in his mind, would have given a death-blow to our frame of government; a bill brought in to gratify the inordinate ambition of the movers; he could not be greatly pleased to see so much ability and strength excluded from the councils of the Crown, at a time when this country required so much the efficacy of great talents, and of general unanimity. In one point, however, he was highly gratified, for he had not the mortification to see any of those persons in the present Ministry who contributed to the loss of America. He concluded with saying, that he thought it was the duty of the House to pay respect to the modest request of the Minister. He asked only to be heard; and surely in so important a matter they ought most seriously to listen to him.

Mr. Fox. — Mr. Fox then rose. It is, says he, without much propriety that the Hon. Gentleman deprecated harsh terms and censure upon Ministers, when he has so long and with so much asperity attacked those who now sit on this side the House.—It is rather unjust and partial in him to deprecate that
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in others which he has so profusely practised himself ; but he may be assured that I shall not deal much in asperity and crimination. I shall endeavour to discharge my duty, whether I am here or at the other side of the House, with candour and fairness. I wish not to give any delay to the India business ; it must soon come on ; but not soon by the *clock* : it is not necessary that it should come on at *four* o'clock or at *five* ; it is necessary only that not a moment of unnecessary delay should be suffered to intervene. It is the duty of the House to go into the discussion of it without loss of time ; and I wish them to go to it as soon as it is possible for them to go to it with any probability of success. To do that we must go to it with freedom ; we must go to it unembarrassed ; and that I ever we cannot do, while the danger of a dissolution of Parliament hangs over our heads. That we were under this danger, is clear from the whole of the conduct of Ministers since they came into office. It was in the answer to the address of the House : It was in the rumour of the day. It was the spirit of every part of their conduct. The answer from the Throne to the address clearly spoke this language to the House : If you dare to assert an opinion of your own, nay, if you do not, without any argument or reason, change your sentiment on this ground, you shall be dissolved ; but if you do change your opinion, if you do support the Ministers

nisters of the day, you may live—long life and prosperity to the present Parliament. The Right Honourable Gentleman has called himself *the* Minister of the *Crown*, and never perhaps was a name given with more distinct propriety; for he is the Minister of the Crown—at least he is not the Minister of the House of Commons. If he is not the Minister of the Crown, or rather of the advisers of the Crown, he is not the Minister of the country. But it was said—what—would you interfere with the prerogative of the Crown? It is the prerogative of the Crown to dissolve the Parliament. But it had been denied by many great Lawyers that there was a prerogative of the Crown to dissolve the Parliament *during a session*, and while business and petitions were pending. Of this however he was certain, that there had not been an instance since the Revolution of any such exercise of the prerogative, if it did exist. Amidst all the contentions of party since that glorious period, Parliament had never been dissolved during the business of a session. In the reigns of the miserable family of the Stuarts, this sort of violence was not uncommon. Charles I. had done it; Charles II. had done it; and James II. had done it; and it was to be remembered—he hoped to be engraven on the minds of Englishmen—that when this violent measure was last perpetrated, which was, as he said, by James II. he had not
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been allowed to meet another Parliament. He dissolved one Parliament in the middle of a session, and it put a period to his violations of the constitution, and to his reign. Great authorities, as he had said, had declared it as their opinion, that the Crown did *not* possess this prerogative. Lord Somers, for instance, in a pamphlet which he published, asserted the doctrine; and he quoted Lord Somers, because he was said to be the type of him who now holds the great seal. To be sure, there were points in which the resemblance was peculiarly striking. In some, however, it failed; as in the particular of his succeeding to the seals after they had been held by a *jobbing* Commission, as had been said by a Noble Lord in a former debate. This was an imputation which the rankest enemies of the late Commissioners could not allege against them; as was another to which the first-mentioned Commission, to which Lord Somers succeeded, was subject,—that *delay* had been peculiarly grievous to the suitors.—This was an imputation which would not be brought against the late Commissioners, whose regularity, judgment, fairness, and dispatch, had been the subject of universal praise: Whether it might not be ascribed to others more pompously held forth as the patterns of Lord Somers, he could not say; but the present holder of the great seal was like this great character: for
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Lord Somers was remarkable for the affability, the mildness, the politeness of his manners ; he was all gentleness and condescension ; active and indefatigable in the performance of his duties ; burning with the love of liberty ; and zealous in the cause of the people. These undoubtedly were the peculiar characteristics of the present holder of the seal ; and he, no doubt, imitating the great example of his proto-type, equally inflamed with the sacred enthusiasm of liberty, would stand up and declare that it was not consistent with the King's prerogative to dissolve the Parliament during the sitting of a session.—[This irony kept the House in a continued laughter]. Lord Somers supported this opinion on an Act of King Richard II. Mr. Fox said, he should not, however, go with him that length ; he was not lawyer enough to enter on the subject ; but he did think that the necessity must be great indeed, which could justify the advisers of the Crown in a measure so violent and alarming, as that must be at best. It was for the purpose of moving a very necessary and proper resolution to guard themselves against this danger, that he was anxious to go into the Committee : but, says the Hon. Gentleman, it is not right to disturb Government ; we ought not to have opposition ; “ *Delirant reges, plebuntur Achivi.*” If he might be permitted to give the political, instead of the direct
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and classical meaning of this text of Horace, he should say that it was that the Ministers of Kings go mad, and the people suffer for it. The panegyrist of the new Ministry said, if there was not a majority, they would go down again to the people; they would appeal to the people; and they stood better with the people than their opponents;—a story of which he did not believe one word. He fancied that this measure might depend on the issue of the question of that day. He believed, that if Ministers found the House of Commons firm in their integrity and opinion-----that they were not to be shaken by any, or by all of the temptations which were held out, then he would be bound to say there would be no dissolution; for they would not venture to meet the consequence of a House of Commons rendered so vigorous by honesty and determination: but if they found them waver, if they found them timorous and unsettled, or corrupt and tractable——dispositions which he did not believe the present House of Commons would ever be found in—then the Parliament would be dissolved; for though they might gain a particular question, they would not think themselves sufficiently fortified without a dissolution: and if they went down again to the people, he as-

fured the House, they would depend more on advantages which they would give them in certain marketable boroughs, than on the opinion of the people. But why not suffer the Right Honourable Gentleman to move for his bill first, and to go into the Committee on the State of the Nation afterwards ? For the clearest of all possible reasons. Because, if they are suffered to pursue this course, they feel the pulse of the House, and, finding it is disagreeable to them, the next day dissolve the Parliament ; whereas by going into the Committee, measures might be taken to guard against a step so inimical to the true interests of the country. The Bill to be brought in by the Right Honourable Gentleman, if he might argue from the resolutions and ideas thrown out in the public newspapers, was, in his mind, subject to infinitely more reprobation than the Bill lately thrown out. It arrogated more influence, and it was an influence more dangerous, because less open and avowed ; it was a secret, in opposition to a public responsible influence. The Bill infringed on all the chartered rights of the Company, for the menaced violation of which he had been so loudly censured. It gave to the Ministers all the patronage of *his* scheme, but it perpetuated the abuses which his Bill intended to remove. With every
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imputation of violence, it had not the merit of efficacy; for it went to the establishment of a distracted government, the disunion of which would be its weakness. It would repeal Mr. Burke's Bill in the creation of a third Secretary of State, and it did very little more than renew the Bill of 1780. It possessed all that was objected to in the late Bill, without containing any of that matter which was commended. It was to give an addition of patronage without energy, and of government without unity. It was impossible, in his mind, that the House of Commons could agree to this Bill, or to any such Bill; and he had too high an opinion of them to believe that it would ever be carried into effect.—It was said that he had got possession of the House by management, and that it was unfair; he conceived it to be the contrary. This day was appointed for going into the Committee on the State of the Nation, and in order to prevent confusion, in order that it might not be made merely what it had been called, a question of strength, he had come down early to move for the order of the day, that the House might come regularly to a question which he intended to move in the Committee.—“But if the present Ministers were disagreeable, why not move for their dismissal?” He did not think this the precise way; he thought it was more advisable

to give the most decided disapprobation of the principles upon which they came into place; and that had been done. They had declared these principles to be unconstitutional, and that they had come in on terms as disgraceful to themselves as they were alarming to their country. The Honourable Gentleman (Mr. Powys) had rejoiced in his absence before the recess, and indeed it was favourable to his repose that he was so; for, thinking as he did of Ministers, wishing them well, and meaning to support them, it must have been ungrateful to him to have observed the low and shameful means by which they got into office. He had wished that the late Bill had been thrown out by any other branch of the legislature. This was really ingenious; he never heard an obscurity more oratorically argued: but it was this to which he in particular objected. It was thrown out ostensibly by the House of Lords, but actually by the secret influence of the Crown. But it was said, what evidence have you of this, besides that of rumour? To this he would say, that he had rumours so strong, so substantiated, that it was impossible to withhold credit from them. In every corner they met one. He and his noble friends were Ministers at the time when the House first took notice of these rumours, and

and they received no authority to contradict them. Those men who were the authors or supposed authors of the rumours, were in the Upper House; there were persons nearly connected with them in this; and they did not, when called upon, come forward to contradict the story: all this was pretty strong evidence that the rumour was true. To be sure, it might be below the dignity of some men to attend to rumours, or to contradict them; but it was to be remembered, that the *House*, upon *that rumour*, had addressed the *Throne*.—"But it was no new thing for men not in office to give his Majesty advice." Perhaps not; but it was a new thing for men, having given such advice, to come forward and use the royal name to influence votes. "Oh, but this is nothing," say they, "if they avow their advice." To this he answered, that it was something very material; for when any others than those who were Ministers, by their office and duty responsible, advised the King, their acknowledgement depended on their precarious magnanimity; a dependence which the constitution would not respect. An Honourable Gentleman had talked of his inordinate ambition. He confessed he was ambitious; but if his ambition was inordinate, who, after a pretty long parliamentary attention, aspired at most but to
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the *second* place, what must the quality of the present Minister's ambition be, who aspired to the *first* place, and who disdained subordination? The Honourable Gentleman rejoiced, he said, that he saw none of those in the Cabinet who brought on the American war. He supposed he meant only he saw none of those in this House; for it so happened, that the Chancellor of the Exchequer was the only Minister in this House, and he certainly was free from the American war: but the Honourable Gentleman, he said, must see with strange eyes indeed, if he saw no Members in the present Cabinet who contributed to the loss of America: his eyes at least were different, for he could see more than one who were most deeply involved in it.—

—But the Honourable Gentleman still wishes for more coalitions. It had always been his idea that there were, in cases of political variance and objection, but two means to be used: the one was, in case of delinquency, to inflict *public censure*; and, where that was not pursued, *public oblivion*. He knew of no *middle way*. This had been his motive in coalescing with the noble Lord; but in so doing he had lost the good opinion of the Honourable Gentleman, matter very dear to him. He was one of those who imagined that nothing was so injurious as

th:

that men should perpetually conceive enmities to one another, because they had been hostile in debate. This he knew was the principle propagated by the secret advisers of the Crown; because there was nothing which they hated or dreaded so much as confidence and connection. To destroy connection, and to prevent it—to separate those who were joined, and to keep those asunder who had accidentally differed, was their great object; for it was only by dividing men that they could expect to prevail. But, says the Honourable Gentleman, the Minister is not inordinately ambitious; for last year, in less embarrassing circumstances than the present, he refused to become the Minister. It was difficult to say why, having refused last year, he had accepted of a worse thing this. It could only be reconciled on the principle, that a man, having refused a good thing, felt such regret that he dashed into the first bad thing that offered. Perhaps he refused to come in last year, because then the principle would have been equivocal. He came in now, because in doing so he published a manifesto, exposing the principles on which he acted. It was said the present contest was a trial of strength. It was no trial of strength between the present Ministers and those on his side of the House. If it was a trial of strength, it was whether this country was in future to be governed

governed by a Ministry supported by that House, or by the secret advisers of the Crown. This was the question at issue, and he trusted would be very soon decided. In regard to the prerogatives of the Crown, if, from the little that he had read, he might be allowed to state an opinion; those who had read more, and spent their lives better, might be able to correct him; but it was his idea, that the rights of the Crown, as well as the rights of Parliament, were not always to be exercised, merely, because they were rights. For instance, it was the privilege of the House of Commons to refuse supplies to the Crown, and nobody would dispute it; but it was, like many of the prerogatives of the Crown, a privilege which could not be put in practice without much confusion: for who was to suffer? The supplies were granted to the King first undoubtedly; but they came to the people at last, and they must suffer if they did not come. It was so with the prerogative of dissolving the Parliament during a session; it was so with the right of the Crown to appoint Ministers not possessing the confidence of the people. The theory of our constitution consisted in checks, in oppositions; in one part of our legislature bearing up against and controuling another; but it was the practice of good men to moderate the temper of the constitution; and in this practice a happy
medium

medium had been hit on at the blessed æra of the Revolution, temperate and accommodating, the good effects of which we had experienced for near a century; this was the road which many men now in the opposite side of the House to him had set out in.—He recalled to their memory the case of Lord Carteret and Mr. Pelham, where the first, a man of more ability than the last, was supported by the secret advisers of the Crown; but the Commons properly addressed the Crown to state that he only could be a Minister with effect who had the confidence of the People. Would the Earl of Chatham have been brought into the closet of the King? Would he have meanly condescended to join with secret advisers, and have been made the dupe of a wretched junto? How was he treated by that junto? The moment he became formidable, he was attacked; but, by his manly determination, he overcame the secret influence, and the King lived to rejoice that he had conquered his prejudices.—When it depended on secret influence, the Government never could be lasting, for it was the nature of jealousy to be capricious. One would imagine that one could not be jealous of that person whom we ought only to despise; and men would think, that on this principle the present cabinet would be safe, for it was composed of men who were in general of that de-

F. scription

scription which folly itself could not be jealous of; but even they would not escape—by and by they would be suspected in their turn, and whenever they were established they would be dethroned. But the present Minister and his runners, boasted that he had the complete power, and was enabled to offer peerages and every thing which the Crown was entrusted by the constitution to bestow. Why had not we the favour, says he? Because we had the misfortune to have the confidence of the House of Commons.—Why have the present Ministers got it? Because they do not enjoy the confidence of this House.—Would any man believe, that the Earl of Chatham was personally disagreeable? Surely not, it was because he had the good opinion of his country. They now paid his son a bad compliment, for they took him up because they believed him to be unsupported. By and bye he hoped he would become as just an object of jealousy as his great father was, and he trusted he would then act as he did. Party was vulgarly said to be the madness of many to the advantage of a few; but this was the advantage of it, that it gave stability to system, and therefore he had always been a party man.—The secret advisers hated parties, not leaders.—The question was not who shall be the leader,—
but

but on what principles they shall lead, it was a question therefore that differed from all other party questions; for it was a question of all parties against these secret advisers—between the House and a dark Junto. He called on them therefore to go into the Committee on the State of the Nation, that they might prevent their dissolution; that they might not let the fears of death perplex their fancy; and when they had come to a resolution which would effectuate this, they might then enter on the India Bill with security and spirit.—“ But nothing had *yet* happened to make the dissolution of the Parliament necessary.” No! What did that signify? What but that something might happen, which might render it necessary. Let us, says Mr. Fox, go into the Committee, and render it impossible. Let us preserve the beauty of our constitution, of that happy practicable equilibrium which has all the efficacy of Monarchy, and all the liberty of Republicanism, moderating the despotism of the one, and the licentiousness of the other: that which was in theory proved to be fallacious, but which has been since the Revolution, so pure as well as so effectual. This was his object, and he called upon the House to accompany him to the Committee.

Lord *Mulgrave* spoke next; the allusion made by the Right Hon. Gentlemen to an expression Lord Mulgrave.

which had fallen from him on a former occasion, made it necessary he should explain himself. It was true he had used the words "jobbing Commission;" but it was to the Commission itself, not to the Commissioners, that he applied the expression. He meant nothing disrespectful to them. They might have acted fairly and honourable in their situation; but he did not think it the most acceptable compliment in the world, that *three* men had been able to dispatch more business than one (Mr. Fox whispered across the House, that this was an argument in favour of a Commission, and against a Chancellor.)—He had heard a great deal about secret influence; but the subject was not new; for he had heard the Right Honourable Gentleman for many years together charge the noble Lord in the blue ribbon with being the tool of secret influence, though his noble friend had constantly disclaimed it. He made no doubt, therefore, that the charge was not better founded when brought against the present Minister, than when it was brought against the noble Lord, who, during twelve years that he had been at the head of affairs, had never seen any thing of this secret influence.

Mr. Pult-
ney.

Mr. *Pultney* thought this was not a time for mincing matters; Gentlemen ought to speak out; and for his part he was determined to do so: He would

would not therefore hesitate to say that he was of opinion, that whenever it was suspected the House of Commons did not speak the language of the people, it ought to be dissolved; that suspicion was strongly entertained at present, as the House had passed a bill which the nation at large had reprobated; and the more resolutions they should enter into, in order to prevent their dissolution, ought, in his mind, to accelerate their political death. After all that had been said about secret influence, he did not see the bad consequences that could flow from it, if it even existed; for as all the measures that should be advised by it, must be carried into effect by efficient ministers, they must be the meanest of men, if they should stoop to measures not their own; and, on the other hand, he must be a dastardly minister indeed, who finding a Parliament adverse to measures which the nation approved, would hesitate to advise its dissolution. Did any man doubt that a House of Commons might speak a different language from that of a nation at large? The support which the noble Lord in the blue ribbon had met with in the Commons, contrary to the wishes of the nation in prosecuting the American war, would soon remove such a doubt.

Lord *North* rose to answer this, and grounded his first argument on Mr. Pulteney's having dis-

Ld North.

pelled

pelled the mist or doubt, and introduced certainty. It was now no longer a question whether they were to be dissolved or not, the Honourable Gentleman had made it evident they were, and had contended that the present was of all others the most fit season for the Crown to exercise its prerogative. His Lordship fully admitted the Crown possessed the Prerogative, but he said, the King that relied on the scare-crow prerogative solely, must ever be nobody; on the contrary, the King who placed his chief security in the confidence of the people, spoken through the medium of their representatives, would not only be somebody; but a British Monarch, trusting to such a support, must ever be the most great and glorious Prince in Europe. His Lordship raised a laugh, by talking of the want of tenderness in Ministers exposing gentlemen, at that hard and severe season, to all the inclemency of the weather, and sending them through frost and snow, to the *ultima thule*, and as far as the *arctic circle*.

Mr. Dundas.

Mr. Dundas rose in reply to Lord North, whom he professed he did not understand. It was in his apprehension at least somewhat marvellous, that he who had been the ostensible Minister for upwards of twelve years, could not decide the fact whether there was a secret influence or not.

He was in hopes the Right Honourable Gentleman

tleman (Mr. Fox) in support of his strong and pointed declamation on the subject, would have brought forward some facts which might have decided the contest, and which, from his connection with the noble Lord in the blue ribbon, it was not unnatural to suppose him possessed of. But is this the case? No. He asserts strongly and pointedly, but leaves the drudgery and detail of proof to some person of inferior eloquence to state at their leisure. But what are we to infer from this? that all the clamour that has been raised, is only on something chimerical, and founded on no fact whatever. He wished Gentlemen would not go so much as they had lately done into quaint phrases, which only gave a handle against them, and tended to load them with ridicule and contempt. He instanced in the phrase of the late Attorney General, about Charters only being a piece of parchment, with a piece of wax dangling at the end of it. A facetious writer, he said, had observed on this, that an attorney, supposing him to die a premature death, was only a carcase dangling at a rope. This, he said, was indecent, but it originated in the looseness of speaking, which had now become fashionable.

The noble Lord in the blue ribbon had called the prerogative the scare-crow of the House. He doubted whether we should not soon see this idea realized

realized in the print shops, and have a striking caricature of his Lordship, with this label issuing out of his mouth, "the scare-crow of prerogative." He played with much humour on this and other ludicrous ideas which came across him, and then adverted to the dissolution of Parliament. He then entered on a long discussion of the King's prerogative, and affirmed the exercise of this was not subjected to any emendation whatever, and that the reasoning on the other side was calculated only to prove that the Parliament was not to be dissolved without its own consent. He therefore appealed to the candour and good sense of the House, whether it did not become them in the present crisis, to avoid all contest with the Sovereign, as these sort of contests so generally ended in public mischief? He conjured them to preserve that tranquility which was so much wanted in the country. He begged they would not by any hasty vote bring us into any confusions. The case at present was delicate beyond example, and soft measures might be of service; he doubted harsh and violent ones would produce no good.

General
Conway.

General *Conway* answered Mr. Dundas by a variety of pertinent animadversions on the doctrines he had held forth in what he had then advanced. He was not fond of finding out so many new theories as expedient to suit the purposes of a new practice

practice lately introduced in the government of this country. The doctrines of this day had been pretty fully exemplified in the speech of the learned gentleman who spoke last. Surely no higher prerogative doctrines were ever broached in Parliament. What were some of them? Why, that whenever the Parliament did not chime in with the Ministry it should be dissolved. This was undoubtedly a novelty in the English constitution, which the friends of it would not easily admit. This was making Parliament nothing at all but the mere instrument of an arbitrary Sovereign; for the moment any thing struck them as eligible, they had it not in their power to adopt it without previously consulting the pleasure of the King. Could any thing place the Legislature of this country on so very absurd a footing?

The learned Gentleman had also asserted, that the will or choice of the Sovereign was the only essential requisite of a proper Administration. He would not dispute the King's prerogative; but he thought the less that was said about it the better, for it was at best an unpopular one. The wisdom of our ancestors, however, had given that power to the Crown; and why; or for what reason? Not to exercise wantonly, or in a manner for which we could only look for precedents in the worst of times. He interrogated the Minister on

the subject of a dissolution, and fixed him down in a very pointed and peremptory manner. In his own opinion this country was irretrievably undone in the event of such a measure. We were already in a state of such anarchy, as rendered us the derision and laughing-stock of all Europe. The country was ruined by the instability and the odd habit of changing Ministers so frequently. Already this capriciousness in the appointment of responsible servants to the public, made us peculiarly contemptible by those who otherwise admired and venerated our national character. In order, therefore, to preserve something like political consistency and unanimity, he recommended it to the House not to lose a moment, but to go directly into the Committee, and there, after taking such steps as seemed necessary to their own preservation, they might determine the Right Honourable Gentleman's motion.

Mr. *Pitt* rose, and very ably replied to a variety of matters that had been urged against him in the course of the debate, as well on the ground of secret influence, as on the principles on which he had come into Administration. He declared, he came up no back stairs, that when he was sent for by his Sovereign, to know whether he would accept of office, he necessarily went to the Royal Closet; that he knew of no secret influence, and that

that his own integrity would be his guardian against that danger; but the House might rest assured, whenever he discovered any, he would not stay a moment longer in office. He would neither have the meanness to act upon the advice of others, nor the hypocrisy to pretend, when the measures of an Administration, in which he had a share, were blamed; that they were measures not of his advising. With regard to the questions put to him, as to the dissolution, it did not become him to comment on the words of a most gracious answer of the Sovereign delivered from the Throne. Neither would he presume to *compromise the Royal prerogative*, or bargain it away in the House of Commons. When his Honourable friend, in whose hands he considered his honour to be as safe as in his own, before the recess, in his name, and by his authority, pledged himself to the House, that he (Mr. Pitt) would not advise a dissolution, such *at that time* had been his real sentiment; he could not at present say more, but he hoped nevertheless the House would now consent to receive and go into the consideration of his India Bill,

Lord *North* rose, and warmly replied to Mr. Pitt's attack upon him, which he declared was the most gross and scandalous he had ever heard in Parliament. He flatly and explicitly denied the charge

charge of acting either meanly or hypocritically on any occasion whatever. His Lordship fully explained his conduct, and having satisfactorily cleared himself, desired to give back the terms, meanness and hypocrisy, to the Right Honourable Gentleman. They might belong to him, he would have nothing to do with such epithets.

Ld. J. Cavendish. Lord *John Cavendish*, in a short speech, lamented that the prerogative of the Crown should have been of late so often mentioned. He said, he had heard it more frequently within those walls during the last ten months, than the preceding thirty years.

Mr. Sheridan Mr. *Sheridan* attacked Mr. Pitt in terms of great severity. He said, if the Right Honourable Gentleman applied hard words to other Gentlemen, he should take the liberty of attacking him with the same weapons. The Right Honourable Gentleman had behaved that day not only with the utmost hypocrisy and meanness, but had held the most insulting language, and the most unconstitutional he had ever heard. He reminded the House of Mr. *Bankes's* words, before the recess, when he had pledged himself to the House, as he declared, by the authority of the Right Honourable Gentleman, that there should be no dissolution nor prorogation of Parliament, and had said, his Right Honourable Friend not only would not himself advise any such measure, but would hold himself bound

to quit his office, if any such measure was adopted by his colleagues. Mr. Sheridan reminded the House also, that Mr. Bankes had desired to be furnished with stronger language, to express what he said in the House, if the House were not satisfied with his words. Mr. Sheridan also attacked Mr. Dundas with considerable poignancy, wit, and humour. After answering the serious parts of his argument, he touched upon the pleasant points in his speech, and said, it was so unusual for the learned Gentleman to indulge himself in merriment, that he presumed the success that had attended the arts practised to corrupt the majority during the recess, had given him a new flow of spirits, and encouraged him to think he should keep his place. The learned Gentleman seemed to be in better humour with newspapers than usual; his speech, he said, might fairly be deemed *hints for paragraphs, and sketches for prints*. He did not doubt but his hint was already taken, and that the next morning they would see the print he had recommended; he hoped, however, they would be favoured with a companion, and that another figure, a striking likeness of the learned Gentleman, would be engraved, with a scroll out of his mouth, on which should be written "Appeal to the People." Another print might also contain a similar figure, and underneath might be wrote "An Advocate for Chartered Rights."

Which

Which might be symbolically expressed by his holding his own India Bill in his hand. After diverting the House excessively with these and other laughable ideas, Mr. Sheridan returned to seriousness, and read a passage from the Journals in the reign of Charles II. to shew that secret influence then prevailed, and what was not a little remarkable, he said, was, the agent's name was Temple, but he happened to be only in progress to nobility, and was a simple baronet, not a peer.—We lament, that we cannot follow Mr. Sheridan farther; next to that of Mr. Fox, (who ought to be placed out of all comparison, generally speaking, as he certainly is an unparalleled debater) Mr. Sheridan's was by far the most ingenious, the most pointed, and the most pleasant speech in the whole debate.

Mr. Bankes. Mr. *Bankes* rose to explain, what he said in the debate of December 22, as referred to by General Conway and Mr. Sheridan, and recapitulated pretty circumstantially what he had said and what had passed during his speech, but he declared he did not remember the exact words, in which his Right Honourable Friend had commissioned him to assert, that he would not advise a dissolution.

Lord *Mahon* said a few words relative to the matter.

Gen. Ross. General *Ross* rose next, and spoke for some time, while the House was in disorder, explained the manner

manner in which he had voted, during the three sessions that he had sat in Parliament. At length the General called upon the House to pay attention to two facts worthy their notice. The one was, that he had been sent for by a noble Lord, to whom he was perfectly well known; that the noble Lord had questioned him as to the manner of his voting in Parliament, and had told him his name was down in the list of Members, who always voted with Mr. Fox. That he had been surprised at hearing this, and declared he had given no authority to have his name put upon any such muster-roll, but that he had acknowledged he had generally voted in that manner, and while he entertained the same good opinion of Mr. Fox and his Friends, and thought their measures right, he should continue to vote with them. Upon this, the noble Lord informed him, that if he voted against the New Administration on the 12th of January, meaning that day, he would be considered *as an enemy to the King*. The General declared, his feelings were shocked at this information, as he would not suffer any man to controul his vote. The General proceeded to state his other fact, but the hum and buz this piece of intelligence occasioned prevented our hearing the rest of what was said.

Mr.

Mr. Lee.

Mr. Lee said, what had fallen from the worthy General, ought to have more weight with the House, than all the arguments, excellent and powerful as he was ready to confess they were, that had been used in favour of the motion for the order of the day. Here was no longer a mere rumour of influence, to be shuffled off under the pretence of its being a rumour; here was a direct and palpable proof of an undue influence having been practised on a Member of that House. Would Gentlemen want any stronger justification of the resolution come to by the Committee, before the recess? Surely no better proof was necessary, no stronger need be required. Mr. Lee distinctly recapitulated General Ross's narration, and having done so, he said, as he was upon his legs he would take notice of another matter. A learned friend of his had done him no more than justice, in declaring that he did not believe on a former occasion he meant to talk lightly of charters. He certainly did not, and however his expression might have been thought too slipant, or too full of levity for such a subject, had he been talking of six Acts of Parliament, he should have said exactly the same. He had not merely talked of charters generally so considered, but of the East India Company's charter, as peculiar and distinct from all others; as a charter which had proved a curse to mankind, had been productive of

of infinite mischief, and which, compared to the object to be gained by its intended violation, the safety and happiness of thirty million of people, and the preservation of a mighty empire, was and ought to be of little or no consideration. With regard to the idea, that, to violate charters, was to violate the constitution, and to infringe upon Magna Charta, there was not a penal statute which authorized summary proceedings, as in the great and important cases of a man's taking a hare or a partridge, that was not unconstitutional, and did not trench upon a Magna Charta. They all authorized committing a man to jail without trial by his Peers. Mr. Lee enforced this with other instances, and said, as it was well known, that every subject in the kingdom might petition the Crown either to call Parliaments together, or to dissolve them, it was absurd to suppose that that House could not do in its collective capacity, as the representatives of the Commons of England, what every one, the poorest and meanest of their constituents, was legally authorized to do. Mr. Lee added other arguments equally cogent and convincing with regard to the constitutional right of that House to address and advise the Crown as to the exercise of its prerogatives.

Mr. Gilbert, Mr. Arden, Commodore John-
stone, all spoke strenuously in support of Mr.

Mr. Gilbert.

H

Pitt's

Pitt's desire to have the order of the day waved, the Governor pressed the House to proceed immediately to the consideration of the India Bill.

Lord Fred.
Campbell.

Lord *Frederick Campbell* said, he had voted for the Address, because he thought the going up to the Throne upon such a business, perfectly constitutional and becoming, but there he would make his stand, and would go no farther. He construed the answer they had received as a most gracious one, and he was persuaded no one would dare, after such an answer, advise a dissolution. His Lordship declared, he saw no reason for going up with another address, and therefore he should vote with Mr. Pitt; he was anxious to see the Bill; he had voted for the other Bill; and which ever Bill appeared to him to be the best, let it be whose it would, he cared not, by that he would abide.

Mr. *Rigby*. Mr. *Rigby* rose next, and said, he came down fully convinced that no dissolution was intended. That his Majesty's Answer to the Address of the House had filled his mind with the very same sentiments as were entertained by the noble Lord who had spoken last; nor should he have altered those sentiments, but for what he had heard in the debate. He was now convinced a dissolution was intended. If the noble Lord had but attended to the Ministers, their conduct must have flashed conviction upon him.

Was

Was it not obvious, that they were afraid to speak out ; that they dare not rise and say at once, there would be no dissolution ? Mr. Rigby said, perhaps there were so many Ministers, some the House did know, and some the House did not, that while the one set was acting one way, another was planning and proposing other measures elsewhere. Perhaps the answer given to the House from the Throne before the holidays was the production of the Minister who had been in office but six hours, and being now out of office, the present Ministers were not responsible for it. Be it whose it would, if any Minister had put out such a fallacy into the most sacred mouth of the kingdom, with an intention to deceive that House, he had grossly insulted that House, and been guilty of a piece of duplicity, of an act of meanness that would have disgraced the lowest pettifogger in practice. A Newgate Solicitor, he was persuaded, would have been ashamed of such a low, scandalous mode of deception. Mr. Rigby said further, that the Honourable Gentleman, the Minister of the day, had not only acted in a very strange manner ; but it was a little extraordinary, that his friend happened not to remember what had passed between them only three weeks ago. Why did not the Minister speak out ? He had used the most unconstitutional language that day, he had ever heard within those walls. Not com-

ment on the answer from the Crown! No! What were all the Speeches from the Throne then? Was it not the constitutional privilege of every man in that House, to treat the Speeches from the Throne with the utmost freedom? Besides, it was the peculiar duty of Ministers to answer every constitutional question put to them in that House, not the questions of individuals indeed, but such as clearly carried in them the sense of the House in general. Mr. Rigby pursued this theme in his usual stile of plain sense and obvious argument, and after very liberally venting his indignation upon those who had been instrumental in deceiving that House; he conjured Gentlemen to take care of themselves, and said, they had nothing for it, no possible means of securing themselves from the horror of hasty dissolution and all the evil consequences of sudden death, but to vote manfully in the committee for their constitutional and personal questions, as should seem most likely to answer the end proposed.

Mt. Scott. Mr. *Scott* answered a great part of Mr. Lee's argument very ably.

Lord Maitland. Lord *Maitland* begged to know of General Ross, whether the noble Lord, alluded to in the intelligence that he had communicated relative to undue influence, having been practised on him, had any office in Administration, or near the person of the Sovereign?

General

General *Rofs* declared, the noble Lord in ques- Gen. Rofs.
tion was a Lord of the Bedchamber.

General *Smith* said a few words about the India Gen. Smith.
Bill, and Mr. *Thornton* made a short speech against
the order of the day.

The Honourable Mr. *Frafer* said, all the in- Mr. Frafer.
dulgence he should ask of the House at that late
hour, was to be heard in one declaration. After
the rumours whispered abroad, and the declara-
tions within those walls, lately made by an Ho-
nourable Gentleman, he begged to be indulged,
and declared that he was not pledged to vote on
either side; that he was not to be menaced, or
warped; nor should he declare on which side he
would vote in that House, but to this he pledged
himself, that if the madness of the time forced
him, or called for it, he should defend the Con-
stitution of his Country, and the present Royal
Family of Hanover, with his life, his reputation,
and all that was dear to him, and this he declared
was all he had to say.

At length the question was called, and the
gallery being cleared of strangers, the House soon
after divided (it being then half past TWO in
the morning)

Ayes for the Order of the Day	232
Noes — — —	193
	<hr/>
Majority	39

COMMITTEE

COMMITTEE ON THE STATE OF THE NATION.

The Order of the Day was read, and Mr. Hufsey took his seat at the Table, as Chairman of the Committee on the State of the Nation, Mr. Fox then rose, and moved,

“ That it is the opinion of this Committee that
 “ for any person or persons in his Majesty’s Treas-
 “ ury, or in the Exchequer, or in the Bank of
 “ England, employed in the payment of the pub-
 “ lic money, to pay or direct, or cause to be
 “ paid, any sum or sums of money, for or to-
 “ wards the support of the services voted in this
 “ present Session of Parliament, after the Parlia-
 “ ment shall have been prorogued or dissolved,
 “ if it be prorogued or dissolved before any
 “ Act of Parliament shall have passed, appro-
 “ priating the supplies to such services, will be
 “ a high crime and misdemeanor, a daring breach
 “ of the public trust, derogatory to the funda-
 “ mental privileges of Parliament, and subversive
 “ to the Constitution of this Country.”

Sir Grey
Cooper.

This was supported in a very able speech from Sir Grey Cooper, and another from Lord North. It passed however without a division.

Mr. Fox.

Mr. Fox next moved, -

“ That it is the opinion of this Committee,
 “ that there be laid before this House accounts of
 “ the

“ the several sums of money issued, or ordered
 “ to be issued from the 19th day of December,
 “ 1783, to the 14th day of January, 1784, in-
 “ clusive, to any person or persons towards naval
 “ services, and for the charges of the office of
 “ Ordnance, or to the Secretaries of his Majesty’s
 “ Treasury, or to the Governor or Clerks of the
 “ Bank of England, on account of the Paymaster-
 “ General of his Majesty’s forces, or in any other
 “ manner whatever, for and towards the services
 “ voted in the present session of Parliament, but
 “ not yet appropriated by any Act of Parliament
 “ to such services.”

This motion called forth some objections from *Mr. Brett*,
Mr. Brett, who said it would stop the whole ma-
 chine of Government at once; that there were
 Exchequer Bills and other Bills daily coming due,
 and that infinite mischief would ensue from such
 a resolution being adopted. - It was enough for
 him however, to have warned the House of the
 danger of the measure, and he desired, for one,
 to be considered as having washed his hands of it
 altogether.

Mr. Fox replied with great pointedness, and *Mr. Fox*.
 appealed to the conduct of Opposition previous
 to the recess, as an unanswerable testimony of its
 moderation, and the wary caution, with which all
 its measures had been taken, under the obvious
 design of abstaining from any one step, that could
 in

in the most distant degree tend to embarrass Ministers in their management of the national business, or affect the public interest. He said, if any mischief did ensue in consequence of the resolutions passing, his Majesty's Ministers and their adherents ought to take the whole blame upon themselves for having made such a resolution necessary to be voted by that House in its own defence. They were answerable to the country for all the confusion and anarchy they had occasioned, and all that might hereafter happen in consequence of the rash and inconsiderate conduct, their absurd and mad ambition had prompted and brought on. Of that the Honourable Gentleman could not wash his hands, and therefore while he stood chargeable as being a participant in creating the cause of an extensive mischief, it was ridiculous and idle for him to endeavour to clear himself from bearing his share of responsibility for the consequence. If any particular sums likely to become due, and to be drawn for within a few days, could be stated, he should have no objection to insert words in the resolution, providing an exemption for such specific sums.

Mr. Hussey. Mr. *Hussey* was proceeding to put the question on the first motion, when Mr. Brett rose again and urged some farther objections as to the proposition of restraining the issues of public money,

Sir *Grey Cooper* in reply said, the motion then Sir Grey Cooper. about to be put was perfectly innocent, and such as the Honourable Gentleman's objections could not be applied to, as it was merely a motion for an account of issues already made. Sir Grey stated, that such an account might be made out the next day, and therefore, though the other motion, which the Right Honourable Gentleman had read might be attended with some little inconvenience, it could be but of trifling consequence, as the restraint it ordered was to be in force only five days in all, three after the return to the motion then in the Chairman's hand was made.

Mr. *Pitt* rose and said, he meant to urge no Mr. Pitt. objection, because he was convinced it would be fruitless; he thought it fair, however, to declare, that when the return was made, the House would find issues had been lately made as the necessities of public affairs required.

Mr. *Fox* said, he had no doubt of the fact, and Mr. Fox. he was persuaded, no man would consider his Majesty's present Ministers as at all to blame, for having directed those issues. They had only done, what every preceding Administration had done before them, and without doing which, he was perfectly conscious the public business could not possibly proceed. As it had been suggested, that the second motion might prove inconvenient, and as nothing could be farther from his thoughts,

and the thoughts and intentions of those with whom he had the honour to act, than to do any thing that might embarrass Government, and distress them where they ought not to be distressed, he said, he would willingly wave the second motion for the present; but he hoped, what had passed would serve as a notice to the House, that the same motion would be brought forward in a few days, if the same occasion for it should continue to exist.

The resolution for the account of the issues lately made was then proposed and carried.

Mr. Fox.

Mr. Fox said, what he had hitherto proposed was with a view to provide against a sudden and immediate dissolution of Parliament; he had one motion more to offer, calculated with a view to prevent a dissolution at a more advanced period. That was the only motion he should propose then, but as some other gentlemen had motions to make, he hoped the House would not separate, when he had moved the Resolution he had just alluded to. This resolution was,

“ That it is the opinion of this Committee
 “ that the Chairman of the Committee be directed
 “ ed to move the House, that the Bill for punishing
 “ ing Mutiny and Desertion, and for the better
 “ payment of the Army and their Quarters, be
 “ read a second time on Monday the 23d day of
 “ February next.”

This,

This, Mr. Fox said, would allow ample time Mr. Fox. for passing the Bill into a law before the present act expired.

Mr. Pitt said, he had no objection; but the Mr. Pitt. Honourable Gentleman seemed not to be aware that his object would be as fully attained without the Resolution as with it; since he would at all times have it in his power to prevent the second reading of the Bill till his end was answered.

Mr. Fox admitted the truth of the Right Hon. Mr. Fox. Gentleman's observation, but assigned his reasons why it was necessary to have the matter stand formally entered on the Journals. The Resolution was agreed to.

Lord Surry then made a few general observations on the critical and alarming situation of affairs, and of the events with regard to a change of Ministers, that had lately taken place, by way of introduction to a resolution, declaring, Ld. Surry.

“ That it is the opinion of this Committee, “ that in the present situation of his Majesty’s “ dominions, it is peculiarly necessary, that there “ should be an Administration, which has the “ confidence of this House and the public.”

His Lordship concluded with moving his Resolution.

Mr. Dundas said, he knew not whether the Mr. Dundas. name of his Majesty had been accidentally or intentionally left out of the motion, but as it was

to the full as necessary that his Administration should possess the confidence of the Crown, and of the other House of Parliament, as the confidence of that House and People, he should move to amend the Motion by changing the phrase, and inserting in the room of the words of the latter part of it as it then stood, the words "Of the Crown, the Parliament, and the People."

Lord *Surry* said, he had thought it improper for that House to mention the other House of Parliament, in a Resolution which more immediately concerned themselves; that it might be construed by the other House as an indignity, and that he saw no reason whatever for agreeing to the amendment.

Sir *Watkin Lewes* said, he could not give his consent to that motion, as it seemed to recommend persons whom, though they might have the confidence of that House, yet had not the good opinion of the Public, and whom his constituents intended to vote an Address of Thanks to the Crown, for having dismissed from administration of the public affairs of this country, to one of whom they attributed all the calamities which had befallen his devoted kingdom. He added, that his constituents might instruct him to move for an enquiry into the conduct of one of those persons who had dismembered the empire; and which enquiry ought, in his opinion, to precede his being again taken into power.

Mr.

Mr. Alderman *Sawbridge* reminded his Hon. Mr. Alderman Sawbridge. Colleague, that though a Court of Common-council was summoned to consider of such a proposition, yet that no such measure had yet been proposed, and therefore it was rather premature to object to the motion, merely on the idea of what the Court of Common-council might resolve upon.

Mr. *Arden* said a few words in disapprobation Mr. Adam. of the motion, but, after what he had seen, he declared, he should not attempt to oppose it. He would make no apology for rising at that late hour; if it was fit at such an hour to make such a motion, it was fit for him to speak to it. He said, he should wonder at nothing the House did in such a temper; perhaps they might next resolve, that it would be a high crime and misdemeanor, for the Court of Common-council to vote any such address as the worthy Magistrate had just alluded to; such a resolution, he declared, would be full as warrantable, in his opinion, as those they had already come to. He declared, he saw no occasion whatever for the motion then under consideration. Who doubted the fact, that every Ministry ought to have the confidence of that House and the People?

Mr. *Fox*, and several other Members, spoke to Mr. Fox. this motion, reproaching the amendment, and urging the reasonableness and the necessity of the resolution.

resolution. Mr. Fox told Mr. Arden, that all that had passed in that House for the last week preceding the recess, as well as that day, might have convinced him and his friends, that the present Ministry had come into power upon such principles as were unconstitutional and odious to the majority of the representatives of the people, but the learned gentleman and those near him, were determined not to see what stared them in the face; they were under the necessity, therefore, of making specific motions, and placing matters in so broad a light, that even the most wilful and perverse affectation of not believing the fact, should no longer continue to avail them, but that they should be obliged to acknowledge it, in spite of their determination to discredit it.

The amendment was negatived, and the original motion carried.

Lord Surrey Lord *Surrey* next proposed a further resolution,
 “ That it is the opinion of this Committee,
 “ That the late changes in his Majesty’s Councils
 “ were immediately preceded by dangerous and
 “ universal reports, that his Majesty’s sacred
 “ name had been unconstitutionally abused, to
 “ affect the deliberations of Parliament, and that
 “ the appointments made were accompanied by
 “ circumstances new and extraordinary, and such
 “ as do not conciliate or engage the confidence
 “ of this House.”

Mr. *Powys*

Mr. *Powys* spoke very strenuously against it. Mr. Powys. He declared, after what he had seen that day, he would never speak to a political question again in that House; the present, however, was not a political question, but a question of justice, to which he thought it his duty to attend. Mr. *Powys* then reprobated the motion, as proceeding upon facts without proof, and pointing censure before criminality of any kind was established.

Mr. *Scott* entered very warmly into the affair Mr. Scott. mentioned by General *Rofs*, and repeated afterwards by Mr. *Lee*, relative to the General's having been told by a noble Lord, a Lord of the Bedchamber, that he should be considered as an enemy to the King, if he voted on that day adversely to the Administration. Mr. *Scott* said, if the fact was, as the Hon. General had stated, it must have happened in two ways, either as a public matter, without any wish to have it concealed, or in private confidence. In either case, it ought not to have been mentioned in the manner in which it had been mentioned; if it was said to the General in private confidence, he had no right to betray that confidence; if as a public matter and no secret, the General ought to have stated as much to the House. Mr. *Scott* declared his entire disapprobation of the present motion.

Mr. *Lee*, in a short speech, defended the mo- Mr. Lee. tion, and justified his former argument about General *Rofs*.

Governor
Johnstone.

Governor Johnstone also reprobated the motion and the whole conduct of the House that day.— He adverted to the East-India Bill of Mr. Fox, and again urged some of his former objections to it. He also took notice of what had fallen from General Rofs in the first debate, and said, it appeared to him, to be highly invidious and unwarrantable in the General to have declared, that the noble Lord to whom he had alluded, was a Lord of the Bedchamber; he ought to have mentioned his name, or not to have said any thing about him.

Mr. Cour-
tenay.

Mr. *Courtenay* made a short and pointed speech upon a part of what had fallen from Governor Johnstone.

Gen. Rofs.

General *Rofs* was upon his legs—when Mr. *Sheridan* rose to Order.

Mr. Sheri-
dan.

Mr. *Sheridan* said, he thought it right to inform the Honourable General, that he ought not to mention the name of the noble Lord in a Committee; he could only do it in the House. Mr. *Sheridan* declared, he by no means approved of those who had been adverse to every thing fair and reasonable, all of a sudden turning short, and affecting great earnestness to promote enquiry.— With regard to the motion, he said it was absolutely necessary; why did not the noble Earl who had been so often alluded to of late, come fairly within the Bar, as other noble Lords had done at
different

different periods of our history before him, and fulfil the promise given to that House by an Hon. Gentleman, his relation, a few weeks since, when it had been declared, that he had given back the seals he had received into his Majesty's hands, and returned to a private station, in order to make himself completely amenable to any enquiries into his conduct, that House might think proper to institute? The noble Earl might, in that situation, have an opportunity of fully clearing his character, by answering to such questions as should be put to him on the *veracity of a Gentleman*, he would not say on the *honour of a Nobleman*, because he might then be suspected of meaning to utter a satire on the Peerage.

Mr. *Huffey* (as Chairman) cautioned General Mr. Huffey. Ross against then declaring the name of the noble Lord in question, informing him, that he might do it in the House, when the House was resumed, if he thought proper.

The *General* rose and thanked Mr. Sheridan The General. and the Chairman for their information, but he declared it had not been his intention to have mentioned the noble Lord's name, even had he not been cautioned in the manner in which he had been. The *General* declared, that what he had related to the House as a very extraordinary conversation that had passed between a noble Lord (a Lord of the Bedchamber) and him, relative to

his vote in that House, had not passed in any sort of confidence, though it might be said to have passed in private, there having been no person in the room at the time, but the noble Lord, a little child, and himself. The General said a great deal more, which we could not distinctly hear.

Mr. Wilberforce.

Mr. *Wilberforce* with great warmth reprobated Mr. Fox's former Bill relative to the East-Indies, declaring, that had it passed, he was convinced it would have proved the death warrant of the Constitution. Mr. *Wilberforce* said a great deal about Mr. Pitt's coming into office in times of trouble and difficulty. His Right Honourable Friend, he declared, did not look up to ease and emolument solely, as the Right Hon. Gentleman opposite to him had done, when he came into office. He was another sort of patriot, and considered the good of his country, and the salvation of the Constitution, as matters of infinitely greater moment than his own personal interests. Mr. *Wilberforce* pursued his panegyric for some minutes in terms of great eloquence.

Mr. Fox.

Mr. *Fox* replied, and charged Mr. Pitt with having come into office upon unconstitutional grounds, and upon such principles as were disgraceful to himself, disgusting to the country, and such as must necessarily deprive him and his coadjutors of the confidence of the House, without which no Ministry could carry on the public business.

business. He said, they had taken the Government as an experiment to gratify the purposes of their mad and ungovernable ambition; that they were attempting theories and speculations on the constitution, which it behoved the House to guard against the mischief of. That the Resolution then under consideration was adapted to affect that salutary purpose, and those which had preceded it, had been of the same complexion, and calculated to answer the same end. He added other arguments to convince the other side, that every thing of violence lately resorted to, arose solely from their rash, inconsiderate, and imprudent conduct.

Mr. *Wilberforce* replied, and defended his Right Hon. Friend from the charge. Mr. Wilberforce.

Mr. *Pitt* rose, and stated, that he had taken upon him the government of the country upon one single, plain, intelligible principle, by which he desired to stand or fall with the people, viz. to save the country from the India Bill, which threatened destruction to its liberties. That his conduct was uniform and intelligible, and that the nation and the world would understand and applaud it. Mr. Pitt.

Mr. *Erskine* in answer said, that though he was afraid it was not very respectful to the House to believe that it could possibly be imposed upon by fair words, in opposition to the foulest conduct Mr. Erskine.

duct, he would not suffer the Right Honourable Gentleman to walk off the stage as the saviour of that country, which he seemed intent to insult and to ruin. That after the inconsistencies of the day, he was not surpris'd that he should assert the India Bill to have been the cause of his assuming the Government; but he should be surpris'd if any body believed him, who had heard him a hundred and a hundred times declaim upon his determined purpose to destroy the Government founded on the Coalition, even before the India Bill was heard of. He could not, as he said, act with the Coalition, because of the obnoxious principles of the noble Lord in the blue ribbon, and yet he flew at the same moment with such eager embraces into the arms of the learned Lord Advocate, as if he had been attached to him by magnetism. He supposed it was owing to a sort of political methodism which operated by faith to the total exclusion of works, by which the most obdurate sinner might be converted in a moment without giving up any of the amusements of the flesh, and which of course entitled the learned Gentleman, on his sudden and mysterious conversion to the doctrine of political regeneration and reformation, to a forgiveness of his sins, though not yet purged of the original damning sins of influence and starvation. He said it was an affront to human reason to say that it was inconsistent for the

Right

Right Hon. Gentleman to act in concert with the noble Lord in the blue ribbon, who was yet in close counsels with the more learned Lord Thurlow and the Lord Gower. Though perhaps the Right Honourable Gentleman might say that he had arranged himself with the two last Lords, to give the more certain effect toward his plan for the reform in the representation of the people, and that as that great object was the ruling feature of his political life, he had agreed to overlook all lesser differences, to secure that hearty and cordial union which the notorious opinions of these noble persons would be sure to afford him in the Cabinet. [*The House laughed.*] He said he did not wonder the House laughed; that he should indeed admire the rigidity of that man's muscles who could withstand the childish, impertinent inconsistencies, in those political passions and aversions, to which, however, the interests of this miserable devoted country were to be sacrificed. The Coalition was the mean masque of their ambition, under which they lay in wait to seize the first plausible moment of mischief, which naturally presented itself in a wise vigorous measure, open, from its decisive wisdom, to the honest prejudices of the vulgar. Before the India Bill presented itself, it was the only topic of Opposition, but which being now worn threadbare, and exposed to ridicule, they were obliged
to

to take up the India Bill, the act, not of his excellent friend Mr. Fox, but of the House itself, and then had the effrontery to come down and state to the very House that passed it, that he had become Minister to save his country from the ruin of their measures, and hoped for their support to enable him to revile and expose them. Much had been talked of temper, he was ashamed of his own moderation, and of the patience of the House on a subject which called for the resentment of the people, which they could not in justice disappoint.

Mr. Dundas. Mr. Dundas rose, and said, he would only refer the House to the hour of the morning, (then past Six) as an argument against their voting, in an hasty, a rash, and a precipitate manner; a motion so obscurely worded, so dark, and so ambiguous, that it was not easy to guess at whom it was pointed, or upon what grounds it was that it rested. After having said this, Mr. Dundas went into a warm and severe personal attack on Mr. Fox, on account of his Bill, that had been lately thrown out by the House of Lords, urging his conduct in that particular, as the ground on which his Majesty had dismissed him and the rest of the late Administration from his Councils, and called his Right Honourable friend near him into office. He branded the Bill as an experiment of the Right Honourable Gentleman, with a view to put
the

Crown on his own head, and grasp into his hands for ever, a degree of influence foreign to the Constitution, and which would raise him to an eminence of power, superior to that of the Sovereign. Mr. Dundas repeated the idea of the Bill's being an experiment to place the crown on the head of an individual more than once, and pointed it in a manner peculiarly marking. Before he sat down, he urged the necessity of discussing so important a motion as that under consideration, at a sober hour, and with the utmost temper and moderation, and assigned it as a reason for moving the question of Adjournment, by way of getting aid of the Resolution for the present. He concluded with a motion, that the Chairman leave the Chair.

Mr. Fox rose with some degree of warmth, ^{Mr. Fox} declaring that however it might be the inclination of the learned Gentleman to affront him by the grossest personal attacks, he should not insult the House without proper notice being taken of the insults he had dared to cast upon the House. His personalities to him he most thoroughly despised; he nevertheless would not suffer him to declare that he had made an experiment to put the Crown upon his head, without denying in the most direct and positive terms, that he had attempted in any shape whatever to possess himself of power, or patronage, or emolument. The Bill to which the
learned

learned Gentleman had alluded, was not his Bill, it was the Bill of the House of Commons: He had originally proposed it indeed, but the House had adopted it, and made it their own: A large majority had carried it through, and it had passed the House. With regard to the power, the patronage, and the emolument, what power, what patronage, what emolument did it confer on him? None. Not an atom. It had been said; indeed, that the seven Commissioners were of his nomination. True, they were; but if he had not named persons every ways unexceptionable; did not the learned Gentleman know, his nomination would not have been of the least avail? With regard also to the learned Gentleman's declaration, that the Bill created a new influence unknown to the Constitution. The assertion had been combated, and overthrown again and again. It did no more than this: it prevented a large and dangerous degree of influence from going into the hands of the Crown, and lodged it where it was most safe, in that House, and it established a permanent system, not liable to be affected by any change of Administration, and thus defeated in the very trial. What was the new Bill, the Bill to be brought in by the Right Honourable Gentleman, the boasted *Minister of the Crown*, to do? If that Bill were founded on the propositions published by the Court of Directors of the East-India Company,

pany, it would continue anarchy abroad, and create no stability of Government at home. It would neither give peace, happiness, nor security to thirty millions of subjects in India, nor would it produce any thing like vigour or energy in the Administration of Indian Affairs at home. Between the two Bills therefore there could be no comparison. The Bill of the House of Commons the learned Gentleman attacked with the utmost asperity. What he had said was a gross insult upon that House, though undoubtedly he had meant it merely as an affront upon him. He might affront him as much as he pleased, but common decency required that he should treat the House of Commons with less indignity.

Mr. Dundas said, it was extremely easy for the Mr. Dundas. Right Honourable Gentleman, with a majority at his back, to draw down the indignation of the House on his head, or on that of any individual Member, under the pretence of his having insulted the House; but conscious as he was of his own innocence, as to any the most distant intention of that kind, he should ever resist such an unjust attempt to lessen him in the good opinion of those, whose favourable judgment he was, on all occasions, anxious to solicit. In the present case, if he had, in the warmth of debate, and in the zeal of sincerity and conviction, pushed his argument farther than he ought to have done, or used

stronger words, than the occasion might be thought to warrant, he could only plead the example of the Right Honourable Gentleman himself, under whose sanction he had little fear of any consequences that might ensue. Had the House forgot what for twelve years together had been the language of the Right Honourable Gentleman? Had they forgot the American war, and all the vast variety of topics discussed in the course of that twelve years, during which, on no occasion, had the Right Honourable Gentleman spared those, whom he had found it convenient to attack in the most open, the most unqualified, and most bitter language? Sure he was; he had heard the Right Hon. Gentleman again and again exercising his talents of this sort, and to that day the Hon. Gentleman made no scruple to attack him without any reserve whatever. The Right Hon. Gentleman talked of his meaning to *affront* him. He could not believe the Right Hon. Gentleman had any such idea. Certain he was, he had not a thought of that kind in his mind, nor had such a thought ever entered his imagination. In return for public attacks on him, he had endeavoured to retort on the Right Hon. Gentleman, and he should continue to act exactly in the same manner, as often as the Right Hon. Gentleman gave him cause so to do. Mr. Dundas added more arguments

ments in his usual manly way, and concluded with a repetition of his objections to the motion.

After further debate, the Committee divided on the question of adjournment.

<i>Ayes</i>	142.	<i>Noes</i>	196
	Majority of Noes		54

The resolution was then moved and carried.

As soon as this was over, the Chairman was directed to report the Resolutions to the House immediately, and ask leave to sit again.

The House being resumed, the Resolutions were reported, read a first and second time, and agreed to.

Mr. Fox then moved, that the Committee on Mr. Fox. the State of the Nation sit again next Wednesday

Mr. Pitt gave notice that he should to-morrow move for leave to bring in his India Bill.

Mr. Pitt afterwards delivered the Message from Mr. Pitt. the King to the Speaker, who read it from the Chair. The purport of it was, to inform the House, that on account of the River Weser being frozen up, and its navigation rendered impassable, two regiments of Hessian troops had been obliged to be disembarked and landed, and distributed in barracks at Dover, Canterbury, Chatham and Portsmouth. That his Majesty had given especial

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directions

directions that as soon as the navigation of the Weser was open, the two regiments in question should be again embarked, and immediately sent home to Germany.

The second reading of the India Territorial Regulation Bill was put off till next Monday se'nnight.

The House rose at Twenty Minutes after SEVEN in the Morning.

Wednesday, January 14.

BILL FOR REGULATING THE TERRITORIAL CONCERNS OF INDIA.

About ten minutes past three o'clock the Speaker took the chair, and Mr. Foljambe was sworn in, as Member for the county of York.

Mr. Pitt, about ten minutes past four, begged ^{Mr. Pitt.} to be indulged with the attention of the House. He was aware, that what he was about to say, did not properly come in at that time; but as it was of much importance, he would solicit a patient hearing. The Motion he was about to make, was for leave to bring in "a Bill for "Regulating the Territorial Concerns of India." It was not his intention to make any invidious comparisons between that and a former Bill somewhat to the same effect. But nevertheless, he doubted not but that House would discover several striking differences in the complexion of the two Bills; and he hoped, that after a fair and candid investigation, that which he would have the honour of moving for, would be found to be much less exceptionable than the former one. To expect to see such a Bill perfect, in its very first formation, would be a

vain expectation. Several defects the House certainly would discover; but he relied with perfect satisfaction and confidence, on the goodness of the House to correct such defects.— He did, by no means imagine, that he had been so fortunate as to hit upon the very exact line that comprized all the East India Company's interests; but he had flattered himself, that within the line which he had chalked out, were included all that were most valuable. He had heard the late Resolutions of the India Company talked of by certain Gentlemen, with an air of triumph; because these Gentlemen thought that those Resolutions had been entered into principally for the Bill he was then introducing to their notice. But he did not at all regard their triumph; it was a triumph in which he was extremely happy to join; because he was happy to find, that that respectable body of men were not averse to the measures he was about to pursue. It was a pleasure to him to think, that he could be instrumental in any thing that could conciliate their favour, by promoting their interest. It was his wish to preserve inviolate those sacred Rights with which that Honourable Company were vested. Whatever the degeneracy of the times might have led men to think or do, for his part, he should not entertain one thought, nor perform one
 action,

action, which could in any degree involve the fortune of any class of men, or of any individual. It was his opinion, that even in these new and singular times, the chartered rights of men ought to be revered, and watched with a keen and watchful eye. One of the highest satisfactions he felt on that occasion, was, that what he was to undertake for the government of the country with which they are so intimately connected, was altogether agreeable to their own ideas. He had no one scheme to propose on that occasion, to which he did not hope to meet their full consent; and that, he scrupled not to own, afforded him much satisfaction. India, he said, was a principal source of wealth and prosperity to this nation; it was therefore expedient, that it should be governed by laws that would, at least, not impede the prosperity of the nation. Nay, he thought it requisite that the best possible regulations should be devised for its safety and happiness; and he did not in the least doubt, but that every Gentleman in that Honourable House, would lend his voice to the enacting of such regulations, without hesitation. A most respectable part of the House had given their voice to the Bill that had lately failed in its progress through Parliament; but, nevertheless, he did hope that even these Gentlemen would

would support the present Bill, provided they saw that it promised to remedy the defect that had been so severely felt in the conduct of the Company's affairs. The Bill which he was unfolding to the House, respected three things to be considered; the happiness of individuals in India, the Company's Commerce, and the effect which wise laws for the government of India, would have on the prosperity of Great Britain. It had been generally allowed, that an amendment of the present Code of Laws for that country, was absolutely necessary: The generality of that confession proved the reality of the fact. It was his sincerest wish to see the lines that should be sanctioned by the voice of that House, as perfect as possible. Though he was not so sanguine as to hope that their best endeavours could reach any thing near to theoretical perfection. That was a height to which the wisdom of mankind could never hope to soar. It was impracticable at home; and it could not but be much more so in the government of a country so remote as India. But though they could not reach perfection, it would not be wrong to turn their efforts towards perfection: Though there might be imperfections in what should result from their joint deliberations, they might happen to produce something that would serve as a land-mark, to prevent undue

due encroachments. The Bill which an Honourable Gentleman lately brought into Parliament, appeared to him (Mr. Pitt) and to many other Members of that House, to carry along with it many gross absurdities: It was to be his province, to present his Bill as destitute of such absurdities as possible: The former Bill had deprived those men, to whom possession and property seemed to have given a superior title, entirely of the power of conducting their own affairs: That power it had transferred to another class of men, who thereby become too weighty a mass in the political side of this country: But both these acts were alike unwise. It was cruel and unjust to rob individuals of their valuable and undeniable rights, without any sort of compensation; and it was highly rash and impolitic to vest their rights in a branch of the Legislature, to the manifest danger of ruin to the other legislative branches. His Bill, he said, aimed at avoiding both those enormities. It did not deprive the India Company of one single privilege, that put that unbounded power into the hand of Parliament, which had so justly roused the apprehensions of men. On the contrary, it tended to preserve entire, every privilege belonging to the Company; and, instead of overthrowing the authority of Parliament; it entrusted the powers which it was to confer,

with the Executive part of the Constitution.—
 The former Bill was calculated to disturb the happiness and tranquillity of the State, by the vast patronage it gave to the Commissioners whom it had created ; It was the intention of the present to grant no such patronage ; it did not tend in the least, to raise up any new and overgrown influence in the nation. When the different clauses of it were understood, it would clearly appear, that it had no such tendency.— Its main drift was to prevent ambition at home, and fraud and speculation abroad., With regard to the controul over the Company's affairs in general, the present Bill had a much less one than the former one. By the former, all places civil and military were at the disposal of the seven Commissioners ; and its power over the chartered rights of the Company, was by no means under just restraints. By the present Bill, confiscation is entirely banished : It admits of none of those violent depredations which had been introduced by a set of daring men, whose principles and proceedings are a novelty, and a monster in the Constitution. Mr. Pitt remembered the vaunting language that had been held by certain Gentlemen, about the *half measures*, of which they said he was so fond.— But he was determined to be biassed neither by their sneers nor their smiles. Half measures
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he did, in the case then before him, prefer greatly to such measures as those that had been adopted on a late similar occasion. They were, he confessed, no *half measures* that were then pursued: They certainly were complete and radical; and had they been permitted to operate, a short, but he would say a sad experience, would have convinced the nation of the fact. But he who was not so bold, did not presume to attempt such complete measures. He was content with doing good, by means less violent; and wished for no greater pleasure, than to be able to bring about the desirable end he had in view, by compounding matters with the India Company. The late Bill, though it gave the Commissioners an absolute controul over all the affairs of the India Company; yet what was astonishing, they had no controul over themselves. But of all the dangers that were to be apprehended from that Bill, none was so great as that which arose from the transferring of the Executive to the Legislative branch of Government. That was a hazardous institution indeed, and gave rise to a power hitherto unknown to the Constitution. If the power of nomination, &c. to posts of distinction in India, was to be torn from the Company, the King most undoubtedly was the branch of Government into whose hands that could be deliver-

ed. This, Mr. Pitt insisted to be the case; and pledged himself to dispute the point with any Gentleman in the House that *ceteris paribus*;—the King was the personage with whom the Executive Power of India should be lodged. Offices of vast emolument and honour, he observed, were exceedingly improper; they excited competitions for power, and gave a degree of weight to subjects, which was inconsistent with freedom. It had been said, that a Directorship was enough for one man to manage well. Mr. Pitt perfectly agreed with that idea; and was therefore inclined to think, that the same number of Directors that were formerly in office, ought to continue in office; and that those who were to have the controuling power, ought to be men who were connected with the Crown. He then observed, that the persons in whom the Bill then before the House meant to vest that power, were, one of the Secretaries of State, the Lord Chancellor, and a certain number of Privy Councillors, all to be nominated by his Majesty. With regard to salary, he did suppose, from the language that was held on the late Bill, that it was the wish of the Ministry, that these Gentlemen should enjoy no salary. They were, however, appointed, and seemed willing to undertake the duties of their offices without any salary. But to serve without any

sort of consideration, he thought was a thing that was not to be desired; as men will not discharge their duties so faithfully where there is nothing to be lost by neglecting it. There were men that might be found, that might indeed do their duty well without any salary—men; for instance, chosen from among the Proprietors; but there were other men who could discharge their duty with equal fidelity; and these were men chosen from among his Majesty's Privy Councillors. Those men had the distinction they enjoyed, of sitting in Council with his Majesty, to bind them to act honourably; and they were of course, men who would not consider the salary that might be allowed for undertaking the direction, as an object of any consequence. One of the most difficult points in framing the Bill then before the House, was to determine, how the Government of the territorial concerns of India, could be separated from that of the commercial concerns. This Mr. Pitt considered as a matter of much difficulty. He did not see that it was possible to separate them; but the powers that were to be granted to the new Board, by the Bill then before the House, would qualify them to answer all the purposes of good government. It was indeed often very difficult to say, when an occurrence belonged to the political or to the

commercial

commercial department; but as the new Board were entitled to put a negative on every proceeding of the Company, of which they did not approve, they could extend that privilege alike to both; and whenever they suspected that any proceeding, which was carried on under the name of commerce, involved any thing that might affect the territorial interests of the State, they had a right to put their negative on that proceeding. In the preceding case he had consulted the Proprietors; and he was happy to find, that they did not disagree with him in any one material point. Indeed he felt a particular pleasure in being able to gain the approbation of such a respectable body of men; and whatever other gentlemen might think of him for consulting with the Proprietors, he did not blush to avow it. The Company of Proprietors, he said, seemed fully satisfied, that the check which he had mentioned was a very sufficient one. With regard to all dispatches to be sent out to India, the new Board had a right to put a negative on these also, provided they did not meet their approbation.— The Bill before the House, Mr Pitt added, was in all respects a moderate Bill; it did not in any instance deprive the Company of any of their lawful and well attested privileges. Mr. Pitt considered the Government of the Company's
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affairs abroad, as so very important to this country, that it required the closest attention of the Legislature. To expedite the Government in India, this Bill was to vest the appointment of the Governor General of Bengal, Madras, and Bombay, together with the Commander in Chief, in the hands of the King. Two of the Members of the Supreme Council were to be chosen by the new Board, and two by the Company. All inferior officers to be chosen as formerly by the Company. The seat of Government, Mr. Pitt thought, ought to be in India. The time lost in sending over orders, and the inaccurate knowledge men residing here can have of the affairs of the East, rendered that plan the most eligible of any. He was in opinion, that the number of officers now in service, ought to be ascertained as soon, and as distinctly as possible, that the state of the Company's affairs might be better known. It was his wish that the Governor and Council should rise by a regular succession. That he thought would go a great way towards getting more of experience to fill up high posts of trust. He wished to see a revision of the Company's affairs begun as soon as possible, and effectual steps taken to prevent, if possible, that lust of dominion and of riches, which produces such fatal consequences. He agreed with Mr. Fox, that no war should
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be undertaken by the Company, without absolute necessity. To the Government of Bengal he allowed very extensive powers; but that of undertaking war, deserved the opinion of the officers at home. An effectual Government of India, residing in Britain, he contended to be impracticable. No persons were so capable to rule any country as those who knew it locally; and who could be always at hand to assist, in case of a sudden emergency. The Members of the Supreme Court of Judicature, he said, was to be filled up by a Judge of one of his Majesty's Courts in Westminster. He could see no reason why the officers appointed to rule in India, should not be allowed the most extensive authority that the exigencies of that country might demand. The greater the responsibility, the greater, he thought, would be their circumspection. With respect to the Zemindars, he was anxious that their rights should be tenderly guarded; and that effectual means should be used to prevent all manner of depredation, fraud, and injustice. The Bill which he was then explaining, had determined that the Proprietors of India Stock shall not have it in their power to rescind any Act of the Directors, after the new Board has given its sanction.— These were the principal heads of the Bill Mr Pitt had to submit to the consideration of the
House

House. He concluded with apologizing for the length of time he had engaged the House, and conjuring the friends of his country to bestow that patient consideration on the Bill which it deserved ; but to dispose of him as they thought would be most conducive to the public good. He then moved for leave to bring in a Bill for the better regulation of the territorial concerns of the East-Indies.

Mr. *Henry Dundas* seconded the motion, but without any speech. Mr. Henry Dundas.

Mr. *Fox* rose the moment the motion was read, and said, as he meant not to oppose the motion, or prevent the Bill's being brought in, he should not go much at large into the consideration of the Bill then, but wait till it was printed, and before the House, when he could so much more fairly investigate it ; he would only therefore make a few observations by way of comparison between the Bill of the Right Honourable Gentleman and the Bill of the House of Commons. The Right Honourable Gentleman had uniformly, in point of comparison, spoken of his Bill in terms of triumphant exclamation ; thence inferring, that he had been able, singly, to produce a better Bill, a more wise Bill, a more salutary one, and a Bill more likely to prove efficient, and answer the end proposed, than had originated in the collective wisdom of the House of

Commons. In the course of the Right Honourable Gentleman's remarks upon the Bill of the House of Commons, it was evident he had totally mistaken that Bill, and completely misunderstood it. The Right Honourable Gentleman had said, that Bill was a new and unconstitutional power set up with a view to the diminution of the influence of the Crown, when, in fact, and in truth, it created no new power at all; neither did it take away any influence from the Crown whatever. What it did was this: It merely prevented a vast tide of influence from flowing in upon the Crown, and vested it in a Board appointed by the House of Commons, and subject to the controul of Parliament. It gave that board permanency for a few years. Why? Because in no other way whatever could a system with regard to India be stable or permanent. Whereas, according to the Honourable Gentleman's Bill, a large share of influence would be given to the Crown for no useful purpose whatever; and all the evils, the curing of which was the professed aim of both Bills, and constituted the necessity for any Bill at all, remained as much untouched, should such a Bill pass into a law, as they would do, if no Bill passed at all. Again, the Honourable Gentleman had said, the Commissioners were left without controul of any kind, and were to act during the whole time of their

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their existence without any check whatever. This was a direct and a gross misrepresentation; they were liable to be turned out by an Address of either House of Parliament; and he would venture to say, the Commissioners that he had named would all of them retire upon a much gentler hint than any one of the several resolutions lately come to by that House in the Committee on the State of the Nation. He ridiculed Mr. Pitt's pretences to the having obtained the consent of the East-India Company, and the manner in which the Company had been treated. The Bill of the House of Commons, which had been said to have been hurried through the House with an indecent rapidity, was three whole weeks in discussion, after repeated notice had been given that some Bill would be brought before them; but what was that to the application of the Right Honourable Gentleman to the Company for their consent? He had caused a General Court to be called last Thursday; the Proprietors then, for the first time, saw the wonderful and wise propositions, and they were obliged to decide by a ballot, either for or against them, on the Saturday, only two days after they first were seen by the Proprietors. Besides, how could the consent of two hundred and fifty persons only, imply the consent of fourteen hundred, in a case of property, where no dele-

gation of the power of balloting could be communicated? Neither was it the delinquency of an individual Member of a Corporate Body could destroy the rights of the whole, nor the suffrage of 250 imply the suffrages of 1400. The Court of Directors indeed had given their consent, and 250 Proprietors of the description he had formerly stated to the House, not Proprietors for the sake of commercial benefits and pecuniary advantages at home, but Proprietors, who always hovered about the India House for political purposes, and in order to be ready, as fast as occasion offered, to protect the delinquency of the Company's servants abroad. With regard to the system of Government that the Right Honourable Gentleman had chalked out, after so much boasting, he would venture to say, if any man had been set an exercise, and his ingenuity had gone to work for the purpose of discovering a system that would produce the very reverse of vigour and effect, a system of looseness, want of strength, want of energy, and want of wisdom and policy, he could not possibly have hit upon one so directly in point as that the Right Honourable Gentleman had been just describing: it was calculated for delay, doubt, and division; for what could be more truly contemptible than the constitution of a Board, not to govern, but to controul and advise

vise those that did govern, after they had taken their measures. And then the notable expedient of sending such dispatches as doubts arose upon, whether they were political or commercial, *from* the Council *to* the King in Council, was of all others the most ridiculous idea, but at the same time the best calculated to create confusion of any he ever met with. The Right Honourable Gentleman had been pleased to call a *half-measure* the watch-word of a party. He would please to remember, however, that he had dignified them with a watch-word much more sonorous and sublime, and that was *confiscation*. The Right Honourable Gentleman must excuse him, but he really could not discover the correct meaning of a confiscation of privileges: he knew perfectly well what was meant by a confiscation of property, because there the one word naturally corresponded with the other. The fact however was, that, in the bill of the House of Commons, there had been no confiscation whatever. No man's property of any kind whatever was taken from him, nor could any man pretend it was: seven Directors were merely appointed for the Company, in the room of the Directors of their own chusing, and those Directors were to act for the Company, not for themselves. The watch-word, which the Right Honourable Gentleman, therefore, had been pleased

pleased to allot them, rumbling and important as it was, did not apply. On the contrary, the Right Honourable Gentleman had himself proved, that the watch-word, which he had taken to himself, applied most closely; for there could not possibly be any thing more directly, more literally a *half-measure*, than the wonderful contrivance of making the Council of each Presidency consist of four, and enacting, that the Crown should nominate two, and the Company two, by which means the seeds of endless jealousies, feuds, and dissensions, would be sown with the most happy effect. With regard to the idea of governing India in the manner provided by the bill, the idea was on the face of it absurd and impracticable. Let the Right Hon. Gentleman and his friends look at Ireland, so much nearer home, and the government of which country was consequently so much better understood. In the course of three years there had been four Lord Lieutenants; Lord Carlisle, the Duke of Portland, Lord Temple, and Lord Northington; all men of high rank and acknowledged abilities, and holding a great stake each in the kingdom. How happened it; that there had been so many changes? Because of there having been so many changes of the Ministry. Each chose to remain in office no longer than his friends, those in whom he had a confidence, held the
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government here : Lord Temple had been, to his knowledge, much pressed to stay in Ireland, but he would not ; in like manner Lord Northington, he understood, was now expected home. The same thing exactly would happen in regard to India, but with still worse effect ; for under such a system no man would venture to undertake an ostensible situation ; because how could any man tell, but that even before he arrived in India, there might be another Ministry, and orders of recall were coming after him. Had he continued in office, who would have gone under such a plan as this new Bill proposed ? when, if he took a letter out with him containing his orders how to act on his arrival in one pocket, he might carry a letter written by the secret advisers of the Crown in the other, telling him not to mind the orders of the Secretary of State, for that he and his colleagues would be out of office before he arrived in India. Had he continued, he certainly meant to have written a very severe letter out to Mr. Hastings, and sent it to India in a month or two ; but under the operation of such a plan, Mr. Hastings might say to his servant, “ Shew me the newspapers, let me see how my friends do in England, but throw my dispatches into the fire ; I have private intelligence that long before this there is a new Ministry appointed.” After pushing this a good way,

way, Mr. Fox said he was glad to hear the Right Honourable Gentleman an advocate for rising by seniority and gradation ; he wished he could compliment him on the conformity of his practice to his precepts. The theory was excellent, why did not the Honourable Gentleman carry it into execution ? He also ironically commended Mr. Pitt's argument relative to sending out cadets, and said it was extremely kind in him to keep a Governor General furnished with a regular supply of young cadets. What a dreadful thing, said he, would it be, if a Governor General, who, being above controul, in a fit of passion, caprice, and perverseness, should refuse the services of men of some years practice and experience, and chuse to raise a young cadet, just come out, over all their heads, and govern through him, if there could be found one rash enough to undertake the government under such circumstances, and sacrifice the general interests to his folly and ambition ! After an infinite variety of severe and pointed sarcasms, in which the true meaning was easily to be perceived through the thin gauze of keen irony, Mr. Fox described the East-India Bill, which he had the honour to propose, and which the House had adopted, and its consequence as a planned contrivance between the Right Honourable Gentleman and the secret advisers of the Crown, to overthrow him, and

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turn him and his colleagues out of office. He said, the Right Hon. Gentleman called out on the first day of the Sessions for a strong measure, and the secret advisers all along persuaded the first magistrate to take no part, but to appear not to disapprove of the Bill, so as to deceive his servants; and that while the Right Honourable Gentleman, by his eloquence in that House, was driving them onwards to their ruin, the secret advisers of the Crown were standing with the net ready spread on the back stairs of the King's Closet, to catch them all; it so happened, however, as it generally does, where men forsake the direct and open road of truth and plain dealing, and resort to bye paths and crooked ways, that they prove too cunning for themselves, and lose their aim. So it happened with those, who had planned their ruin, and hoped to effect it, by lulling them into a false security. That House did not reject, but approved the Bill, and passed it by a great majority. This put those who were watching for their death out of patience, and as in some other cases, people who have let one opportunity go by, look back afterwards with regret, and thinking the opportunity was not so bad as they had thought it was, grew as much too eager as they think they have before been too cautious, and snatch hold of a worse opportunity, and thus defeat their own end. So it happened in this case, having

lost the opportunity they thought the House of Commons had afforded them, they would not wait till the fit time for defeating the Bill with the appearance of fairness arrived, but prematurely worked a mine that blew themselves up with it, and thus at once put an end to the Bill and their own characters, losing them the confidence of the nation by the very act with which they destroyed the last ministry: Mr. Fox said, he should not imagine that a House of Commons who had adopted a Bill so very different, would entertain the Right Honourable Gentleman's; he begged, however, to have it understood, that he should recommend to the House, not to insist on carrying through the former Bill in its exact shape as it stood before. He thought it wise and proper to meet the prejudices of mankind, and to profit by their alarms: He should have no objection, therefore, to modify the Bill, to do away the parts of it that had been declared to be the greatest objects of terror, in short to make the Bill a little worse, if it would for that reason become more universally palatable; provided always, nevertheless, that the vital parts of it, the essence of the Bill as it were, were preserved, and not departed from, or suffered to be weakened, abridged, or removed. Before he concluded, Mr. Fox charged Ministers with having spent the whole recess in fruitless attempts to corrupt the majority

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of the House. He said, they had been loud in declaring they would have no connection with the noble Lord near him, but at the same time, had condescended to employ the dirtiest of the agents of that noble Lord in former times, and whose being about him was the most disgraceful circumstance that had happened to him. That wretch had made a complete sacrifice of gratitude, and that was held by the new Ministers a sufficient purification to qualify him for the place of their chaste and immaculate circle. Happily the majority had armed themselves with incorruptibility, and by their conduct, sufficiently explained what was meant by an Honourable Gentleman's crying out with a voice of alarm and terror before the holidays, *what has this corruption put on incorruption?* Mr. Fox said, at the time he did not comprehend the Honourable Gentleman, but it was now evident, his voice of alarm tremulated in his throat, from a dread of that happening which had now happened, viz. the refusal to be corrupted, which the majority, so honourably to themselves, had manifested.

Mr. *Lushington* rose to correct a misconception of the Right Honourable Gentleman who had spoken last. The Right Honourable Gentleman, Mr. *Lushington* observed, had conceived Mr. Pitt to have said, that the Court of Directors approved of his Bill. That was not the fact. They

Mr. Lushington.

had not either generally decided upon it, or had leisure individually to form a judgment respecting it. He said, he would relate to the House, if they would give him leave, the circumstances of the case. Being a Director of the East-India Company, he found a summons at his house, on Monday evening last, to attend at the India-house next morning on special affairs. The Directors accordingly all assembled at ten; an hour earlier than usual, and he saw a paper, containing the ground-work of what was afterwards formed into propositions, upon which he was then, on the first perusal, ready to have declared his opinion, and he said as much, but no opportunity was afforded him. At length a messenger came for the Chairman, and they broke up without doing any thing; next day they met again, but nothing was done, the Chairman declaring the paper had been sent for by the Chancellor of the Exchequer. On the Thursday they again assembled, and the paper was thrown into the form of propositions. He then attempted to deliver his sentiments, but was prevented, a message coming to the Chairman, to inform him that a worthy friend of his [Mr. Lushington's] the Chairman of the Open Committee, was at the door, and wanted to speak to him. The Chairman went out, and brought in the Chairman of the Open Committee, with a paper in his hand, containing the propositions
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thrown into the proper form. Before any thing could be done on this, the Court was dissolved by a worthy gentleman then opposite him, not for any improper purpose, but merely because the hour was come for going into the Court of Proprietors, who were assembled that day to give their opinion upon the Propositions. Mr. Lushington having thus stated to the House, that the Court of Directors had not even examined the Propositions, or come to any opinion upon them, much more contented to them, stated a few forcible objections that struck him on the first glance of them; he declared, that the plan of conducting the affairs at home, as proposed by the Bill, appeared likely to beget and continue endless confusion, doubt, delay, and difficulty; that the proposition of the Crown to appoint two of the Council of each Presidency in India, and the Company the others, could scarcely fail of producing jealousies, feuds, and dissention, and every thing that would entail disgrace, disorder and ruin, on our affairs abroad. Mr. Lushington also pointed out the gross error in policy of leaving the power of superseding officers in the hands of the Government in India. This he described as an evil, that had already been proved by experience, to have been the source of the most fatal consequences,

BREACHES of PRIVILEGE.

Just as the Speaker was putting the question, Mr. Yorke. Mr. Yorke rose and said, as the Right Honourable Gentleman had dwelt so much on the corrupt practices alledged by him to have been resorted to during the recess, by the present Ministry and their agents, he could not help breaking in upon the debate, though what he had to communicate was not immediately connected with the subject then before the House. It nevertheless materially concerned their privileges, and was well worthy their attention. Much had been lately said of influence of different kinds; what he meant to state was a new species of influence, not the influence of the Crown, nor secret influence; not the influence of the Ministers, but the influence of Ex-ministers, and that of no less an extent than the actual offer of a place of five hundred pounds a year to a member of that House, if he would change sides and vote with them. This offer, however, was a sort of provisional treaty, and was to attach upon the late Ministers coming into office again. The fact, he said, had been related to him by an honourable member with whom he was connected, and who than sat very near him, and could give the House full information of the manner in which the offer had been made during the late recess. [Mr. Fox and Lord North called out immediately, *by whom?*] Mr. Yorke said, he left

left it to the honourable member to say. He then said, he had heard another story, which he was almost ashamed to relate, as it was too ridiculous to be stated within those walls: he would, however, inform the House of it. It was, that his Majesty's late Ministers had sent down the sum of five hundred pounds to Scotland, and lodged it in the Bank of Edinburgh, for the purpose of quickening the pace of Scotch members; and enabling them to use dispatch in coming to town on the first meeting of Parliament, by furnishing them with sufficient to defray travelling expences, for which they were to apply to the then Lord Advocate of Scotland [the Honourable Mr. Henry Erskine.] The fact, Mr. Yorke said, had been stated to him by the same Honourable Gentleman, who told him the former, and he had heard it in public company at Edinburgh, from a member of that House, who had been in town before Christmas, but who was not yet arrived. [Mr. Fox and Lord North, said *name* him]. Mr. Yorke said, the member alluded to was Mr. Charteris. He added a few more words, and declared he had thought it his duty for state those facts to the House.

Mr. Fox immediately insisted on an enquiry's Mr. Fox, being instituted to investigate the fact of the offer having been made to any Member of that House in the manner described, and called upon the Hon.

Hon. Gentleman, to declare then who it was that had made him the offer, and what authority he had stated for so doing at the time? He said he could scarcely think it possible that so rash, so foolish a circumstance could have happened; he could answer, however, for himself, for his noble colleague, and for the Duke of Portland, that neither of them had authorized any person whatever to make such a proposition, but it was highly necessary it should be known, for if any person connected with him had done it, let him be ever so dear to him on the score of private friendship, ever so useful to him officially, or in any shape whatever a person in his esteem, he should think it his duty to have him brought forward, and punished, if it should appear that he deserved punishment. He therefore challenged the Honourable Member to name him, and he called upon the House to have the matter fully investigated.

Mr. Dal-
rymple.

Mr. Dalrymple then rose a good deal agitated, and said, that during the last recess, a gentleman in friendship with him, [a call of name him, by Mr. Fox, Lord North, and their friends.] He said, it was Mr. Hamilton of Berganny, formerly a Member of the House, had come to him and told him, he might have a place of five hundred a year, if on the meeting of Parliament, he would vote with the late Ministers. That he was exceedingly incensed at hearing this, and said, "What's this

this you tell me? It is impossible! Do you think that such a trifle should induce me to behave treacherously, and desert my friends? I desire to hear no more of such proposal." [Lord North called out to know from whom he was to have the place?] Mr. Dalrymple said, *from the Duke of Portland*. With regard to the story of five hundred pounds being sent down to Scotland, and deposited in the Bank of Edinburgh, he said, Mr. Charteris had told him so in a public company.

Mr. Fox desired the facts might be investigated; Mr. Fox, he begged the House to observe, that he called for an enquiry, he neither disdained to answer, nor wished to avoid the charge. He was anxious that it should be traced thoroughly. He said the latter story was too ludicrous to excite any thing but laughter. The other, however, was infinitely more serious, and ought to be seriously treated. That went immediately to criminate the Duke of Portland, whom he knew so perfectly, that he would make no scruple to answer for him, and to say that it was untrue. With regard to himself, he desired the House, if they thought him worthy of credit on the occasion, to believe him, when he assured them, on the honour of a gentleman, that he knew nothing of the circumstance, nor had he ever heard of any thing that approached it in any degree, till he had heard it stated by the Honourable Gentleman who first mentioned it. He

did not doubt but his noble friend near him stood exactly in the same predicament; he begged, however, that it might be instantly enquired into, and that not more for the satisfaction of the House, on a point of material importance to their privileges, than in order that strict justice might be done, and the Duke of Portland cleared from a charge which, if he could have been mean enough to have been guilty of, he would deserve to lose the confidence of that House, and of the public forever; but of which, he was persuaded, he would be found to be completely innocent.—With regard to the other story, that of the 500*l.* stated to have been sent down to Edinburgh, for the purpose of defraying the expence of the Scotch Members to town, it was too ridiculous to be credited, indeed; it was upon the face of it so absurd, that no man in his senses could give it credit, much less that the Lord Advocate of Scotland was deputed to dole out the money to such Members as applied for it. If any Gentleman happened to be out of cash, they might privately, and on their own account borrow some of the Lord Advocate, in like manner, notwithstanding any political differences between the learned Gentleman opposite to him and himself, had he been in Edinburgh, and money-tun low, (as it often had done with him) he should have made no scruple to have applied to him for the loan of ten or twenty guineas,

guineas, or whatever might be enough to bring him to London; and he had a sufficient impression of the learned Gentleman's good nature, that without any consideration of the steps that he had taken of an adverse sort in that House, he was persuaded, the learned Gentleman would readily have accommodated him. Something like this might probably have given rise to the story; that it had any serious foundation, he was persuaded was not the case. The other story, however, was far different; he was ready to give it immediately a flat denial; but he desired to go farther; he earnestly pressed the House to trace it to the bottom, and by no means to stop till they had got to the bottom of it. He neither thought it beneath him to answer to it, nor did he wish, on any pretext to avoid an enquiry into it; it was something more than a rumour, it was a direct and explicit charge of the grossest breach of the privileges of that House that could be practised, and ought to be gone into immediately. He hoped therefore the House would lose no time, but would proceed directly to an investigation on the subject.

Lord *North* rose, as soon as Mr. Fox sat down, Lord North. and said, he was persuaded that the story was untrue; it was impossible that the Duke of Portland, than whom there did not exist in the kingdom a purer character, could have so far sullied his own integrity, as to act on any occasion in so base a

manner. *In justice therefore to that noble Duke, the Honourable Member ought immediately to relate the whole circumstances of the case, in order to enable the House to begin an Enquiry, and discover who it was, if it should appear that the story was in any degree true, that had dared to make use of the Duke of Portland's name in so scandalous a manner. The Honourable Gentleman had said, the offer was made him by the Duke of Portland. (Mr. Dalrymple said across the House, *from* the Duke of Portland.) True, his Lordship said, but it amounted to the same thing, as it equally tended to calumniate the noble Duke. The Honourable Gentleman had said, Mr. Hamilton of Berganny made him the offer; he desired to know what authority he told him he had to make any such offer. It was material to the noble Duke, and material to the House, that this should be known. It was material that every part of the circumstance of the story should be correctly stated to the House: he hoped, therefore, the Honourable Gentleman, so much concerned in it, would rise up, and minutely recapitulate all the particulars.

Mr. Dalrymple.

Mr. Dalrymple rose again, and went over the whole tale a second time. He said, when he appeared extremely irritated at such a proposition's having been made to him, and demanded to know from what authority it came to him, Mr. Hamilton

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ton said, "If these are your sentiments, I would not let you know my authority for all the world," and that he did not tell him. In the course of going over the story. Mr. Dalrymple seemed a good deal distressed, and apologized to the House, declaring that he was not used to speak in that House, nor indeed in any public assembly. That he felt himself greatly agitated, and hoped the House would indulge his weakness. He was desired by the Speaker to take time, and collect himself as well as he could.

Mr. *Dundas* rose to declare, that the late Lord Mr. Dundas Advocate, whom he said he did not love less, because he had been his successor, he was persuaded had too high a mind to become the agent of any Ministry, in the manner that had been described. That the story seemed utterly improbable, and was certainly unworthy serious notice. With regard to what Mr. Fox had said, relative to the probability of Members having applied to that learned Gentleman on their own account, that might possibly have been the case. Sure he was, that had he been in Edinburgh, and the Honourable Gentleman had applied to him as he had stated, he should have thought himself honoured, and been proud to have accommodated him, without ever suspecting that he was by those means incurring a breach of the privileges of the House.

Mr. *Byng*

Mr. Byng. Mr. *Byng* declared, he felt more uneasiness than he had ever known in the course of his life. If there was any man more anxious for the purity of that House than another, he thought himself entitled to rank with that man, let him be whom he would; and to hear the name of the Duke of Portland, a person whom he dearly loved and esteemed, a nobleman to whose unspotted integrity and to whose many virtues, all who knew him, let their opinions in politics be ever so different, would readily bear witness; to hear his name caluminated and traduced was a matter that gave him most serious concern. The affair ought to be and must be fully gone into, not only to clear the noble Duke's fame, but to afford all the world complete satisfaction upon the subject. The question was, what was the best and most efficacious way to proceed in it, which ever that was, it ought to be adopted?

Sir Peter Burrell.

Sir Peter Burrell said, two very extraordinary facts had come out in the course of the two days they had sat; the one was the circumstance related by an Honourable General in the debate of Monday last, relating to a noble Lord's having endeavoured to influence his vote, by telling him, that he would be considered as an enemy to the King, if he voted against Administration on that day; the other was this extraordinary story of an offer having been made of a place of 500l. a year

to

to a Member of that House to change sides and vote with Opposition. He was not a little amazed, Sir Peter said, to observe that the first of these extraordinary pieces of information had passed wholly unnoticed. He had not chosen to add to the violence and ferment of the times, and therefore he did not move any thing upon that. But the present was so daring an outrage upon the privileges of that House, and so foul a calumny upon the noble Duke, that it ought not to be suffered to escape enquiry; he would therefore move "that Mr. Hamilton, of Berganny, attend that House." Sir Peter confessed he had to learn what time was proper to allow the Gentleman to come up in, but if a week or a fortnight should be found sufficient, he would allow that time. Being instructed on the subject, he moved, that Mr. Hamilton attend the House that day fortnight.

Mr. Scott said, he should not act so inconsistently, after what he had said the other evening, touching the affair of the noble Lord alluded to by the Honourable General, as not to rise now and offer his cordial support to the motion. Such practices, let them be pursued by whom they might, ought to be traced without favour or affection, and the persons proved to have used them be brought to light, and punished according to their deserts. Mr. Scott spoke with great impartiality, declaring his rooted detestation of all
such

such unconstitutional conduct, and expressing some surprize that nothing had been done upon the other story of Monday, declaring, that if the Honourable Baronet had then moved any thing, he would have co-operated in carrying on an enquiry, and urging, as far as the powers of the House would enable them to urge, that a proper example be made of the party proved to have used so unconstitutional an influence.

Mr. Powys. Mr. *Powys* said, the late Ministers had done themselves infinite honour in meeting the accusation in so manly a way. He hoped their example in that particular would be followed by his Majesty's present Ministers, and that instead of sitting silent under important charges, or affecting to despise them, and by that means evading their investigation, they would provoke that investigation, as the late Ministers had done in the present instance, and trace the charge to the bottom. It was, he said, the character of innocence to demand a trial; of guilt to avoid one. He adverted to the charges that had already been urged against them and were yet unanswered; with regard to the matter under consideration, the late Ministers were perfectly right to push on an immediate enquiry: he would support them in so laudable a purpose; the attack upon the character of the noble Duke was to the last degree scandalous; if there was a pre-eminently virtuous and good
man

man in the kingdom, he believed the noble Duke was that man, and, politics out of the question, he did not doubt but every Gentleman present would subscribe to the character he had just given of the Duke of Portland.

The *Chancellor of the Exchequer* rose immediately to declare; that his Majesty's present Ministers were totally strangers to the fact stated, relative to a noble Peer's conversation with an Honourable General, in the debate on Monday; that they had neither collectively nor individually authorized any such conversation, nor had they known of it, if the Honourable General had not publicly mentioned it in his speech.

The Chan-
cellor of the
Exchequer.

Mr. Fox remarked upon this tardy declaration; and asked why the Right Honourable Gentleman had waited for the goading of Mr. Powys, ere he had thought it necessary for him to rise and exculpate himself and his colleagues, from a charge that it so materially concerned them to clear themselves from. He thought enough had not been done to that end; by what the Right Honourable Gentleman had just said. He declared that the case of Monday was an alarming proof of the daring attempts to influence now in use; but as it had not been charged, that any of the Ministers had authorized the exercise of that influence, it was not near so important to them as the matter

Mr. Fox,

in question at that moment, which was, undoubtedly, a most atrocious breach of privilege, and not merely so, but much aggravated from the attempt it was accompanied with, to detract from the character of a noble Duke who had lately held a high office in Administration. Mr. Fox enlarged upon this, and placed the necessity of proceeding upon the motion in a variety of striking points of view. He called upon Mr. Dalrymple to say who used the Duke of Portland's name to him?

Mr. Dalrymple.

Mr. *Dalrymple* rose again, and said he had made use of the Duke of Portland's name accidentally, and merely through the agitation and flutter that he had been thrown into, by being obliged to speak in that assembly. The Duke's name had not been mentioned to him at all.

Sir John Wrottesley.

Sir *John Wrottesley* recommended the examining Mr. Dalrymple in his place, and the Clerk's taking down all that he said, which might serve them as the grounds of some future proceeding.

The Speaker stated, that he had directed the Clerk to take down Mr. Dalrymple's words, which he would have read to the House. Mr. Hatfel then read a very accurate minute of the whole transaction as stated in the House by Mr. Dalrymple.

Mr.

Mr. *Dalrymple* desired to have the Duke of Portland's name omitted, and to insert in lieu of it, the words "the Portland Administration." Mr. Dalrymple.

This gave rise to a fresh debate. Lord *North* said, it would be better to enter as a separate minute what Mr. *Dalrymple* wished to say farther.

This was complied with, and the Speaker was up six several times to set the House right as to the proper forms of proceeding, which he stated with his usual accuracy, appealing to the oldest members, and best judges of order, to correct him if he was mistaken.

Mr. *Welbore Ellis* declared, the Speaker had been so minutely right, that he thought his assent or praise was wholly unnecessary. Mr. *Ellis* went elaborately through all the usual forms of proceeding in the case of taking down a Member's words, in order to make them a ground of censure, in cases of breach of privilege, and on other occasions, confirming and corroborating the doctrines from the Chair upon the same subject. Mr. Welbore Ellis.

Colonel *North* said, the minutes did not comprehend the whole of the charge. That the Honourable Gentleman, who had spoken first, had directly charged the late Ministers with corruption, his words having been nearly, "that the Ex-Ministers had made a Provisional Treaty with a Col. North,

Member of that House, offering him a place of goal. a year for his vote, to attach on the late Ministers coming into power again." This the Colonel thought extremely material, as both the Gentlemen who had cast so foul an imputation upon the late Ministers, were bound in justice to them, to prove that charge or to retract it in the most ample and satisfactory manner.

Reasons were assigned from the Chair, why it was thought unnecessary to take down those words, the party principally interested being Mr. Dalrymple, Mr. Yorke having referred the House for the authority of the whole of what he said to Mr. Dalrymple.

Col. North. Colonel *North* adhered to his argument, and clearly shewed, that the Honourable Member who spoke first, had on his part made an express charge against the late Ministers, which they had a right to expect to have made out, or retracted.

Gen. Conway. General *Conway* said, the name of the Duke of Portland had been annexed to the accusation by Mr. Dalrymple, and it now appeared the charge was transferred to the whole of the late Administration. The General, with great warmth, agreed upon the unfairness and the injustice of introducing the noble Duke's name so unnecessarily, and expatiated on the noble Duke's high character; in defence of which, when so scandalously aspersed,
every

every friend, he said, to his noble family, ought, in honour, and in candour, to exert himself.

Mr. *Dalrymple* declared his extreme concern ^{Mr. Dal-} for having accidentally introduced the Duke's ^{rymple.} name. He said, it had been entirely owing to his agitation and flurry; that he never had seen the noble Duke in his life, nor had any transaction with him whatever.

Mr. *Byng*, Lord *North*, and Mr. *Fox*, (who ^{Mr. Byng.} had been out of the House a short time) now entered; and as soon as Mr. *Byng* had taken his seat, he rose, and told the House that he had been with the Duke of Portland; that the Duke not only declared himself innocent of the whole of the charge, but said, he had no knowledge whatever of Mr. Hamilton of Bargenny, and had desired him to assure the House, that he was then in their lobby, ready to come to the bar, and answer any question the House might think proper to put to him.

Commodore *Johnstone* appealed to the Chair, ^{Commodore} whether it would not be proper to put the ques- ^{Johnstone.} tion for leave to bring in the India Bill, and so finish that business before they proceeded farther, or to withdraw that question for the present, in order to go on with that relative to the breach of privilege.

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The Speaker informed the Commodore, that when a breach of privilege was under consideration, no matter how it rose, it superseded every other subject; they were therefore perfectly in order in proceeding as they were.

Mr. Erskine. Mr. *Erskine* said, he had not been in the House, when the charge had been made against an Honourable relation of his, he therefore had, he conceived, a right to hear from the Honourable Gentleman who made it, what the nature of the charge was.

No answer being given, Mr. *Erskine* rose again, and said, he had expected to have seen the Gentleman who had charged his brother with a dishonourable piece of conduct, rise and explain what he meant. If he did not do so, he had a right to deem that Honourable Gentleman a slanderer, who defamed an innocent man in his absence, and refused to give his nearest relation an opportunity of knowing with whom the accusation originated.

Ld Mahon. Lord *Mahon* rose and said, if the learned Gentleman had been present, he would have known, that the Hon. Gentleman he called upon, had already said, that he heard Mr. Charteris in public company declare the facts which he had stated.

The Speaker read the motion, which several members expressed a wish might be withdrawn,

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on the plea that it would be fruitless, if carried, as to the point in question, and that it would put an infirm old man to a great deal of trouble and expence.

Sir *Peter Burrell* said, he was extremely sorry Sir Peter Burrell. for the inconvenience it might occasion to Mr. Hamilton, but that when he considered the nature of the breach of privilege, he could by no means consent to withdraw it; and as to the trouble and expence it would occasion, that must be entirely on the shoulders of the two Honourable Gentlemen, who had brought the subject into the House.

Captain *Phipps* complained of the want of feeling and humanity in the House in persisting in a matter, which might give infinite inconvenience to a Gentleman far advanced in life and much afflicted with the gout. He attacked Mr. Erskine for his want of taste, which, he said, the Honourable Gentleman had exemplified by his miserable travellie on Shakespeare the other evening. Captain Phipps.

Lord *Frederick Campbell* said, he knew Mr. Hamilton perfectly, that he was a most respectable character, a very merry, worthy, and witty old Gentleman. If the motion went, he was thoroughly persuaded Mr. Hamilton would come in perfect good humour to their bar, and fairly tell them, Lord Frederick Campbell.

them, that he had never intended a breach of privilege, that he had been joking with his nephew at a mirthful season, and had diverted himself with the story they had heard. That he knew nothing about Administrations, and had not imagined his nephew would have told that House he did. His Lordship pressed the House to forego their purpose, and to give up the motion, since it must necessarily be attended with much inconvenience to the old Gentleman, and could answer no adequate purpose. As to the charge against the Duke of Portland, however serious it might appear at first, it was now evidently reduced to nothing, and was not worth the pains of sending five hundred miles to fetch an old gouty gentleman, seventy-five years of age, at a season too when he knew the roads in Scotland must be impassable.

Mr. Courtney

Mr. *Courtney* insisted upon it that Mr. Yorke had made an express charge of corruption against the late Ministers, and this assertion he justified by a very clear statement of the difference between the accusation made by Mr. Yorke and that made by Mr. Dalrymple, one having charged the late Ministers by that description, the other having charged the Duke of Portland expressly by name. Having clearly proved this by fair logical deduction, Mr. *Courtney* said he could clear up the affair

affair of the 500l. lodged in the Bank of England; and could shew that its being sent to Scotland to pay the postage of the Scotch Members to London was all a mistake. Mr. Courtney then with great humour stated, that at the time of the Union, the Scotch thought their chartered rights invaded, and the privilege of their meeting in their Assembly at Edinburgh trampled upon unconstitutionally. In order to quiet them, therefore, as their King used formerly to come to London once a year to keep his Christmas, and this country was accustomed to send 500l. to Edinburgh; to enable him to pay his expences, which was full ten thousand pounds Scots, it was agreed, that this money should continue to be sent down, to be divided among the forty-five Members. The practice still prevailed, and this happening to be lately talked of, where Mr. Charteris was present, he mistook the matter, and thought the money was merely sent to Scotland to pay the postage of forty-five Members up to London.

Mr. *Dempster* declared, he admired the good ^{Mr. Demp-}humour and pleasantry of the Honourable Gentleman; but he more admired the clear and admirable definition of the whole case, given by that Honourable Gentleman in the serious part of his speech. He said, he had heard a cause tried, the shortest he ever heard in his life. First, the

Honourable Gentleman who opened the subject had made the charge, he had then called his witness, and the whole of the evidence was now before the House. Mr. Dempster argued against the rashness of the Honourable Gentleman who first introduced the story, having grounded a serious charge upon so light and sandy a foundation. He said it gave him pain to think that a young gentleman so respectable, merely from an eagerness to serve his political friends, should have brought himself into so ridiculous predicament.

Mr. Montague.

Mr. *Montague* talked very seriously of the aggravated nature of the charge, and said, that nothing but a very ample and full apology from each gentleman in their place, ought to prevent the House from proceeding with the enquiry.

Mr. Yorke.

Mr. *Yorke* said, he felt no reason to make any apology. He had been told the fact he had stated by an honourable Member; he thought the facts sufficiently important to be laid before the House; he had done so, and referred the House for farther information to the honourable Member himself. If the House should be of opinion, that he had acted with too much precipitancy, he was very ready to say he was sorry for having been so precipitate.

General

General *Conway* made a second speech, in which, General Conway. after severely animadverting on the great impropriety of bringing forward such accusations without first knowing that they were well founded, he read a motion which he had drawn by way of compromise. The motion was in the form of a resolution, and stated that the charge, upon due examination, appeared to have been futile, frivolous, and ill founded; it also contained some other words, clearing up the character of the late Ministry in this particular most honourably.

Mr. *Powys* said, he could not vote for such a Mr. Powys. motion. He was not prepared to assert all that the motion so worded implied. If the worthy General would, in plain terms declare, that as far as the House had been able to investigate the charge, it did not appear to them to be sustained with proof, he would vote it; but he should otherwise vote for the motion.

The *Chancellor of the Exchequer* said, the Ho- The Chancellor of the Exchequer. nourable General had in his speech and motion deprecated the House against severity, and urged them to accept an apology, whereas this was not the season for an apology, nor was his honourable friend ready to offer any.

A great deal more debate ensued, Lord *George Cavendish*, jun. Lord *John Cavendish*, Lord *Maitland*, Sir *Cecil Bishop*, Colonel *Onslow*, and other

Members taking part in it, and reprobating the introduction of such an injurious accusation, without proof being ready to substantiate it.

Mr. Byng. At length Mr. *Byng* said, no motion would he consent to, that contained words short of a declaration, that those who made the charge had *wholly abandoned it*.

Ld. Mahon. Lord *Mahon* replied warmly, and insisted on the motion's being put.

Mr. Sheridan. Mr. *Sheridan* said, it seemed to have been the general sense of the House, as the innocence of the Duke of Portland, and the late Ministers, was sufficiently established and universally admitted, to have received an apology from the two gentlemen, and ended the matter, but the noble Lord had made it impossible.

Governor Johnstone. Governor *Johnstone* was of opinion, that the motion ought to pass. The Governor spoke of the charge in terms of reprobation, declaring that before such sort of accusations were brought forward, Gentlemen ought to have examined well into them, and have satisfied themselves at least that they were founded.

Mr. Alderman Sawbridge. Mr. Alderman *Sawbridge* declared he was against a compromise; he never knew any good come of a compromise; on the contrary, compromise had done much harm. He should therefore vote for the motion.

Mr.

Mr. Fox said, he thought if any words of apology would have been satisfactory, those of his honourable friend near him (Mr. Byng) would have been so, as they appeared to him, the best that had been yet suggested; but unless he was sure, that a resolution of exculpation could be carried unanimously, *nemine contradicente*; or without any division; he should not accept of such a compromise, and that for this reason: as the Ex-Ministers were known to be supported by a majority of that House, if a Resolution of exculpation were carried upon a division, it would immediately be suspected, and said, that any motion proposed in their favour would unavoidably be carried while they held a majority, and thus they would be liable to as much suspicion of guilt as if their innocence had in no degree been made apparent; for this reason he wished the motion to be put and carried, notwithstanding the inconveniencies and expence to which it would expose Mr. Hamilton.

Mr. Dundas said, the House need not trouble themselves about the expence it would put Mr. Hamilton to, as he was a man of considerable fortune, possessing an estate of five thousand a year. He said farther, that he should wish the motion to go, as it would give a warning to the people in Scotland that was highly necessary, and teach

teach them to be more cautious of making use of the Duke of Portland's name, than they had been hitherto. It would prevent the noble Duke's name from being bandied about at elections, and on occasions where it ought not to be prostituted to base and improper purposes.

Mr. Macdonald.

Mr. *Macdonald* made a short and pleasant speech, and moved, that the words *a fortnight* be omitted, and the words *three weeks* inserted in their stead. This was carried.

Mr. Burke

Mr. *Burke* in a short speech rejoiced, that the noble Duke had acted so like himself; the first news the House had heard of his Grace being that he was at their door ready and willing to be examined. Mr. *Burke* contrasted this with the conduct of another, about whose fame rumour had been busy.

Ld. North.

Lord *North* made an extreme pleasant speech on all the circumstances of the case; his Lordship pressed the passing of the motion as a matter impossible to be avoided. His Lordship then said, he was sorry for the inconvenience Mr. *Hamilton* must undergo in coming to town at this inclement season, but the uncle must thank the nephew for the journey. His Lordship then very humourously asked General *Ross*, if his brother-in-law, Lord *Willoughby*, had been the Lord of the Bedchamber alluded to by him in his story of Monday?

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The Speaker at last put the question, which was carried, an amendment changing the time (allowed Mr. Hamilton to come in) from *a fortnight* to *three weeks* being first carried * ?

General *Rofs* rose to satisfy Lord North, that Gen. Rofs. Lord Willoughby was not the Lord of the Bed-Chamber he alluded to last Monday.

Lord *North* upon this said, he hoped every Ld. North. other gentleman present who had a brother, or brother-in-law a Lord of the Bed-Chamber, would put the same question to the Honourable General.

After a hearty laugh, there was a pretty general call on General *Rofs* to name the Lord in question.

General *Rofs* said it was Lord Galloway. Gen. Rofs.

Commodore *Keith Stuart* then rose and said, he Commodore K. Stuart. was not in the House at the time the particulars just alluded to were mentioned on Monday, and he had not then the least idea, that they referred

During the above debate, Mr. Martin rose, and remarked, that as that House was not the House of Lords, he begged therefore that the noble strangers he saw at the end of the House might be desired to retire. When the other House paid proper civility to the Members of that House, he said, he should have no objection to returning their politeness.

He afterwards rose to say, that as he heard the Duke of Portland was in the lobby, he begged his Grace might be desired to come in if he chose it, and hear a debate in which he was so much interested.

to a person nearly related to him. He could not help saying, he thought it would have been more like an officer and a man of spirit, if the Honourable General had publicly mentioned the name of the noble party so materially interested, instead of avoiding a public mention of it, and afterwards industriously circulating the name all round the House. Mr. Stuart said, he had the very next morning thought it his duty to go to his noble relation, and ask him, what the words were which he had used, in his conversation with the Honourable General, and in order to prevent his misconceiving them, his noble relation had put them down in writing. With permission, he would read the paper to the House. Mr. Stuart then read a few lines, couched in general terms, and stating a conversation perfectly innocent, and which bore no relation to the matter of influence charged against the noble Lord by General Ross. When he had read the paper through, Mr. Stuart declared, his brother had assured him, that paper contained the substance of the whole conversation. (Mr. Fox and some Gentlemen near, laughed at this declaration) Mr. Stuart seemed hurt at such an expression of ridicule, and complained of being ill treated.

Gen. Ross.

General Ross rose, and after asking if his spirit was at all questioned, which was answered by a general

général cry of *no! no!* the General paid Mr. Stuart a professional compliment on his character, and then said, so far from circulating the noble Lord's name privately on Monday, he had actually refused to tell it, for the truth of which, he appealed to the noble Lord, who asked him the question. The General next asked, if he was to understand whether he had permission to state the whole of the conversation that had passed between him and Lord Galloway.

Mr. *Stuart* said, all that he knew of the matter, the House now knew, for the paper he had read contained all he had in charge.

Mr. Stuart.

General *Ross* then went into a most minute detail of the leading particulars of the transaction, beginning with the mention of the noble Earl's having, in person, left a card at his house, and a message, desiring to see him the next day at eleven, relating the chief of the conversation at the interview, and concluding with a recital of his taking leave and coming away. He declared, upon the honour of an officer, what he had told the House was the strict truth, and said, he was ready to make oath of every syllable of it. That though his rank was not equal to that of an Earl, yet in honour and honesty he stood as high as any man in the kingdom. He added, that had he permission to tell every thing that had passed, he

Gen. Ross.

could mention two or three things that would convince the Right Honourable First Minister, that what he had said was strictly founded.

Mr. Stuart. Mr. *Stuart* said, he had not prevented him from saying every thing he chose to say. He had no right to stop his mouth.

The General then mentioned, that the noble Earl had told him, that Lord Gower, who had retired into the country on a fortune of 20,000*l.* a year, with his affairs perfectly clear and unembarrassed, all his bills regularly paid, and who had left town on a determination to quit public business; as soon as he saw the India Bill, thought it extremely dangerous to the constitution, and came up to town to oppose it. That Lord Gower and Lord Thurlow, and the Right Honourable Gentleman, the first Minister, dined together almost every day, and that they were to dine together that day (Friday last). The General said, Mr. Pitt would know from this, where he got his information. After more remarks, not very interesting, the General sat down.

Mr. Dundas. Mr. *Dundas* then said, he saw not to what useful end that House could pursue any measure upon such an occasion, since it was evident there was a direct contradiction between the two parties, and it must necessarily end, in the assertion
of

of one individual being set up against the assertion of another. The only third person present at the conversation it was said was a child, and it was agreed on all hands, that it was a very fine child, but the infant could at no rate be called as an evidence. If they set an enquiry on foot, therefore, it must end where it began.

Mr. Fox agreed with the learned Gentleman perfectly in this, and for that reason he declared he was indifferent as to what proceeding was adopted, he neither wished for an enquiry, nor did he wish to abandon an enquiry. He acknowledged, that he had laughed when the Hon. Commodore had said, what he had read, was *the whole substance* of the conversation; and the reason was, that it should have escaped the Commodore, that what he had read as an answer to the charge, did not contain one syllable about it, not a syllable ! He said, had such an accusation been made against him, when he knew himself to be innocent, he should have answered it in a very different manner; he should have said, plainly and warmly, “ I flatly deny the charge, I never made that infamous declaration you accuse me with; I was not so base as to descend to a conduct below my dignity, nor will I suffer such an accusation and my name to go together.” After urging this very pointedly, Mr. Fox enlarged upon the ex-

Mr. Fox.

treme cruelty of putting an officer into so delicate and difficult a situation, which he described in striking colours. He said, he knew not what ought to be done in it, but he thought nothing hastily; and he urged the House to take particular care, that whatever they did, they did not afford the other House of Parliament cause of jealousy, cause to suspect that the House of Commons were carrying matters too far, and that their privileges were in danger. This, he said, was an evil most studiously to be avoided in the present circumstances of the country, and he hoped, before any measure was taken, that they would refer to their journals, and be well furnished with precedents to guide and guard their proceedings on the matter in question.

Mr- Stuart. Mr. *Stuart* complained of Mr. Fox's abuse, which he said he threw out on every occasion.

Gen. Rofs. General *Rofs* took up Mr. Fox's argument about the cruelty of forcing such a declaration upon him, as that he would be considered as *an enemy to the King*, after his sentiments had been declared.

The Speaker after this put the question, "That leave be given to bring in a Bill for the better government and reformation of the East-India Company's affairs."

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The motion was agreed to, and the Chancellor of the Exchequer, and other officers of the Crown, directed to bring it in.

This being at length adjusted, *the Chancellor of the Exchequer* rose, and desired to put one question more to the Honourable General, which was to know, if he had said the whole of what had passed between him and the noble Earl, or whether any thing yet remained unrelated ?

General *Rofs* rose again, and declared, he believed he had said every thing material that passed. Gen. Rofs. The noble Earl indeed had held a conversation on the present times, in which he had answered what the noble Earl said, by making some animadversions on the characters of some of the present Ministers, which he had delivered with an honest freedom that he thought him entitled to exercise. In particular, he had spoken his opinion of the Right Honourable Gentleman now at the head of Administration, and said, he had not imagined that a descendent of the great Lord Chatham would have come into office under such circumstances as had marked the æra of the late change of the Ministry. The General recapitulated other parts of his conversation, which were by no means material.

Mr. *Fox* afterwards rose, and said, at that late Mr. Fox. hour he would not move any resolution in the Committee on the State of the Nation, but
would

would only put a single question to the Right Honourable Gentleman opposite to him. He observed, that it must be obvious that a great many different questions would naturally obtrude themselves on his mind, and on the minds of other Gentlemen, with regard to the present extraordinary situation of the country. He would however ask only one question, and that relative to the Dissolution of Parliament. From the steps that had lately been taken in that House, many persons thought it would be impossible for his Majesty's Ministers to dissolve the Parliament, but although such a measure would be an act of downright madness, from the state of disorder into which it would throw the country, there were others, who not perceiving any thing like prudence in any part of their conduct since they had been in Administration, or rather since they had accepted of their situations, but the direct contrary, did not think a certainty of the fatal consequences of a dissolution, a sufficient security against their carrying their imprudence to any extent whatever; and as some persons thought they might dissolve the Parliament that very day, notwithstanding leave had been given to bring in the Right Honourable Gentleman's East-India Bill, he begged to know of the Right Honourable Gentleman, if he had advised his Majesty,

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or had any intention to advise h's Majesty, to dissolve the Parliament as that day, so that before night that House would no longer be in a state of existence? If such was his design, he should think it necessary, late as it was, to go into the Committee then, and propose some resolution or other; if, on the other hand, the Right Hon. Gentleman would assure him that the Parliament was not so near its end, he would in that case move to adjourn the Committee till the next day (Friday) and at the same time would move that the House should at its rising adjourn to that day.

The *Chancellor of the Exchequer* rose and said, Chancellor of the Exchequer. from the extraordinary situation in which he had been described to stand, he felt himself under very great difficulty as to what answer he should make. The Right Hon. Gentleman had said, it would be downright madness in his Majesty's Ministers to advise a dissolution of the Parliament then; he had nevertheless declared, he did not think that a sufficient security against their adopting such a measure. Now what answer he could give in a state of insanity, that would be satisfactory, he was at a loss to imagine. Thus much, however, he would venture to say, that nothing could be farther from his intention than to advise a dissolution of the Parliament as that day, meaning to prepare himself to bring in the East-India Bill

Bill as the next day, an intention which he certainly should not depart from, unless he was seized with a fit of phrenzy in the night, and he really did not perceive any symptoms of the fit's coming upon him at that moment,

This being adjusted, Mr. Fox moved to adjourn the Committee on the State of the Nation till the next day, and the House adjourned, it being HALF past TWO in the morning.

HOUSE OF COMMONS.

Friday, January 17, 1784.

Motion for East-India Papers.

GENERAL *Smith* moved for copies of all proceedings relative to the vote of the Court of Proprietors of the East-India Company, on the sixth instant. Gen. Smith

Mr. Pitt said he had no objection to any papers which could assist in giving any information whatsoever respecting the Bill which he had the honour to move for, and which he should this day present to the House: but how copies of all the papers could be produced in time sufficient for the second reading of the Bill, he was yet to learn. Mr. Pitt

Lord North considered the papers moved for by the Honourable Member to be particularly requisite; and he apprehended the Right Honourable Chancellor mistook those that were called for. It was only such as merely related to the transaction of the 6th, in order to give the House full possession of the business then transacted, and which probably was mistated. The papers were necessary, and he expected the Right Honourable Gentleman would not be against their being produced. Lord North

Mr. Pitt made no reply, and the papers were ordered accordingly.

The Yorkshire Petition.

Mr. Dun-
combe.

Mr. *Duncombe* rose to present the Petition which he intended to have offered yesterday. He said, that the great county, which had done him the honour to elect him their representative, had long beheld with concern the very inadequate manner in which the People of England in general, and the Freeholders of the County of York in particular, were represented in that House. To obtain a more equal representation, had been the object of the Petition he had had the honour to deliver from his constituents last; and that, which he then held in his hand, was nearly to the same effect, and conceived in nearly the same words.—The Petitioners flattered themselves, that, notwithstanding the little success with which their efforts had been last year attended, their petition might this year meet a more favourable reception in the House. Circumstances might since have happened, that might induce some Members, who had then opposed a reform, to lend now a more favourable ear to the prayers of the people. The happy effects that a parliamentary reform would produce were very obvious: the people being more equally represented, would look up with more confidence to the House of Commons than they do at present; and of course they would more cheerfully

cheerfully submit to the imposition of such taxes as the exigency of affairs should call for. They trusted also that they should experience on this occasion at least as vigorous a support from the Right Honourable Gentleman at the head of the Treasury, as he gave them last year, in endeavouring to procure a reform in Parliament, to which he had always declared himself a most zealous and hearty friend.—He said, the time that had elapsed, he conceived, had more clearly evinced the necessity of a less inadequate representation:—that additional weight might have derived to the arguments of those who had before supported a similar proposition, while the force of the reasoning held by its opposers might possibly have diminished:—that a reform in the state of parliamentary representation was the corner-stone of the people's hopes; that they regarded it as the great security for all their expectations of future happiness and prosperity; and he hoped the success of their present application would prove that they had not been too eager in their hopes, nor too sanguine in their expectations.

The question, "That this Petition be brought up," was put.

Lord *North* then rose, but certainly, he said, Lord North, not to oppose the bringing up the Petition. He knew that the people had a right to petition

Parliament whenever they pleased, and upon what they pleased, and he held that essential privilege in too dear an estimation ever to stand forward and object to it. Even where the people petitioned upon a subject, respecting which they might appear to that House to be mistaken, their inclinations, nevertheless, ought to have some degree of weight. As he had uniformly opposed the proposition urged in the Petition from the respectable description of persons represented by the Honourable Member, he rose to declare that his sentiments on that subject continued exactly the same now as formerly; as he differed from the Petitioners upon principle originally, he must still be allowed to continue to differ from them; and to declare, that, so far from thinking any alteration or reform of the state of parliamentary representation necessary, he was content with the present state of that particular, under which, from the time of the Revolution, so many excellent laws had been made, and under which he hoped many more would continue to be made. The Honourable Gentleman had said, he had reason to expect better success in his application to Parliament now than formerly. He was of a contrary opinion; there was no subject of importance upon which men's minds had changed more within the last three years. The whole mass of the people seemed
now

now to be of a different way of thinking from what they had been formerly, as was evident from the Petition from the county of York being the only one that had this year been presented to that House; whereas, before, Petitions had been presented from almost every county in the kingdom, as well as from a great number of towns in the different counties. His Lordship said farther, that he did not think the arguments of those who had formerly supported the Petitions on the same subject, had gathered strength, nor the arguments of its opposers lost their force: he also added other reasons in support of his position, that there was less probability of the Petition's meeting with success now than heretofore; and declared, that when the time came for its discussion, he should oppose any proposal for an alteration, being, after mature deliberation, convinced, that the state of the representation could not be altered for the better. His Lordship said, that having been always an enemy to this wished-for innovation upon the constitution; having seen the nation happy and prosperous under the Government in which the Commons had been constituted; having voted against the proposition made for reforming the representation of the people; he thought it necessary, in the first stage of the business, to declare to the honourable mover of the

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the question, and to the House, that his opinion on this subject had not undergone the smallest alteration; that no event or circumstance had occurred to induce him to change his mind: on the contrary, he was now much confirmed in the propriety of his sentiments on this question, by the conduct of the House of Commons within these three weeks; a conduct which did them the highest honour, as it proved them to be, what the advocates for a reform had always asserted it was in their nature impossible they should be, a body of men zealous for the purity of the constitution, whom corruption could not warp; who were proof equally against the menaces and the proffered favours of a Minister.— He would admit, that even the mistaken and erroneous opinions of the people ought to have some weight; but it was fair for him to argue from the silence of one part of the nation, against the avowed and declared voice of another. The County of York was unquestionably a great and respectable county, and its opinion ought to have its due influence on that House; but he would beg leave to observe, that though this question of a parliamentary reform had been agitated pretty warmly through the nation, though associations had been formed in different counties for the purpose of giving efficacy to the application made last year for this reform,

still

still it was a little singular, and not a little flattering to his opinion, that this petition from the County of York was the only one which had been offered this year to the House. Hence he might fairly infer, that the counties which petitioned last year, as well as those which never petitioned at all, were not very desirous of a reform, for which they did not think proper to apply. This much he thought proper to say the moment the petition was offered, that Gentlemen might not suppose, from what had been said by the Honourable Member who moved for leave to bring up this petition, that he was one of those whom that Honourable Gentleman supposed might have altered their opinion with respect to a parliamentary reform.

Mr. Powys said, the subject then under discussion was one of the very few in which he joined cordially with the noble Lord in the blue ribbon:—that when the matter had been last in agitation in that House, he had taken the liberty to state his sentiments upon it; that whenever it was again brought forward, he should again deliver his opinion, and his reasons for adhering to it. There was but one thing that could induce him to alter his judgment, and that was the appearance of a *fourth estate* in the constitution: whenever a fourth estate should discover itself, he owned he should then be staggered.

Mr. Powys.

If

If any thing could make him a convert, it would be that.

Mr. Burke. Mr. Burke took up Mr. Powys' idea respecting a fourth estate, and with some humour and ingenuity described the secret influence, which, though not recognised by the constitution, had certainly been in operation lately, as that fourth estate. Mr. Burke reasoned upon this for some time, and then insensibly led the House to a consideration of the Royal Prerogative, which he discussed with an obviously thorough knowledge of the constitution. In the course of his reasoning upon it, he introduced a pamphlet, entitled, "A Dialogue between an Englishman and a Foreigner," written, he said, by a person lately created a Peer, who, after having spent a great part of his life within those walls, which he had often made echo by his eloquence, had at length been translated to that assembly which the late Lord Chesterfield used sometimes to term *an hospital for incurables*, but when he was in better humour would call *an hospital for invalids*. The assembly, however, in which he was then speaking, might, from what lately happened in it, be called with great propriety the *House of Correction*. The person, of whose pamphlet he had been speaking, was Lord Camelford, who, though he had been taken up into the political elysium, or the political paradise, had, like another

ther Elijah, left his mantle behind him. Mr. Burke, after more pleasantry of this kind, produced the pamphlet, which he said contained some strange doctrines. He read various extracts from it, to shew that the noble author had brought forward the erroneous opinions entertained by foreigners of the nature of our constitution in general, and of the Royal Prerogative in particular, for the sake of refuting those opinions, and stating distinctly what the precise line was that the Constitution drew between the Prerogative of the Crown and the Rights of the People. Mr. Burke deduced from this pamphlet various arguments to mark the distinction between a wise exercise of the Prerogative and its abuse. He also grounded upon those arguments several observations tending to expose the danger that must necessarily arise from the operation of Secret Influence, which, as it were, created a fourth estate.

Sir *Richard Hill* said, that, as it was certainly Sir R. Hill, an improper time to enter into a discussion of a parliamentary reform, he should say nothing at all on that subject, though he must observe, *en passant*, that, as the House of Commons was *now* constituted, it was much such a representation of the people, as you, Sir, (addressing himself to the Speaker,) are of the House of Commons at St. Margaret's church on the 30th of January.

What called him up was an expression or two which had fallen from an Honourable Gentleman over against him, relative to Secret Influence. He observed, so much had been advanced on that subject, that he should not tire the House with a repetition of it; but he begged to ask, whether, whilst Gentlemen were complaining of *secret* influence in the Upper House, or, as an Honourable Gentleman had called it, *the House of Correction*, here was no danger from a *corrupt* influence in the Lower House? Sir Richard said, if that unhappy period should ever arrive, when an Heir Apparent to the Crown should be seen within those walls, either directly or indirectly attempting to influence the voices of the Members, either by words or otherwise, how would the House brook such a sight? Would they not think that their honour was sullied, their independence tarnished, their privileges invaded? By what name could such an influence be called? It was not Crown influence; it was not aristocratic influence: yet it was both united, and so much the more dangerous, as not being responsible under either of these distinctions. It was truly and really a *fourth state*.

He said, that though a secret influence might not always be a corrupt influence, nor a corrupt influence always a secret one; yet he could produce an instance (the authority of which ought

ought not to be questioned in that House, for it was that of the Bible itself) where a secret influence saved a nation; but no country was ever benefited by a corrupt one. In the reign of Ahasuerus, King of Persia, his ambitious Minister Haman devised a plan, not only for depriving the people of the Jews of all their rights and privileges, and for the confiscation of their goods and property, but for the destruction of their very persons. Mordecai, one of the chief of the Jewish nation, before the King had put his royal seal to the decree, secretly apprized his Majesty of the danger of the measure, and convinced him that the ambition of his Minister could only be gratified by suffering it to be put in execution.— The King interposed, the decree was stopped, Haman's design was seen through, he was dismissed from the King's confidence, and afterwards hanged on a gibbet fifty cubits high. Thus was a nation saved by what might be called a secret influence; but, as he observed before, a corrupt influence must ever be attended with ruin and disgrace.

Lord *Melbourn*, who had entered the House while Sir Richard Hill was speaking, said, he had been not a little astonished at hearing the Honourable Baronet's assertions relative to the first subject in the kingdom; a Prince not more distinguished by his high rank, than for the

Lord Mel-
bourn.

nobleness of his mind, the number of his virtues, and the general amiableness of his character. Before the Honourable Baronet had thought proper to glance even at the royal person to whom he alluded, with a view to insinuate any thing to his prejudice, it would have been no more than justice to have offered some proof that his assertions were founded, so far as to warrant a suspicion even of what, his Lordship said, he was convinced there did not exist the smallest shadow of a reason to believe had any existence,

Sir R. Hill. Sir *Richard Hill* assured the noble Lord, that he had spoken merely hypothetically.

Mr. Martin. Mr. *Martin* declared, that the two places to which he had been lately appointed, that of the Deputy Starlingship by the noble Lord in the blue ribbon, and that of the Deputy Serjeant to clear away the Peers from the lower part of the House, an office which the Speaker had honoured him with, not having vacated his seat, he would rise to say a few words. Mr. *Martin* then said, that though he was a zealous friend to the object of the present petition, he had but little expectation of that House ever consenting to reform itself; such virtue and self-denial were what he did not think probable in times like the present. He declared, he did not mean to say any thing offensive to the noble Lord in the blue ribbon; but when he considered that the noble

noble Lord had, during his administration, lost thirteen Colonies to this country, and that nevertheless his conduct had never been enquired into, he was confirmed, the more in his idea, that no reform in the state of parliamentary representation was likely to take place.

Lord *Delaval* delivered an elegant panegyric on Lord North, and reminded the House, that at the very time the noble Lord had been on the verge of quitting his situation as a Minister, he had ventured to rise in his place, and expatiate on the noble Lord's virtues and abilities, prognosticating the happy consequences that would result from an union with the Right Honourable Gentleman who had been in office with him lately. His Lordship said, his prophecy had been fulfilled, all that he had then predicted having been since verified; and he had no doubt but that the country would have received the greatest and most desirable advantages, had the Coalition continued to administer the government, and not been deprived of their power, by means not more dangerous than unconstitutional. His Lordship, in the course of his speech, took occasion to declare his sentiments of the Heir Apparent, whom he described as possessing every virtue that could render him amiable in private life, and endear him to those who, though he hoped it would be many, many years first, would

Lord Delaval.

one day, in all probability, be his subjects, and derive a continuance of those blessings from his Government, which this country had uniformly experienced since the illustrious House of Hanover had been called to the throne, and in no reign more eminently than the present. His Lordship thought any allusions to the Heir Apparent, short of the commendation due to his princely virtues, extremely improper.

Sir Richard
Hill.

Sir *Richard Hill* rose to explain. He said he was as happy to see that illustrious Personage then in the House for the purposes mentioned, by the noble Lord, as any other person; but if he was there for the purpose of *beading a faction*, he certainly could not approve of it. Hereupon Sir Richard being *called, to order*, declared, he meant to speak hypothetically only; but that if he had said any thing unbecoming, he was sorry for it.

The Speak-
er.

The SPEAKER begged leave to remind the House, that the motion was for bringing up a petition from the county of York.

Lord *Surry* rose to thank the Honourable Gentleman who had presented it, declaring the object of the petition was a matter which he had greatly at heart, and upon which he thought very differently from the noble Lord near him. His Lordship said, the county of York had great confidence in the Right Honourable Gentleman
opposite

opposite to him, hoping that he would prove the chief support of their petition, and by persevering in the sentiments delivered by him the last year, that their end would be attained. The Right Honourable Gentleman, however, had greatly disappointed the Gentlemen of the county of York, by condescending to enter a Cabinet, the majority of whom were decidedly of a different opinion from him on the subject of parliamentary representation. Having said this, his Lordship expressed his concern at the Right Honourable Gentleman's having, by force and stealth, possessed himself of the situation which he held, contrary to the declared sense of the House of Commons, without their confidence, and without the confidence of the people. He allowed that the Right Honourable Gentleman's abilities entitled him to fill any of the great offices of state; but he wished not to have seen him in any, to obtain which he had proceeded through bye-ways and crooked paths. Had he mounted to power constitutionally, he should have been happy; but he could not but lament, that a person of such eminent qualifications should become the instrument of secret influence, and be joined with those who were the worst foes to the constitution. His Lordship at length again adverted to the subject of the York petition. He said, he had himself lately attended one of the
 York

York meetings; that he had taken an infinite deal of trouble in forwarding the object, in concert with that great and distinguished character, whose recent loss they must all equally deplore, and who spent the last period of his expiring constitution in the prosecution of parliamentary reform. For this reason, added to the manner in which the Right Honourable Gentleman stood committed to his country, as it were, upon the subject, he hoped, now he was in power, he would give the petition effectual support.

The Chan-
cellor of the
Exchequer,

The *Chancellor of the Exchequer* rose to mark the inconsistency of the arguments of the noble Lord, who, while he arraigned his conduct for coming into office, said he had not the confidence of the people, yet at the same time told him, that he enjoyed the confidence of the largest, most populous, and, perhaps, the most respectable county in the kingdom. He declared it was very flattering to his mind to hear that he was honoured so far; but in what he had disappointed the gentlemen in Yorkshire, he was at a loss to guess; for as he had never given them cause to expect any particular conduct in him, by never having pledged himself to pursue any, he could not think they had a right to say they were disappointed. Thus much, however, he would say, that if he had never
come

come into power, till every Minister who co-operated with him had engaged to support a plan of parliamentary reform, he was thoroughly persuaded he never could have come into office, so differently did different men think upon the subject. The sentiments and opinions that he had entertained the last year, still remained as strongly impressed upon his mind as ever. Indeed, if they had undergone any alteration, it was, that they had made a still stronger impression, from all he had seen since, and especially from what he had witnessed lately. When the proper time for the discussion of the subject arrived, the noble Lord might rest assured, he would prove himself as much the friend to the object of the present petition as he ever had been; convinced as he was, that some reform was indispensably necessary, and the more temperate and moderate that reform was, it was the more likely to prove generally acceptable.

Mr. *Baker* thought there was a *fourth estate*, Mr. Baker and that fourth estate a very dangerous one indeed; for within the last twenty-four hours he had heard it rumoured, and rumours now carried with them many facts, that PRIVATE LOANS were agitated——private subscriptions entering into, to raise a certain sum of money to support a certain set of men in power in case of dissolution,

which dissolution, for that very reason, there was every right to expect. This in reality was a new estate, and a new mode of contumacy in that estate to the ruin of the kingdom. Private benevolences to support obnoxious men in power, was a matter that came home to the very serious consideration of the House; for it was evident that this money so borrowed to place an Administration in a new Parliament with a Majority, must be by that Ministry repaid to the lenders, and in that repayment come out of the pockets of the people. The people in this case would be immediate sufferers, and in the end perhaps totally ruined. He would call upon Ministers, upon the House, upon individual Members, to know if such offers had been made, did he imagine that he should obtain any satisfactory reply; but questions to the Ministers had lately met with no answer—at least none that could bear the name of satisfaction to the querist, or to the House.

Mr. Powys. Mr. *Powys* wished to know, from any intelligent Member, how far, in point of order, the conversation or debate was with the question before the House. To him it appeared that the secret influence in one place, or the corrupt influence in another, had very little connection with the motion for receiving the York Petition, and therefore he should entreat the Speaker's opinion,

Lord

Lord *Surry* rose again to explain. The Right Lord Surry. Honourable Gentleman had mistaken him ; he had not said that the county of York expected the Right Honourable Gentleman would have staid out of office till all the Ministers were of the same opinion respecting parliamentary reform ; but that he would not have entered a Cabinet, the majority of which was decidedly composed of the enemies of that measure. A stronger proof of the necessity for an immediate reform taking place, need not be instanced, than the borough of Aldborough ; Mr. Mellish, the late worthy representative of which, had been obliged to accept the Chiltern Hundreds, the borough being in the entire possession of the Duke of Newcastle. His Lordship said, that, had the reform he anxiously hoped for taken place last year, he was persuaded things would not have stood in the extraordinary predicament in which they stood at that moment.

Mr. *Fox* rose to return the Right Honourable Mr. Fox. Gentleman his thanks for having made his defence at the very time that he was making his own. Nothing could be more true than that it was impossible to expect to find a Ministry all of the same opinion, as to the necessity for a parliamentary reform. He had himself been repeatedly blamed on that very ground of argument ; nay, it had been one of the principal objections

to the Coalition, and at the time that he was last returned for Westminster, a debate upon the subject took place in the hustings, during the election, and it was charged against him as a great offence, that he had joined with the noble Lord in the blue ribbon, who was avowedly an enemy to a parliamentary reform. The conduct of the Right Honourable Gentleman opposite to him had been contrasted with his, those who were displeas'd declaring that the Right Honourable Gentleman never would join with any Minister who would not support the plan of reform. The Right Honourable Gentleman had not verified this prediction, and that for the best of all possible reasons, because he could not. In truth, it was not in the nature of things to find a Cabinet unanimous upon the subject, nor did it at all signify. The plan of reform was not to be carried into execution by the Cabinet; it must be carried into execution in that House, and no where else. A temperate and moderate reform, he declared, he would join the Right Honourable Gentleman in cordially supporting. Mr. Fox took some notice of the means by which Mr. Pitt had come into power, describing them as disgraceful to his character.

Lord Mahon. Lord *Mahon* denied that Lord Sydney was an enemy to parliamentary reform in the latitude stated by the Right Honourable Gentleman who spoke

spoke last, though it might be true *sub modo* ! if it was meant that the noble Lord was an enemy to that part of the reform which went to shorten the duration of Parliament, he believed the assertion might be well founded; but if it was meant that he was hostile to the introduction of additional Members for counties, to counteract the influence of rotten boroughs, he was confident there was no foundation whatsoever for the assertion. This much, however, he was sure of, that at a meeting in the county of Kent, at which he (Lord Mahon) presided, there was a question put on that point, and the noble Lord divided for the affirmative; so that he consented to let the consideration of that point be referred to a meeting of the county. [Here there was a loud laugh, because the noble Lord interpreted the consent of Lord Sydney, that the question should be referred to a county meeting, into an approbation of the measure itself.]

At length the petition was brought up, read, and ordered to lie on the table.

East-India Bill.

The Chancellor of the Exchequer brought in his Bill, which was read a first time, and then on motion ordered to be printed, and moved to be read a second time next Wednesday:

The Chan-
cellor of the
Exchequer.

Mr.

Mr. Fox said, considering the infinite importance of the Bill, and that it had been brought in only that hour, he thought Wednesday next too early a day; as therefore nothing could be more fair than to measure out to one what had been measured out to another, he should move that it be read a second time on Friday next. A week had been allowed between the first and second reading of the Bill he had the honour to bring in before the holidays, and yet it had been said, that the Bill had been hurried through the House with indecent rapidity. The addition of two days merely in the present case could make no great difference, he presumed, to the Right Honourable Gentleman.

The Chancellor of the Exchequer.

The Chancellor of the Exchequer said, there was a manifest difference between the two cases. The Bill introduced by the Right Honourable Gentleman was entirely new to the House, not a hint of its being intended to bring in any such plan having been given previous to the introduction of the Bill; whereas now the subject was much better understood, and there could not be any cause for delay. Add to this, his Bill was but a short one, and he had been informed it might be printed against the next day. Mr. Pitt reminded the Honourable Gentleman that the reason of his having moved that the second reading of the first Bill be postponed as long as possible, was to afford
time

time for the call of the House, which he had moved, to have effect, in order to enforce as full an attendance as possible, it not being usual for gentlemen to come to town in any numbers before Christmas. He reminded him also that six weeks ago, he had declared there was not one hour to be lost. If that had been the case then, how much more necessary must dispatch be at that time; and the more especially as it was said his Bill was to be thrown out, and in that case the business would be to begin again *de novo*. For these reasons, Mr. Pitt said, he should wish the Bill might be read a second time next Wednesday; but if Friday was more agreeable to the House, he should consent.

Lord North said, as the point was in a manner Lord North. conceded, he certainly had no occasion to take up much of the time of the House. His Lordship declared the India Bill would be the test of the permanency of the power of the present Ministers, who, contrary to parliamentary usage, continued to hold their places, notwithstanding they had not the confidence of that House. His Lordship pressed this idea home to the Right Honourable Gentleman's breast, and expressed much doubt of the success of a bill, which; as far as he could know of it, from the manner in which the Right Honourable Gentleman had opened it, did not promise to answer the end proposed.

The

The Chan-
cellor of the
Exchequer.

The *Chancellor of the Exchequer* said, that it would ill become him to fall into the fault which he had taken the liberty to blame in the Right Honourable Gentleman, by attempting to hurry through the House a measure which he could expect to carry only on a persuasion of its superior excellence. But though the Right Honourable Gentleman endeavoured to fix upon him the imputation of inconsistency, it was very easy to convince the House that there was not the least ground for the charge, because there was not the least similarity between the conduct of the Right Honourable Member and his own. When the first Bill was brought in, it came suddenly upon the House; the Parliament had been called early together; they were told that the business of India would be brought before them; but the precise measure, that was to be proposed, was kept a profound secret, till the very day it was opened to the House. At that time the House was satisfied only of one point, which was, that something must be done for securing the empire of India to this country: the something which was proposed by the Right Honourable Gentleman was of so extraordinary a nature, so dangerous to the constitution, by the introduction of executive government; of a power dangerous to monarchy, and of an influence paramount to every power in the country; the House might well have expected
to

to pause, to call for time to consider of so new and extraordinary a measure, which spared not even the most sacred, and hitherto deemed secure tenures and franchises in the kingdom. A delay, however, of only three or four days was asked, and that for the purpose of procuring a numerous attendance of members by a call of the House, and yet that delay, short as it was, was refused: it was therefore with peculiar inconsistency, indeed, that the Right Honourable Gentleman called for a delay, who would consent to none, when a similar request was made to himself. Another striking difference, between the present case, and that of the late Bill, was, that the former was brought in upon grounds which had been over and over again debated during the discussion of the rejected Bill: to spare the rights of the Company, as far as was compatible with the safety of the public; to avoid the introduction of any innovation upon the constitution; and to guard against giving any new and dangerous influence to the Crown; these were the great outlines of his Bill; and these were the points for which he, and those who supported him, opposed the Right Hon. Gentleman's Bill. The House therefore might see, and he could easily conceive they would, from the leading features of the new Bill, that the subject not being new, it required of course not much

time for Gentlemen to be prepared to discuss it : and therefore there was not the same necessity for delaying the second reading of it, as there was for delaying the second reading of the rejected Bill. To have a numerous attendance by a call of the House, was one ground of the request made to the Right Honourable Gentleman for delay ; but as there was now a very numerous attendance, there was not the same reason for postponing, for so long a time as a week, the next reading of the new Bill. But what was most singular in the conduct of the Right Honourable Gentleman on the present occasion was, that though he had all along argued, that the delay even of a day might be fatal to India, he was now completely forgetful of this circumstance ; and he called for a delay of three days : and when it was considered, that he meant, if he could, to have this Bill thrown out, in order to make way for the second introduction of his own, it was clear that, if he succeeded, there must be another more considerable delay consequent upon this, before his Bill could be past : and thus the affairs of India, which might be ruined by the loss of a day, were totally disregarded in this struggle by the Right Honourable Gentleman. For his own part, however, as he wished not that his conduct should in the smallest degree favour of that precipitancy which he thought so blameable in the

Right

Right Honourable Gentleman, he would give up the point in question ; and without pressing for Wednesday, he would consent to put off the second reading to this day se'night.

Mr. *Burke* contended, that the grounds of the Right Honourable Chancellor of the Exchequer's Bill had not been *all* discussed already ; there were several points that were entirely new, and required the most serious investigation. The erection of a tribunal for the trial of delinquents of India was entirely new ; the absurdity of it could not but strike at the very first blush of it— from a court made up of persons who were at one time judges and delinquents, what must be expected ? The Bill just brought in by the Right Honourable Gentleman was so very far from being built upon the grounds of the objections which he had made to the Bill of his Right Honourable Friend, as to be founded on the reverse of these grounds ; for the strongest of these objections went to run down an undue influence, and yet the new Bill vested in the Crown an influence paramount to any that had been created by the first Bill. It put the whole East-India Company into the hands of the Crown ; and the influence arising from the patronage would be the more dangerous, as those who were to have the distribution of the *whole* in reality, though perhaps not in name, would be removeable at the will

Mr. Burke,

and pleasure of the Crown.—But the consent of the Proprietors had been obtained for all that was to be taken from them. This was in reality an insult to common sense ; for he would contend that the violation of their charter was not the less for this consent.—The Proprietors knew that, whether they would or no, their charter must have been infringed ; and therefore they were very glad to purchase what the Minister was pleased to leave them, by a voluntary surrender of all the rest ; if that can be called a *voluntary* surrender, which makes men give up what it is no longer in their power to keep. The felon under sentence of death, gladly receives his Majesty's pardon or remission of the sentence, on condition of transportation : why so ? Because he knows that, if he refuses the pardon under this condition, he must be hanged ; and therefore, melancholy a thing as banishment is to a man who loves his native country better than any other in the world, still he consents to live in perpetual exile from that beloved country, because by consenting so to do, he preserves what is still dearer to him—his life. For his part, he was ready to pay homage to every corporeal and mental virtue that he could see—(here was a loud laugh). Mr. Burke said the laugh was perhaps a greater mark of ignorance and folly in those from whom it proceeded, than a proof of a blunder in any thing
 he

he had said ; for he could produce an author of the very first character, in whose works he could shew the same expression. He would not therefore attempt to cure an expression which was far from being a blunder : he called that a *corporeal* virtue, which depended on the body : such uncommon boldness arose from very strong nerves ; and he never knew any one more fully possessed of this corporeal virtue of boldness, than the young Chancellor of the Exchequer, who had dared to come into office by means the most disgraceful and unconstitutional ; and who, in defiance of the respect due to the public and to that House, dared to persevere in remaining in his present situation, contrary to the sense of that House, which had expressly declared that they had no confidence in him ; and yet he had the modesty to expect that the House should proceed to examine his Bill. But surely he ought at least to have told them, whether they were to be suffered to live long enough to discuss it, and either pass it or reject it. They had, indeed, got assurances from day to day ; but it little became the dignity of that House to live constantly by *reprieves*. If their death warrant was signed, let them die ; but if it was expected that the Bill should be examined and debated with candour, let the terrors of a sudden execution be removed, for under them no freedom of debate could exist.

Governor
Johnstone.

Governor *Johnstone* said, some men were so happily sagacious, that they usually broke ground on both sides; at one time they would say, and build an argument on it, that the Proprietors of the East India Company had not given their consent to the propositions which form the basis of the new Bill; and yet, for fear they should be foiled there, they cunningly turn the tables on their antagonists, and say, that if they even did consent, it was of no consequence; because if they did consent, it was merely to give up what they were no longer able to keep; so that whether they did or did not consent, was a matter of the utmost indifference to these Gentlemen. They liked a war of tongues—they delighted in speeches, in tropes and metaphors, but generally steered clear of argument.—For his part, who did not like a war of words, or tropes, he would speak from facts, and from them he would argue.—A very respectable Gentleman (Mr. Lushington) who was a Director of the East India Company, and whom he was very happy to see in that House, had said on Wednesday last, that the Court of Directors had not given their consent to the resolutions of the 6th of this month: This was very true; for by some means or other, the business was put off till the very last moment, when the resolutions were carried before

fore the Court of Proprietors, where they were argued to, the Directors being present, and none of them objecting to them. But since the ballot, they had been again discussed in the Court of Directors, where no one was prepared to oppose or debate them; and they were agreed to *unanimously*, though the Honourable Gentleman himself was present: And indeed he would have been not a little surpris'd if he had oppos'd them, because the Honourable Member had early declar'd himself an enemy to the principle of the first Bill. It had been also said, that though the resolutions had been carried by a ballot, yet that the number of persons who ballotted was so small, that they could not be conceived to convey or express the sense of a body of Proprietors, amounting in number to 1400. This, however, was a strange mode of reasoning; for as well might it be said, that the sense of the House was not expressed by the Members present on any question, but by those who were absent, if the latter surpassed in numbers the former. Such doctrine would not be suffered in Parliament; and if it was false, when applied to this House, it was not less so, when applied to the Court of Proprietors; they were *all* summoned by public advertisement; they might all have attended; if they had, they might all have ballotted; and it might

might be fairly presumed, that the absent did not dislike the resolutions, or they would not have failed to attend and oppose them : And in order to ascertain this fact, as far as man could pledge himself for the actions of other men, he would be able to get a majority of the General Court to give their sanction, not merely to the resolutions, but to the Right Honourable Gentleman's Bill, which he this day brought in. A Right Honourable Gentleman who spoke before him, had cast severe reflections on a tribunal that had the controul of the servants of the Company in India, stating, that they would screen delinquents; he would, however, venture to say, that men as respectable, and of as fair and honourable a character as that of the Right Honourable Gentleman, would be found to exercise the capacity of Judges on all occasions, with as much integrity, and as much justice to the public, as well as to the individuals who should be arraigned before them, as any men in the kingdom : And therefore he would wish that Gentlemen would refrain from general and indiscriminate censure, and confine themselves solely to those charges which they were furnished with evidence to substantiate.

Mr. Rolle. Mr. *Rolle* attacked Mr. Burke for being so eager to condemn others for delinquency; and reminded the House of his having employed the

two servants of the public, contrary to the will and inclination of that House.

Mr. *Burke* not taking any notice of this, Mr. *Mr. Burke. Rolle* rose again, and said he supposed the Honourable Gentleman's silence proceeded from his despising him and any thing he could say. He therefore gave notice, that he would on Tuesday next move for certain papers, which would shew that House how much the Right Honourable Gentleman had attended to their opinions.

Mr. *Burke* said, he despised no man, much less the Honourable Gentleman. He had not, however, acted as the Honourable Gentleman had described, for so far from not having complied with the wishes of the House; he had acquiesced in the opinion, and acted in conformity to the inclinations of a very small minority.

Mr. *Boughton Rous*, in a short speech, declared his disapprobation of the former Bill, and that he gave the preference to Mr. Pitt's, which he thought better adapted to its object, and more likely to answer the purpose.

General *Smith* rose, and desired the Right Honourable Gentleman opposite to him to abstain from offensive attacks on the Gentleman on that side of the House; the Right Honourable Gentleman, in Wednesday's debate,

had been pleased to say, “ that he saw the
 “ troops of the Right Honourable Gentleman,
 “ (lately Secretary of State) in their ranks,
 “ ready to obey the signal of their leader.”—
 He wished the Right Honourable Gentleman
 to know, that he never rose at the signal of any
 leader. He was an independent man, and he
 flattered himself his conduct in that House had
 proved him to be so. He hoped he never
 should have occasion to differ from his Right
 Honourable Friend, but when he had, he cer-
 tainly should differ from him. He had de-
 clared, if a division had taken place on the
 question of the adjournment for the recess, that
 he would have voted for the day first men-
 tioned, and not that agreed to by his Right
 Honourable Friend, because he thought his
 conduct in that particular inconsistent. If the
 Right Honourable Gentleman would now per-
 sist in letting the motion go for Wednesday, he
 would vote with him. The General said far-
 ther, he should have a good deal to say on
 the Bill when it came to be debated. With
 regard to the mode in which the East India
 Proprietors had last week been called together,
 to discuss the Propositions, and ballot for them,
 he declared, had he kept his qualification, and
 been at his country-house, he could not possi-
 bly have come up to town sufficiently early to
 have been present in Leadenhall-street.

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The *Chancellor of the Exchequer* assured General Smith, that he had totally misconceived what he had said on Wednesday. He had not alluded to Gentlemen's rising to speak, but upon their eagerness to join in certain clamorous expressions, which had been obvious during his speech of that day.

Sir *Philip Jennings Clerke* expressed his disapprobation of the new East India Bill. He said, he wondered not at the concessions of the Company, in regard to the latter; they had acted as men in their condition naturally would do. By the first Bill, they were condemned to be hanged; the second changed their sentence into that of transportation. What would not culprits do, to procure such an alteration of their judgment.

The question being put, on the amendment, the amendment was carried, and the Bill ordered to be read a second time on Friday.

ON THE DISSOLUTION OF PARLIAMENT,

Lord *Surrey* then desired to know whether Parliament was to be dissolved or not? His Lordship admitted the prerogative to exist, but urged the danger of exercising it in the midst

of a Session, with a great deal of business before the House; and said, such an exercise of it had not been made within the last century. He said, it was highly necessary that the House should be put in a state of certainty, and relieved from their anxiety and suspense. While matters stood as they did at present, and the House lived but from day to day, like a malefactor lingering under a reprieve, no business could be done, every thing was at a stand, and not even a Turnpike Bill, a Navigation Bill, an Inclosure Bill, nor any other common occurrence could take place. He said, he himself wanted to apply for a Bill for the town of Sheffield, one of our first manufacturing towns in a particular branch; but that while matters stood in the uncertainty they did at present, the party concerned did not chuse to go to the expence of bringing up witnesses to town to be examined to lay the grounds for a Bill, lest Parliament should be dissolved ere they had got half through the business, and they should have all the expence to pay over again. His Lordship said, if Mr. Pitt would give a satisfactory assurance that Parliament should not be dissolved, he should rest contented under that, and would not wish to go into the Committee on the state of the nation.

Mr. Dundas.

Mr. Dundas said, he was surpris'd that the noble Lord would continue, from day to day,

to put questions to his Right Honourable Friend, which it was impossible for him to answer.— The present situation of Parliament had been called living under a reprieve! Good God, did the noble Lord recollect, it was exactly such a reprieve, as the Parliament of England had lived under from the period of the Revolution to that day? How was the Parliament to exist otherwise, unless a Bill was brought in like that passed in the reign of Charles the First, to make the Parliament perpetual?

The *Chancellor of the Exchequer* was rising, when Mr. Fox desired to be allowed in point of fairness to say, that although an answer, such as the noble Lord had signified, might satisfy him, yet that whether the answer was given or not, he should move to go into the Committee. Mr. Fox added, that although it would be next to madness for the King's servants to dissolve the Parliament, such would be the ruin, confusion, and disorder it would occasion, yet that the rumours without doors, the notorious public canvassing that was going forward, and a variety of other accordant testimonies, all led to that idea, and made men think the event near at hand, Mr. Fox remarked upon the Right Honourable Gentleman's having refused to *compromise the King's Prerogatives*, as he had called it the other day, and urged that and his refusal

Chancellor
of the Ex-
chequer
Mr. Fox.

refusal to comment on the King's answer, were ridiculous reasons for not speaking out, where there could have been no harm to speak out, and where the subject was a matter dictated by himself.

The Chan-
cellor of the
Exchequer.

The *Chancellor of the Exchequer* said, he had been much misunderstood; he had not meant that he conceived a King's Speech, whether to Parliament from the Throne or elsewhere, was not a fair subject of Parliamentary discussion; he knew they were always considered as the production of the Minister, and consequently fit to be commented upon; but as the Minister was responsible for his public acts, and not for those done in his private capacity, he chose to abide by those for which he was responsible, and not by those for which he was not responsible. The King's answer was a responsible measure.— In that House he was not known as a Minister, and consequently what he said there he was not responsible for. Was he then to blame for preferring to abide by his public and ostensible act? With regard to the question that had been put, he certainly would not undertake to say, that the King would in no possible case exercise his prerogative. It was a declaration which he did not consider himself as by any means at liberty to make.

Lord
Surrey.

Lord *Surrey* made a short reply.

General

General *Conway* said, that when he heard the friend (Mr. Banks) of the Right Honourable Gentleman (the Chancellor of the Exchequer) declare before the holidays, that it was not the intention of his Right Honourable Friend, then absent, to advise his Majesty to dissolve the Parliament, he had every possible reliance that it would not be dissolved on any pretence whatever. But what more especially gave him this assurance was, the express declaration of this Honourable Gentleman (Mr. Banks), who said that he knew such were the sentiments of his Right Honourable Friend with regard to the impolicy of the dissolution of Parliament, that were it to be advised in the cabinet, and carried against his express opinions, he would not remain another day in office with those who acted so contrary to his principles. He positively asserted such must be his ultimate conduct if a dissolution happened. He argued for the necessity of giving the House the unequivocal satisfaction of knowing whether it were now their intention of abiding by their solemn promises or not? The House had every right to ask this question, and to be satisfied. He then adverted to what the Right Honourable Gentleman (the Chancellor of the Exchequer) had observed in a former debate, on its not being consistent with his duty to comment on
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the speech of the Sovereign. He requested to know, whether the speech of the Sovereign was not constitutionally considered the speech of the Minister? Whether on every such occasion, they were not known to be the dictates of the Minister? Were they not the words of the Minister put into the mouth of the Sovereign? Here arose a murmur of seeming disapprobation, as if the House considered this last expression as rather disorderly. But the Honourable General asked, was it inconsistent with order to say, that his Majesty's speech was to be considered as only words put by the Minister into his mouth? The House acquiescing that it was not disorderly, the General continued, If such was to be construed the speech of Majesty, had not Parliament then a right to call upon Ministers to explain their own sentiments, if they contained an ambiguity which left their sense indeterminate in the minds of the House? But from what the Right Honourable Gentleman had declared, it seemed the House had no right to make such a requisition. It was to be considered the speech of Majesty, and thus the Minister evaded that satisfaction to the House which they had every right to expect, and authority to ask, as being their responsible servant. It was thus the Minister sheltered his responsibility: But he trusted the House would

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not submit to such an evasion. They knew what the speech was constitutionally, and therefore they would require of its real author an explanation which its ambiguity demanded.

The *Chancellor of the Exchequer* replied, that ^{Chancellor} his reason for not thinking it proper to give any ^{of the Ex-} ^{chequer.} explanation of an answer, was, that it was not constitutional, and for this reason: The answer being, as it unquestionably is, according to parliamentary usage, the answer of the Minister, for which answer, be its meaning what it may, he must be responsible, as a Minister who advised it; he was of opinion that it would be improper to give, in his place in the House of Commons, as a Member, an explanation for which he was not responsible, of an answer, for which, as Minister, he was responsible.

General *Conway* said this was no satisfactory ^{General} answer to him; Here was an answer from the ^{Conway.} Crown to the Address of that House, which appeared to many gentlemen ambiguous and obscure, and yet the Minister who advised, refuses to explain away the ambiguity.

Mr. *Banks* rose to vindicate himself from the ^{Mr. Banks.} aspersion which had been thrown upon the declaration he had made of the sentiments and intentions of his Right Honourable Friend (the Chancellor of the Exchequer) in his absence. He said, that he never asserted any thing rela-

tive to the intention of his Right Honourable Friend, with any view to lead the House into any resolution which they would not, otherwise, have adopted. Nor did what he declared have that effect. Had he said any thing inconsistent with the real desires of his Right Honourable Friend, it had then been a concern between them. It would not have been, as it has been stated and represented, a question of aspersion and invective on that part of the House towards his friend. He should have repeated what he remembered his declarations to have been on a former day, when they were used as the basis of an accusation (by Mr. Sheridan) of hypocritically abusing the confidence, had he not supposed it was meant to extort a repetition of his words, for the purposes of misapplying to a purpose very different from their first intent and meaning. But whenever it should come to be a question of candid and serious enquiry, what were his Right Honourable Friend's intentions, and what were his declarations in consequence, he should then most cheerfully repeat. Whenever this repetition was required, he should most readily consent; for he still had it entirely in his power to recollect what he had said on the occasion.

Lord
Mulgrave.

Lord *Mulgrave* spoke against the Right Honourable Gentleman's answering a question that
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became no Minister officially to satisfy. He argued strongly against the impropriety of the question, and on the official inconsistency of giving an answer.

Mr. *Byng* said, that he trusted the Honourable Gentleman would credit him, when he solemnly assured him, that in whatever sense other Gentlemen in the House might have understood his declarations relative to the conduct of his then absent Right Honourable Friend, (the Chancellor of the Exchequer) that he himself received it as the most perfect and solemn assurance, that the Parliament would not be dissolved. He then adverted to what had been observed with regard to a third Secretary of State being made. He said, however there might be apprehensions of a third Secretary of State existing, this he would say, in the most perfect assurance, there was, absolutely, a third Secretary of the Treasury.

Mr. *Fox* said, there was a peculiar distinction with regard to the present and the last Ministry : It was this distinction which made the requisition of an absolute and explicit answer with regard to their intention of dissolving the Parliament so indispensibly necessary, although such a requisition would have been improperly made of those who preceded them; for they had the confidence of Parliament. It was, therefore,

contrary to sense and reason to suppose, that a Ministry would dissolve a Parliament who gave them every support they could with their measures to receive. But, as the present Ministry had not that confidence which could only give effect to their measures, and permanency to their existence, it was natural to suppose they would be anxious to try the dernier resort of such a Ministry—that of endeavouring to procure such a Parliament, who would give countenance to their Administration and stability to their existence. When a Parliament was then convinced of the Minister being apprised of his not being intitled to that support which is indispensibly necessary to his official existence, such a Minister could not be surprized at the suspicions which the House would naturally entertain of their own existence not being permanent: For it was well ascertained, that whatever might be the pretence of a Minister for dissolving a Parliament, it could be no other than that of not being in full possession of its support and confidence. Parliament had, therefore, every reason to anticipate their dissolution. It was from this natural prepossession that they could not act with any certainty in their proceedings without they received the solemn assurances of the Minister, that he would not dissolve their existence. It was perfectly consistent with th

duty they owed their country, as well as themselves, to demand an unequivocal answer, to know whether they were to exist or not, otherwise they could not proceed in the business of the Public, with that freedom and independence which should characterize every proceeding in the People. For whilst they were apprehensive their parliamentary conduct might occasion their political destruction, it was not natural to suppose their conduct would not be under the influence of such an apprehension: From this view, he deduced the obligation of the Minister, as the servant of the Public; whose interest he should, on all occasions, consider the most immediate object of his attention; to give the House that satisfaction as should enable them to proceed in the discussion of the Nation's important business, free from any apprehensions that might affect the Constitutional Independence which should always characterize Parliamentary procedure. So that, in his opinion, Ministers did not do their duty to the Public, if they did not satisfy the House of such particulars, as so immediately related to their existence and independence.

Mr. P. Arden spoke very warmly against the Minister answering a question, which was contrary to what could be constitutionally demanded of him, either in his official capacity, or as a Mem-
den.

Member of Parliament. It was not becoming Parliament to ask him, as a Minister, to inform them what advice he should think proper to give the Crown. It was not consistent with his duty to comply with such a requisition. It was against the real constitutional interest of the nation for such a question to be answered. It would, in his opinion, subject the Executive Power of the country to an Influence and Authority that would destroy the principles of our Government. If the Executive Power were to submit to such a controul, it would be entirely destructive of that power with which it was formed for the government and preservation of the whole. He hoped never to see the day, when a Minister or a King would be obliged to answer such questions as related to what their intentions might be. He hoped that the House of Commons would never possess the power of going to a Minister, or to his Majesty, and saying, "Tell me what you intend to do?" and such a Minister or Sovereign being obliged to answer the question. He considered such a time would be the period of the Constitution's annihilation. Nothing could be more destructive to that balance of power which had been the ultimate object of the establishment of the Three States in the Constitution, than for either of these distinct States

to arrogate to itself the power of interrogating prospectively the actions of either of the other Two Sates. From this conviction, he particularly recommended it to his Right Honourable Friend, (the Chancellor of the Exchequer) not to answer any question that was contrary to his official conduct. The Minister was only to be considered as acting as a Member of Parliament while in the House: So that it was perfectly inconsistent with his situation as a Minister, to give any answer which related to his future conduct. He could not answer the question without deviating from both his duty and his character. And he hoped his Right Honourable Friend would always know his situation better than comply with any dictates so incompatible with his own honour, and his obligations to the Public as their servant.

The Question being now called, and moved for the Speaker to leave the Chair, it was carried, and the House resolved itself into a Committee on

THE STATE OF THE NATION,

Mr. Hussey in the Chair.

The Question being put and carried, and the Chairman having left the Chair, Mr. *Hussey* took his seat at the Table,

Lord

Lord
Charles
Spencer.

Lord *Charles Spencer* rose upon Mr. Hufsey's taking the Chair, and said, that notwithstanding the want of habit of speaking in the House, and his natural timidity in that respect, he could, without great difficulty, find courage sufficient to offer a Resolution to the Committee, which was become very essential, nay absolutely necessary, to the welfare of this country. The House of Commons had already declared, in the most unequivocal terms, their want of confidence in the present Administration: By what arts, by what misrepresentations they still maintained their situation, he knew not; but he was certain, when his Majesty should be convinced that the House of Commons could not confide in his present Ministers, he would that instant withdraw his confidence from them. The Resolution which he had to offer, followed naturally those to which the House had already agreed, it was the most moderate that could be proposed in our present sad situation, and would, he flattered himself, have every good effect; the kingdom would again see a settled efficient Administration, who would have the confidence of the House of Commons, and consequently of his Majesty, who ever had, and ever would, when not deceived by bad Counsellors, give attention to the wishes of his people and of his faithful Com-

Commons. His Lordship concluded with moving to resolve,

“ That it having been declared to be the
 “ opinion of this House, that in the present
 “ situation of his Majesty’s dominions, it is
 “ peculiarly necessary there should be an Ad-
 “ ministration that has the confidence of this
 “ House and of the Public; and that the ap-
 “ pointments of his Majesty’s present Mini-
 “ sters were accompanied by circumstances new
 “ and extraordinary, and such as do not con-
 “ ciliate or engage the confidence of this
 “ House; the continuance of the present Mi-
 “ nisters in trusts of the highest importance
 “ and responsibility, is contrary to constitu-
 “ tional principles, and injurious to the inte-
 “ rests of his Majesty and his people.”

Mr. *Baker* rose to second the motion. Mr. Mr. Baker.
 Baker recapitulated the general arguments in support of it, and called upon Ministers to know, if there were any grounds for certain rumours now in circulation, of an alarming nature? Rumour said, that monied men in the City had joined together, and offered to furnish Government with a very large sum, for the purpose of enabling Ministers to dissolve the Parliament, and corrupt their constituents. If these rumours were true, a deeper wound was given to the Constitution than any it had

yet received, and a *fourth Estate* was created with a witness. Mr. Baker commented upon this with great pointedness and ingenuity.

Mr. Powys. Mr. Powys said, that he was happy the present motion had been brought forward at a time in the evening when the question could receive a full and ample discussion. It was not brought forward at a time when the Members were all entirely exhausted with fatigue, as they had been on a former day, when a motion was introduced which they could not possibly discuss, although it passed the House. Notwithstanding the motion was not remarkable for its moderate and complimentary terms, yet he could not but congratulate the House and the Ministry on its being brought forward when it should meet a thorough and mature investigation. This gave him particular pleasure; for it enabled him to speak to certain points to which he had forbore to speak on a former day.

In regard to the present Ministry having been honoured with their appointments under new and extraordinary circumstances, he perfectly agreed with the words of that part of the motion. It was true they had been appointed to their places from the dismissal of Ministry, for having brought in a Bill which was considered the *coup de grace* of the Constitution,

tution. This, he said, was perfectly new and extraordinary. But with regard to the real object of the present motion, he considered it was only brought forward as an indirect condemnation of a Bill which he thought, as far as he could judge from having heard it now read, deserved not only their countenance, but the approbation of the whole country. He was assured, this would not have been the conduct of the Right Honourable Gentleman (the Chancellor of the Exchequer) towards the late Ministry, had they brought in a Bill which promised so fair. However, he considered a patient and unprejudiced hearing of the Bill was due before they passed a motion, which was an implied accusation of its motive and principle.— He confessed to have a predilection, as it had been termed, for the Right Honourable Gentleman (the Chancellor of the Exchequer) who had presented the Bill for their consideration: And when he adverted to the conduct of the late Administration, and the behaviour of the present, he could not but confess his prepossessions were much encreased in favour of the present, so far as to afford him the greatest satisfaction to see the Right Honourable Gentleman in his present situation.

With regard to the object of the present motion, he thought, that if it was meant to give

the nation an Administration which could only act for the prosperity of the country, he should agree with them so far as to give it his support ; For he was of opinion, as he had before observed, that the nation required every exertion of ability and integrity that could be collected from the most distinguished characters. It was therefore, that he had expressed his desire to see a Gentleman (Mr. Fox), whose unparalleled abilities had always bore his respect, and always to admiration, take a share in the Government of his country. He was convinced of his intentions to serve his country to the best of his power and abilities. It was true that he knew the Honourable Gentleman had ambition ; but he thought the ultimate views of that ambition were centered in having it in his power to act for the honour and advantage of his country ; However, when he said this, he could not but consider that his desires of gratifying this ambition were so inordinate, as to tempt him to grasp the object by any means by which it could be obtained.

With respect to the motive of this motion, which was meant to interfere with the prerogative of the Crown in the choice of its Ministers, he thought it was contrary to the general principles of the Constitution ; For what was the exercise of prerogative ? Was it not a part
of

of the people's right deputed for the welfare of the whole? As much as his principles might be considered to be anti-republican, he considered the authority of a King was only a trust; it was a trust deputed to him by the people for their own better regulation and government. It was therefore, a King had every right to a free and unbiassed exertion of that right, which otherwise he could not assert with efficiency for his honour and his people's happiness. If the people interfered with the exertion of this power prospectively, they destroyed the effects of that authority with which they had invested him. It was from this idea that he could not but condemn the principle of the present question, as highly indecent in Parliament, and destructive of that independence which should characterize the actions of every branch of the Legislature. It was not becoming either of the three powers to interfere with the authority of the other's proceedings; they were created to act distinctly, although collectively, for the general welfare of the whole community.

Nothing could preserve the principles of the Constitution inviolate, but each of the three branches of the Legislature being thus independent of each other's dictative controul. Their powers they had originally derived from the general delegation of the people; and therefore,

therefore, in no instance could they, without injuring the confidence of that people, suffer them to be influenced by any interference but, that which comes from the people themselves. Did this present interference of Parliament accord with the general consent of the people, it would then become even the Ministers themselves, as the servants of that people, to support the motion. But while they considered it only the last means of a Party endeavouring to reinstate their favourites, and the possession of the power from which they had been dismissed by the desire of Majesty, they could not but reject a motion which was so inimical to the principles of the Constitution.

Mr. Jolliffe. Mr. *Jolliffe* rose next, and made a handsome panegyric on Lord North, whose conduct and ability, he said, he long deserved and excited his commendation. Mr. *Jolliffe* argued in favour of the motion, and said, no Minister which that House and the People did not approve, could stand.

Mr. Drake. Mr. *Drake* said, in such an alarming crisis of public affairs, when violent measures were pursuing, it became moderate men to step forward, and, by an honest exertion, to counteract them, and defeat their pernicious effect. He said, he wished that there might always be an honourable opposition; it was right to keep up in that House a proper jealousy of Administration,

stration, to make them wary and prudent. Opposition was, he declared, the ventilator of the Constitution; it preserved it in health and vigour. He took notice of the Address the City of London had gone up with to St. James's that day; mentioned the violence of the late East India Bill; commended the moderation of the present; and advised the House by no means to agree to a motion calculated to disgrace an Administration just come into office, and that had taken no one measure, by which their good or ill conduct could be judged of; and concluded with saying, that he should not wonder if the Address of the City of London was echoed by every City in the kingdom.

Mr. *Holdsworth* in like manner opposed the motion. He said, he considered himself as put to his option, whether he would choose an Administration in possession of the confidence of the Crown, or an Administration in possession of the confidence of the House of Commons. It was difficult to decide either way; but he would prefer the latter. He then spoke of the two India Bills, and gave that brought in by Mr. Pitt the strongest commendation. He delivered a warm eulogium on that Gentleman's character and talents, and spoke of his conduct in a recent instance, in the disposition of a lucrative place for life, in terms proper for so praiseworthy a piece of conduct. He asked,
if

If it was for that proof of disinterested regard for his country, that Opposition would turn Mr. Pitt out of office? Mr. Holdsworth added other reasons for disapproving the motion.

Sir William Dolben.

Sir *William Dolben* said, he should not have risen to speak, but for an expression dropped by an Honourable Gentleman under the gallery [Mr. Jolliffe]; an expression which not only no true Whig, but no true Tory ever would countenance, he was persuaded. The expression, as it struck his mind was, that the Ministers must be chosen by that House and the People. This, Sir William said, contradicted every idea he had read of or met with relative to the British Constitution, and therefore he could not let it pass unnoticed. The same Honourable Gentleman, Sir William observed, had said a great deal of his respect for the noble Lord in the blue ribband; he entertained as sincere a regard for that noble Lord as the Honourable Gentleman, and he had preserved it with as much, and as constant and unremitting an attention. With regard to the motion, when he recollected that the present Ministers had as yet had no trial; that a Bill was in possession of the House, which the Right Honourable Gentleman had declared he desired to have fairly discussed, and compared with the late Bill of another Right Hon. Gentleman, and wished

to stand or fall by that Bill. He could not but think the Resolution now moved, deserved the epithets bestowed on it by the Honourable Gentleman on the other side of the House, who had deemed it premature and unwarrantable; he should for that reason give it his negative.

Mr. Jolliffe rose to explain. Mr. Jolliffe declared he had not said, that the Ministers ought to be chosen by that House and the People. He should have been extremely absurd, had he made any such declaration. What he had said was, that no Ministry could stand which that House did not approve; a doctrine not only constitutional, but the truth of which the experience of the past century had evinced.

General Ross made a short speech in support of the motion; but the House was so noisy, we could not hear with sufficient distinctness to collect the argument.

Mr. Fox rose, and said, the motion had been argued on false grounds by those who spoke against it, and that not one of the pretences of disapprobation that had been made, applied to it. That which he disliked the most, was that which stated that the Right Honourable Gentleman's East India Bill remained yet to be discussed. Was that Bill as admirable and excellent a production, as it was in his mind weak and miserable; he said, the argument

would still be the same. That Bill was totally out of the question, nor had the motion the smallest connection with it whatever. The motion was nothing more than a natural consequence of the two already come to by that House last Monday; and since the Ministers had not thought it right to take the hint held out to them by those two Resolutions, it became the House for its own honour, for the efficacy of its proceedings, and to rescue itself from a disgrace that hung over it, to take the next step which the Resolutions themselves pointed out, and to make them something more than a dead letter. With regard to the objection started, that the two Resolutions were voted at six in the morning, and without any very long debate, it was most true; but had they been voted by a thin House? No, such thing,—*three hundred and forty-two* Members divided upon the last Resolution; a larger number, the House must give him leave to remark, than decided the fate of four-fifths of all the motions that came to a division in the course of the Session. But if any Gentleman, then, upon maturer reflection, and at that distance of time, disapproved of the two Resolutions, he was free to say, that Gentleman, or as many as were of that opinion, would do well not to vote for the motion then under
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consideration. They were undoubtedly warranted to draw back, and no man could charge them with inconsistency for so doing. Gentlemen talked of the present Ministers being as yet untried: That was wholly out of the question. He had been asked also, Are there no abilities in the new Ministry? Undoubtedly there were great abilities. But, good God, their abilities, were they ten thousand times greater than they were, had not the smallest analogy to the point! Upon what ground was it that the House came to the two Resolutions voted last Monday, but upon the conviction that there was something alarming, something unconstitutional in the manner of their coming into office? That circumstance lost them the confidence of the House of Commons; it followed of course, that the House must declare it. The Honourable Gentleman who spoke a short time ago over the way, had for the whole of this session indulged himself in very great asperities at his expence. The Honourable Gentleman was mistaken, if he thought what came from him had no weight on his mind. He had always entertained a profound respect for the Honourable Gentleman. He knew his integrity, he knew his ability, he knew the independence of his spirit, and the excellence of his character; every thing which fell from

him, therefore, must come with weight upon any man's mind, because it could not but make a deep impression on the minds of all who heard him. When that Honourable Gentleman, therefore, had used harsh language towards him, it gave him serious affliction. That day, indeed, he had to thank him for a different conduct. The Honourable Gentleman had been pleased to say much more of him than he deserved. But then he had added, that he cared not by what means his ambition was gratified. Was this possible? Could his ambition be honourable, could it be laudable, and at the same time could it stoop to base means to attain its end? But what means had he used to gratify his ambition? Good or bad, they had always been the same; he had never pursued but one path, that plain, palpable, direct, and constitutional. He had endeavoured to ingratiate himself with the House and the people, and some persons had thought he had sometimes acted offensively, and gone too far. Not so in his mind; far otherwise. But had he ever taken any steps the other way; had he ever wished to stand on personal favour, to ingratiate himself with the secret advisers of the Crown, to flatter meanly where mean flattery might have some effect, or to give advice that he wished others to act upon, and to answer for?

for? In what had his means been base? Open, at least, the Honourable Gentleman would do him the justice to allow they had been. Having pushed this appeal with great ardour, Mr. Fox took notice of that part of Mr. Powys's speech, in which he recommended a general reconciliation, and said, he had no objection, after the motion had passed, and the present Ministry were removed. In office, where they had placed themselves by undue means, he could not look at them with patience. Before he and the noble Lord formed their Coalition, the noble Lord had quitted office. He had retired without waiting for such a motion as the present. With a majority of nine in his favour, he had thought it right to quit his situation. Mr. Fox took notice of every thing that had been mentioned in the course of the debate, and went over the ground of the Constitution, after Mr. Powys, stating, that what aggravated the conduct of the present Ministers was, that there remained a manly constitutional mode of turning him and his colleagues out, had they thought proper to have pursued it. It was this: They might have gone to the King and advised him to give his Negative to the Bill; the King naturally would have asked them, being his confidential servants, if they gave him any such advice? They should undoubtedly have said,

said, No. The King then would have instantly dismissed them, and sent for the present Ministers. By that line of conduct the Constitution would have received no injury, and the Prerogative would have been fairly exerted. Mr. Fox also, with infinite ability explained the difference between the public and the private confidence of a British Monarch. He said, it was unnecessary the other night to admit the learned Gentleman's amendment to one of the motions, because, to insert the words "the confidence of the Crown," as necessary for an Administration to possess, would have been an absurdity, and for this reason; The very act of appointing a Ministry, implied that the King reposed his confidence in those servants; miserable indeed would be that King who appointed a Ministry, without giving them his confidence.— The consequence of a Ministry so appointed must be fatal to the King; fatal to his people! Again, Mr. Fox said, there was an essential difference between the public political confidence of a Sovereign, and his private confidence as an individual. The former was what the Prince was bound to repose unlimitedly in his Administration, for his Government could not go on without it. The latter was as completely at the disposal of the Sovereign, as of every other private individual in his kingdom. Having stated

stated this, he said he would also take notice of a subject that had been strangely introduced into the debate : That of the Heir Apparent's coming to that House to hear the debates, and make himself master of public business ; a passion that was most laudable and virtuous !— The Honourable Baronet who first mentioned this, talked of influence ; he forgot the Prince of Wales, though the first subject in the kingdom, was but a subject. He was the highest in the ladder of the Peerage ; as a Viscount was higher than a Baron, an Earl than a Viscount, a Marquis than an Earl, a Duke than a Marquis, and a Prince than a Duke. He had no prerogatives, he could have no influence. Mr. Fox spoke of the Prince as one of the most promising characters that ever adorned or filled the hopes of a great kingdom ; he said, the delicacy with which he fulfilled all the soft duties of near relationship to his royal parent, and at the same time took occasion freely to speak his own political sentiments, did honour at once to his head and his heart, and proved his ability equal to his understanding. The Heir Apparent was indeed worthy of his Sire, and pleasingly evinced the obligations this country owed to the illustrious family of Hanover. He took notice of Mr. Baker's alarm about private benevolences, and said, he saw no great cause of terror in the circumstances,

circumstances, for experience had proved that large sums were much easier to talk of than to produce, and that immense ships had been heard of as offered to Government, when the charge of building a Thames wherry had never actually been incurred, towards the commencement of carrying such a sounding proffer into practice. Mr. Fox's speech was replete with excellence, all happily put most pointedly, but moderately and temperately.

Mr. Powys. Mr. *Powys* said, he really not only thought the Right Honourable Gentleman's ambition laudable and fair, but that his end was for the most part honourable; he did not think he was always so nice about the means.

Mr. Dundas. Mr. *Dundas* rose as soon as Mr. *Powys* sat down, and after returning thanks to Mr. Fox for the temper and moderation that he had preserved throughout the whole of his speech; said, the least he could do in return was to follow the same excellent example most studiously. He then declared, that as he considered the Resolution as nothing more than a Motion that led to an Address to the Crown, to remove the present Administration, he should treat it as the Address itself, supposing that an Address were moved and under discussion. He then asked where were the proofs of the circumstances, and what were

were the 'circumstances themselves that made such an Address necessary? He argued upon the innocence of the King's present servants as an Administration, having had no opportunity of doing any thing either to merit [praise, or to create disgust. Having easily established this self-evident proposition, he asked, if that House went up to address his Majesty, to remove Mr. Pitt, and received for answer, " I have selected for my Minister a man of unimpeachable integrity, a man whose character the foul breath of calumny has never reached, in abilities a prodigy, and equal in every sense to all the expectation I can have entertained, or you can have hoped for in a Minister; if I have been deceived, tell me, and teach me at the same time, where I can find a fitter man to fill his place?" What reply could that House make to such a question? Could they deny Mr. Pitt's integrity, and could they doubt his ability? In God's name, then, what would the House have? After urging this as forcibly as strong language well used could admit, Mr. Dundas asked if the present Motion had nothing to do with Ministers characters? If it was no disgrace to them, what could be the true meaning of it, but to bring back the Right Honourable Secretary, and the noble Lord near him, to perpetual power and eternal rule? He said, for his part, he considered the

Motion as an unmerited disgrace on his Majesty's present Ministers, and he trusted, the House had too much candour and too much honour, as well as too much justice, to disgrace those who had neither provoked censure, nor had an opportunity of endeavouring to merit approbation. He urged the propriety and the wisdom of waiting at least till the East India Bill was decided. With regard to the pecuniary benevolencies of private individuals, he said he regarded them exactly in the same light as the Right Honourable Gentleman opposite him did, who knew it was much more easy to promise than to pay. He said, the first time he heard of this, it afforded him infinite satisfaction, because whether the facts were false or founded, it struck him as a proof that the present Administration were looked up to with confidence, or such an idea could have entered the head of no man breathing. With regard to the application of that House to the Crown, to dismiss Ministers yet untried, he asked, if that practice prevailed, what became of the King's prerogative to appoint his own Ministers? It would, in that case, be a mere unmeaning farce of no avail whatever. As to what had been said of the Heir Apparent, he was sorry to have heard it introduced into the debate at all, and he was happy to hear that general burst of alarm and indignation that broke out the moment

ment the Honourable Baronet made the allusion. The Honourable Baronet, he must nevertheless say, had been perfectly in order when he introduced the subject. He declared, however, he had no dread of any undue influence arising from that royal personage's presence, and he thought that he did wisely in endeavouring to enlarge his mind, and make himself acquainted with public business. Mr. Dundas started a great variety of other arguments, which he handled with his usual ability.

Lord *North* said, the Learned Gentleman had ^{Lord North} very artfully contrived to argue the Motion as if it had been an Address, whereas it was only a Resolution, and stood upon grounds totally distinct and different from an Address. The Learned Gentleman had asked, What grounds there were for stating that circumstances had occurred to make the present Ministers unworthy of the confidence of that House? He would endeavour to state what the grounds were. His Lordship then summarily recapitulated all the extraordinary transactions that had immediately preceded the dismissal of the last Administration, including the story of Secret Influence, its operation, and the manner in which he and his colleague had been dismissed. He next defended the Heir Apparent for coming to that House to witness the debates; he said, a Prince of the illustrious House of Ha-

never could not study politicks in a better school; by early accustoming himself to public business, his mind would open, his understanding improve, his knowledge increase, and at that period, when it should please the powers above to call him to rule over these realms, and succeed that most virtuous and paternal prince who now swayed the British Sceptre (a period which he hoped was at the distance of many revolving years), he would ascend the Throne qualified to govern wisely, and superior to that delusion, which Princes with minds less cultivated, were exposed to, from their ignorance of matters with which every British Monarch ought to be acquainted. After speaking of the King and the Prince in terms of infinite loyalty and respect, his Lordship adverted to the other topics touched in the course of the debate, and particularly took notice of what had been said about private subscriptions for the use of Government. He said, upon that subject, his Right Honourable colleague and he had formerly differed; that his opinion had been, that when sums were subscribed for the use of Government, to be applied towards services adopted by the Legislature, he thought the sums so subscribed, might be accepted legally and constitutionally. Thus, for instance, when sums had been subscribed to furnish ships of war during a war adopted by the Legislature, he thought it perfectly legal, perfectly constitutional.

tional, to accept these sums, and apply them
 to purposes for which they were given. Again,
 when sums were subscribed to purchase cloathing
 for an army employed in a war, sanctioned by
 the Legislature, he saw nothing illegal, nothing
 unconstitutional in that. But when sums were
 given for the purposes of internal corruption,
 to buy up rotten boroughs, to influence the
 Members of that House with—to accept such
 sums, and so to apply them, was, in his idea,
 nothing short of High Treason to the Consti-
 tution. Having argued this very fully, and
 elaborately defended the Motion from all the
 charges that had been alledged against it, his
 Lordship came at last to that part of his speech,
 in which he became the Hero of his own Tale ;
 and never sure did a public man handle a dif-
 ficult subject so delicately and so ably ! If any
 plan of Coalition could be hit upon that would
 save the country, he did assure the Honourable
 Gentleman, neither his ambition, nor his avarice,
 should be impediments to it. He hoped he
 need not say, his malice, his resentment, nor his
 envy, should not lie in the way, for he hoped he
 might say, whatever might have been his faults,
 those passions had not debased his mind, nor dis-
 graced his character. [Mr. *Pozys* nodded assent].
 The Honourable Gentleman, he said, had stated
 that he shone with a reflected lustre, and was
 illumined with a borrowed light. He was the
 moon

moon that in this gloomy night of politics borrowed the beams of the sun, to throw a faint gleam of light on those below. The Honourable Gentleman had said, he was not *laudandus*, but *ernandus, tollendus*; this put him in mind of a line in a French play, and as it had been the turn of the debate to introduce French, he would do the same. The line run thus,

Je vas croître le bonheurs et tomber mon crédit.

In like manner he presumed he might construe *ernandus, tollendus*, which he supposed, translated into vulgar English, meant that he was to be *kicked up stairs*. He was much obliged to the Honourable Gentleman, but he should rather choose to stay where he was. In that House he should wish to remain to defend his character, where, no doubt, he should hear it often attacked. There he had earned what little degree of credit and reputation he could lay claim to; there he desired to remain, till by a course of nature, (if he lived so long) he should chance to be translated to another region: Unless, indeed, that House should so far lose its privileges and importance, as to become of no weight in the scale of the Constitution: In that case, indeed, he should be proud of being sent to the other House; while yet a spark of parliamentary weight faintly glimmered in the national socket a few seconds ere it sunk for ever, when he should choose to expire

expire with it. His Lordship, in this part of his speech, not only spoke extremely well, but in as elevated a strain of imagery and eloquence, as ever we heard him utter. He concluded his speech by recommending the Resolution as a matter necessary to be adopted by the House for the sake of consistency, and for the sake of avoiding disgrace, and preserving the dignity of the House.

Mr. *Macdonald* rose, observing, that in a debate which had been carried on with so very uncommon a degree of temper and good humour, perhaps the House would attend to a few observations from him, in answer to some matters which had fallen from the noble Lord. He observed, that the whole turn of his reasoning had endeavoured to mislead the attention of the House from the true object, to that which was not the real one. He had confined his arguments in support of the Motion to one point, namely, some circumstances (no very definite expression, though adopted by the Motion) which had preceded the appointment of the present Ministers. Mr. *Macdonald* said, that the true point to be considered was this, whether there was good foundation for the removal of the late Ministers, and whether the present Ministers could as yet have made themselves obnoxious to the House, from any official ground, which alone the House as such could look to. He contended that the India Bill had

had done the same, but was now willing to alter any thing, provided he did not alter the substance.

The noble Lord, Mr. Macdonald observed, in vindicating the Resolutions, passed under extraordinary circumstances at *Six* the other morning, and then first proposed, said, “ You have them here, you may *now* consider them, and pass your judgment.” It was a method he remembered proposed by a man of wit, that the House should vote first, and discuss afterwards; that it was exactly putting that plan in practice. The Resolutions from which the present was drawn, and which were stated as rendering it necessary, ought to have come forward with solemnity, and to have been submitted at a time when Gentlemen’s attention was not worn out. It was plain, he observed, that the whole of this topic respecting any circumstances which an individual may chuse to give birth to, were unjustly imputed (if wrong) to others, for the sake of doing the monstrous injustice of not suffering the Ministers, whom his Majesty had appointed, even to begin : with justice indeed might a line, quoted by the late Secretary, be applied to these resolutions :

“ Sed quo cecidit sub crimine, quisnam
 “ Delator, quibus indiciis, quo teste probavit ?
 “ Nil horum ; verbosa et grandis epistola venit
 “ A Capreis.”

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He reminded Lord North, that he had expressed his opinion of the present Minister, in that House, upon a former occasion, as one who was *born* a Minister; it now appeared that he wished him to be a *still-born* Minister. He proceeded to shew the injustice, both to the Crown who appointed, to the House, to the people, and to the persons of the Ministers as yet untried, to prejudge them in the manner proposed, which was founded on reasons which did not apply to the present case. The question therefore being, *was a removal necessary to preserve the constitution?* And are the present Ministers capable and honest? He should answer affirmatively to both, without examining any anecdotes of Lord Temple's actions, and should vote against the motion.

Mr. *Nicholls* said, an honourable and learned ^{Mr. Nichol} Gentleman who had spoke some little time before in the debate, had stated, the Resolution as an invasion of the King's Prerogative. If the Resolution struck him in that light, he would not give it his support. He was a friend to Prerogative; it was part of the great law of the Constitution, vested in the Crown, not for the private gratification of the Sovereign, but as a trust to be exercised for the welfare of the People. But among all the powers and prerogatives of the Crown, there was none more valuable

able than that of having the assistance of a great national council to advise the Crown in the exertions of its Prerogative, and to prevent the Sovereign from being misled by artful and interested advisers. It was this advantage of a great national council which gave the Monarchs of this country the superiority over the other Sovereigns of Europe. He said the honourable and learned gentleman had admitted the right of the House to advise the Crown to remove Ministers on a charge of misconduct; but would any man say, that he could not suppose it possible, that the Crown might intrust the great offices of the State to hands, so perfectly unequal to the management of the public business, that it might be proper for the House of Commons to meet the mischief, before it had run its full career, and to advise their sovereign to remove such incapable Ministers, before any gross act of misconduct had been committed? The honourable gentleman had called for a precedent of such interference; he was not prepared to produce such a precedent. He would mention, however, an instance where much mischief had followed from Parliament's not having interfered to advise his Majesty to remove an incapable Minister. The instance he alluded to was the appointment of the Earl of Bute in the place of that vigorous Minister.

nister whom his Majesty found in office at his accession: In private virtues and private character, the Earl of Bute was not inferior to the present Chancellor of the Exchequer; yet, who is there that will not admit, that it would have been a blessing to this country, if the House of Commons of that day had addressed his Majesty to remove the noble Earl from his administration, before any misconduct could have been proved. It had been said the present motion was calculated not only to procure the removal of one administration, but the appointment of another—Unquestionably it was. Who is there who does not wish for the most speedy appointment of a strong and vigorous Administration? The resolutions already passed declare the want of confidence of the House in the present Ministers. If those resolutions are not rescinded, the proposed resolution follows as a consequence. Is there any pretence for rescinding those resolutions? Upon what ground ought the House to have confidence in the present Ministers? Was it because they had procured the removal of Ministers in whom the House had confidence? Was it because in the present critical situation of public affairs they had created a total stagnation of public business, for the sake of gaining their employments. He thought the present Ministers, destitute as they were of
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the confidence of the House of Commons, incapable of conducting the public business; the sooner they were removed the sooner would the country be relieved from its present dangerous situation.

Mr. Fox. Mr. *Fox* took occasion, in reply to one of the Speakers against the Motion, to declare, that with regard to the East India Bill presented by him, and adopted by the House, he was ready to accommodate in every thing but principles; that he would suffer the Bill to be new modelled entirely, reserving only, that it was made a permanent system and that the seat of Government was established at home, not in India: All the rest he would willingly modify as the wishes of good and wise men might suggest.

**Governor
Johnstone.**

Governor *Johnstone* desired him to abandon the principle of the Bill, and they would suffer him to model all the accommodatory matters as he pleased.

This Mr. *Fox* would by no means consent to.

Mr. Sheridan.

Mr. *Sheridan* very ably supported the motion, and reminded Mr. Powys of his having used this quotation from Shakespeare the day or two before Lord North retired two years ago.

————— the times have been

That, when the brains were out, the man would die.

And there an end; —————

Mr,

Mr. Sheridan said, the souls of the present Ministry were departed, but their bodies, like empty forms, still kept their places; to them he might say,

————— the times have been
 That, when the brains were out, the man would die,
 And there an end; but now they rise again
 With twenty mortal murders on their crowns,
 And push us from our stools; —————

threatening the House with fifty deaths or dissolutions.

Mr. Arden delivered, in a long speech against the motion, one of the best serious arguments urged in the course of the day.

Mr. Fox charged Mr. Arden with gross misrepresentation.

Mr. Burke was upon his legs a considerable time, and in parts of his speech was extremely diverting in support of the Motion.

Mr. T. Onslow made a handsome eulogy on the Prince of Wales.

Lord Fielding opposed the Motion strenuously.

General Murray declared, he thought it fair to discuss the East-India Bill before the fate of the Ministry was decided.

The Chancellor of the Exchequer rose and said, he could not suffer the debate to close without saying

saying a few words, but as he saw the impatience of the House to separate, an impatience which he could not wonder at, when he considered the very late hour of the night, he would assure them that he would detain them only for a few moments. Let the fate of the Motion be decided either one way or the other, he said, he could not but feel the utmost comfort and satisfaction at the full, fair, and impartial discussion the question had undergone, and more particularly in having been witnesses to a debate, in which, although from the personal nature of it, he was in a manner debarred from taking any part in it himself, so many worthy and truly respectable Gentlemen had risen to defend his character, and to rescue it from the odium which the violence of faction and the malice of party would have wished to have loaded it with. In the course of the discussion a great variety of topics had been handled in a way that did honour to the ability of those who had spoken, and proved incontrovertibly, that the art and ingenuity of that set of men, whose chief aim it had been to mislead and confound, had not been successful to the degree that they possibly might have hoped, but that there were others, and those of acknowledged estimation and importance in the country, who were not more accurate in their judgments, than zealous in their determination to tear the

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the mask from the face of faction and shew it in its native colours. This necessarily afforded him all the gratification that his most sanguine hopes could have aspired to. With regard to the question, the Committee would dispose of that as they thought proper. It was a question from its personal tendency certainly of some importance to him, but of infinite more importance to themselves. The character of the House, the confidence of the people in their representatives, depended in a great measure on the fate of the Motion; before they decided a point of such magnitude, he desired to throw himself on the candour, the justice, and the honour of the House. He had produced a Bill for the better regulation of the East India Company's affairs, a Bill which he had given to the House as the pledge of his merits as a Minister; a pledge by which he had consented to abide, and to rest all his pretensions to the confidence of the House, on a fair comparison of that Bill and the Bill of the Right Honourable Gentleman, that had been brought in before the holidays. His Bill was already before them, and it rested with them to name the day for its discussion. If they came to a decision upon the Motion that night, and a majority agreed to it, the House would have condemned him unheard, and before any opportunity had been afforded for him

to have grounds to form an opinion upon, whether he deserved to be condemned or not. It had been agreed on all hands that a system of regulation, with regard to the future government of India, was indispensibly necessary; one Bill upon that subject had been agitated already, and had passed that House, but had been lost in the Lords. The opinions of the public at large, he would venture to assert, were decidedly against the Bill. Would the House therefore, while they had a Bill upon the same subject, but of a very different nature, in their possession, and which yet remained to be examined and discussed, proceed the length of the Motion then under consideration? He flattered himself that they would not prejudge him, that they would not condemn him unheard, but that they would wait at least till that comparison and discussion that he most anxiously challenged, had been gone through, and that the House, in this material instance, would act consistently with that candour, honour, and dignity, which so highly became them, and which he hoped ever would distinguish all their proceedings.

Chairman. As soon as Mr. Pitt sat down, the Chairman put the question, and the Committee divided, *Ayes* (for the Resolution) 205, *Noes*, 184. *Majesty*, 21.

The Chairman was then directed to leave the ~~Chairman's~~ Chair, report the Resolution to the House, and ask leave to sit again.

The House being resumed, the Resolution was reported, read a first and second time, and agreed to. After which the Committee on the State of the Nation was adjourned to Tuesday next, to which day the House also adjourned, it being HALF PAST THREE in the morning.

A

B I L L

F O R

The better Government and Management of the Affairs of the East India Company.

FOR the better government and security of the Territorial Possessions of this kingdom in the East-Indies, be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that it shall and may be lawful to and for the King's Majesty, his Heirs and Successors, by any Commission to be issued under the Great Seal of Great Britain, to nominate and appoint such persons as his Majesty shall think fit, being of his Majesty's Most Honourable Privy Council, of whom the Principal Secretary of State for the Home Department for the time being, and the Chancellor of the

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the Exchequer for the time being, shall be two, to be, and who shall accordingly be, Commissioners for the Affairs of India.

And be it enacted by the Authority aforesaid, that any number, not less than _____ of the said Commissioners, shall form a Board for executing the several powers which, by this or any other Act, shall be vested in the Commissioners aforesaid.

And be it further enacted, that the said Secretary of State, and, in his absence, the said Chancellor of the Exchequer, and in the absence of both of them, the senior of the said _____ other Commissioners, according to his rank in seniority of appointment, as one of his Majesty's Most Honourable Privy Council, shall preside at and be President of the said Board; and that the said Commissioners, or any _____ of them, shall have, and they are hereby invested with, the superintendance and controul over all the British Territorial Possessions in the East Indies, and over the Affairs of the United Company of Merchants trading thereto, in manner hereinafter directed.

And be it further enacted, that in case the Members present at the said Board shall at any time be equally divided in opinion, in respect to any matter depending before them, then, and in every such case, the then President of the said Board shall have two voices, or the casting vote.

And be it further enacted, that it shall and may be lawful for the King's Majesty, his Heirs and Successors,

cessors, from time to time, at his and their will and pleasure, to revoke and determine the Commission aforesaid, and from time to time to cause any new Commission or Commissions to be sealed as aforesaid, for appointing any other person or persons, being of his Majesty's Most Honourable Privy Council, of whom the Secretary of State for the Home Department, and the Chancellor of the Exchequer for the time being, shall always be two, to be Commissioners and Members of the said Board, when and so often as his Majesty, his Heirs or Successors, shall think fit, so that the number of Commissioners therein to be named shall in nowise exceed the aforesaid number of

Provided always, and be it further enacted, that the office or place of a Commissioner or Member of the said Board, hereby erected, shall not be deemed or taken to be a new office or place, within the intent and purview of an Act of the sixth year of the Reign of Queen Anne, intituled, "An Act for the Security of her Majesty's Person and Government, and of the Succession to the Crown of Great Britain in the Protestant Line."

And be it further enacted, that the said Board shall be fully authorized and impowered, from time to time, to check, superintend, and controul, all acts, operations, and concerns, which in anywise relate to the Civil or Military Government or Revenues of the Territories and Possessions of the said United Company in the East Indies.

And

administer; and the said Oath shall be entered by the said Secretary amongst the Accounts of the said Board, and be duly subscribed and attested by the Members thereof, at the time of their taking and administering the same to each other respectively.

And, to the intent that the said Board may be duly informed of all transactions of the said Company, in respect to the Management of their Concerns in the East Indies, be it further enacted, that all the Members of the said Board shall, at all convenient and reasonable times, have access to all papers and muniments of the said United Company, and shall be furnished with such extracts or copies thereof as they shall from time to time require; and that the Court of Directors of the said United Company shall, and they are hereby required and directed, to deliver to the said Board Copies of all Minutes, Orders, Resolutions, and other proceedings, of all General and Special Courts of Proprietors of the said Company, and of the said Court of Directors, within . . . days after the holding of such respective Courts; and also Copies of all Dispatches which the said Directors shall receive from any of their Servants in the East Indies, immediately after the arrival thereof; and also copies of all Letters, Orders, and Instructions whatsoever, relating to the Civil or Military Government or Revenues of the British Territorial Possessions in the East
H h Indies,

Indies, proposed to be sent or dispatched, by the said Court of Directors, to any of the Servants of his Majesty, or of the said Company, in the East Indies, days at the least before the time proposed for sending or dispatching the same respectively ; and that the said Court of Directors of the said United Company shall, and they are hereby required to pay due obedience to, and shall be governed and bound by, such Orders and Directions as they shall from time to time receive from the said Board, touching the Civil or Military Government and Revenues of the Territories and Possessions of the said United Company in the East Indies.

And be it further enacted, that, within days after the receipt of such Copies last-mentioned, the said Board shall return the same to the said Court of Directors, with their approbation thereof, subscribed by of the Members of the said Board, or their reasons at large for disapproving the same ; together with Instructions from the said Board to the said Court of Directors in respect thereto ; and that the said Court of Directors shall thereupon dispatch and send the Letters, Orders, and Instructions, so approved or amended, to their Servants in India, without further delay ; and no Letters, Orders, or Instructions, until after such previous communication thereof to the said Board, shall at any time be sent or dispatched by
by

by the said Court of Directors, to the East Indies, on any account or pretence whatsoever.

And be it further enacted, that in case the said Board shall send any orders or instructions which, in the opinion of the said Court of Directors, shall relate to points not connected with the Civil or Military Government and Revenues of the said Territories and Possessions in India, then, and in any such case, it shall be lawful for the said Court of Directors to apply, by petition, to his Majesty in Council, touching such orders and instructions; and his Majesty in Council shall decide whether the same be, or be not, connected with the Civil or Military Government and Revenues of the said Territories and Possessions in India; which decision shall be final and conclusive.

And be it further enacted, that as soon as the office of any one of the Counsellors of the Presidency of Fort William in Bengal shall become vacant, by death, removal, or resignation, the vacancy so happening shall not be supplied by the said Court of Directors, but the said Supreme Government shall from thenceforward consist of a Governor General and Supreme Counsellors only; and that the Commander in Chief of the Presidency of Fort William in Bengal for the time being, shall have voice and precedence in Council next after the said Governor General, any thing in any former Act of Parliament contained to the contrary notwithstanding.

And be it further enacted, that the Government of the several Presidencies and Settlements of Fort Saint George and Bombay, shall, after the commencement of this Act, consist of a Governor or President, and Counsellors only, of whom the Commander in Chief in the said several Settlements for the time being shall be one, having the like precedence in Council as in the Presidency of Fort William in Bengal.

And be it further enacted, that from and after

the nomination and appointment of the several Commanders in Chief in the said Presidencies or Settlements of Fort William, Madras, or Bombay, shall be, and the same are hereby vested in his Majesty, his Heirs and Successors, any law, usage, or custom, to the contrary notwithstanding.

And be it further enacted, that it shall and may be lawful for his Majesty, his Heirs and Successors, to nominate and appoint any person or persons to succeed to the said office of Commander in Chief in the said several Presidencies or Settlements; and the persons so nominated and appointed shall respectively succeed to the said offices of Commanders in Chief respectively, in like manner as if they had been appointed upon or after a vacancy or vacancies.

Provided always, and be it enacted, that the persons to be appointed to succeed to the office or place of Commander in Chief in the said Presidencies or
Settle-

Settlements, upon any vacancy thereof respectively as aforesaid, shall and may, if his Majesty, his Heirs or Successors, shall by such appointment so direct, have military command and authority next and immediately after the Commander in Chief of such Presidencies or Settlements respectively.

And be it further enacted, that it shall and may be lawful to and for the King's Majesty, his Heirs and Successors, by any writing or instrument under his or their Sign Manual, countersigned by the said Secretary of State, to remove or recall the present or any future Governor General of Fort William at Bengal, or any of the Members of the Council of Fort William aforesaid, or any of the Governors or Presidents, and Members of the Councils, of the Presidencies or Settlements of Fort St. George and Bombay, or of any other British Settlements in India, for the time being; and to vacate and make void all and every or any appointment or appointments, as well absolute as provisional, of any person or persons to any of the offices or places aforesaid; and that all and every the powers and authorities of the respective persons so removed or recalled, or whose appointment shall be so vacated, shall cease and determine at or from such respective time or times as in the said writing or writings shall be expressed and directed: Provided always, that a duplicate or copy of every such writing, attested by the said Secretary of State for the time being, shall, within

within days after the same shall be signed by his Majesty, his Heirs or Successors, be transmitted or delivered, by the said Secretary of State, unto the Chairman or Deputy Chairman for the time being, of the said United Company, to the intent that the Court of Directors of the said Company may be apprized thereof.

And be it further enacted, that whenever any vacancy or vacancies of the office of Governor General, or President, or of any Member of the Council (other than the Commander in Chief) shall happen in any of the Presidencies aforesaid, either by death, resignation, or recall, as aforesaid, then and in such case, the Court of Directors of the said United Company shall proceed to nominate and appoint a fit person or persons to supply such vacancy or vacancies, subject to the approbation of his Majesty, his Heirs, and Successors; and within days next after any such nomination and approbation shall be made, the same shall be signified, by the Chairman or Deputy Chairman of the said Court of Directors, to his Majesty, his Heirs and Successors; and in case his Majesty, his Heirs or Successors, shall approve the said nomination and appointment, then the person or persons so nominated shall be constituted and appointed to the office or place, offices or places, for which he or they shall have been so respectively nominated, and shall so continue, from the time of his or their taking the
same

same upon him or them, until he or they shall resign the same, or be removed or recalled therefrom by his Majesty, his Heirs or Successors, and so *toties quoties*: And in case the person or persons so nominated and appointed by the said Court of Directors, shall not be approved by his Majesty, his Heirs or Successors, then, within days after his Majesty, his Heirs or Successors; shall have caused to be signified to the said Chairman or Deputy Chairman of the Court of Directors, that his Majesty, his Heirs or Successors, doth or do not approve of such person or persons, the said Court shall proceed to nominate and appoint some other person or persons to the said office or place, offices or places, respectively, subject to the approbation or disallowance of his Majesty, his Heirs and Successors, in such and in the same manner as is hereinbefore directed or prescribed, and so *toties quoties*, until some person or persons shall be nominated and appointed, who shall be approved by his Majesty, his Heirs or Successors.

Provided always, and be it further enacted, that in case, and so often as the Court of Directors shall not, within the space of to.
 be computed from the day whereon the notification of the vacancy, or of his Majesty's disapprobation of any person by them nominated as aforesaid, shall have been received by the said Court of Directors,

rectors, proceed to supply the same, then and in any such case, and so often as the same shall happen, it shall be lawful for his Majesty, his Heirs and Successors, to constitute and appoint, by writing under his or their Royal Sign Manual, such person or persons as his Majesty, his Heirs and Successors, shall think proper, to succeed to and supply the respective office or place, offices or places, so vacant, or from which any person or persons shall be so recalled or removed, or whose appointment or appointments shall have been vacated and made void as aforesaid; and that every person or persons, so constituted and appointed, shall have and be invested with the same powers, privileges, and authorities, as if he or they had been nominated and appointed by the said Court of Directors, and approved by his Majesty, his Heirs and Successors.

And be it further enacted, that no resignation to be made of the Offices of the Governor General or Governor or President of any of the subordinate Settlements, or Commander in Chief, or Member of the respective Councils of any of the said Presidencies in India, shall be deemed or construed to be legal or valid, or shall be accepted as such, unless the same be made by an instrument in writing under the hand and seal of the Officer or Person resigning the same.

And be it further enacted, that no Order or Resolution of any General Court of the Proprieto

of the said United Company shall be available to revoke or rescind, or in any respect to affect, any Act, Order, Resolution, Matter, or Proceeding, of the said Court of Directors, by this Act directed or authorized to be made or done by the said Court, after his Majesty's pleasure shall have been signified upon the same, in the manner hereinbefore directed, any law or usage to the contrary notwithstanding.

And be it further enacted, that so much and such parts of an Act, made in the twenty-first year of the reign of his present Majesty, as directs the Court of Directors of the said United Company to deliver to the Commissioners of the Treasury, or to the High Treasurer for the time being, or to one of his Majesty's Principal Secretaries of State, copies of any Letters or Orders relating to the management of the Revenues, or the Civil and Military Affairs of the said Company, and also all such powers and authorities given to or vested in the Proprietors and Directors of the said United Company, or in any General or Special Court thereof respectively, in and by any Act of Parliament or Charter, as are contrary or repugnant to this Act, or any thing therein contained, shall be, and the same are hereby discontinued, for and during the continuance of this Act, any thing contained in any such Act or Charter, or any custom or usage to the contrary notwithstanding.

And

And be it further enacted, that this Act shall take place and have commencement, in Great Britain, immediately after

and shall take place and have commencement, in the several Presidencies aforesaid, and in the Territories thereunto belonging, from the

and shall remain and continue in force for the space of years.

And be it further enacted, that this Act shall be deemed and taken to be a Public Act.

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I N D I A.

RICHARD CONGREVE.

“Fais ce que tu dois, advienne que pourra.”

“Do thy duty, come what may.”

Old Knightly Motto.

LONDON:

JOHN CHAPMAN,

No. 8, KING WILLIAM STREET, STRAND.

1857.

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PREFACE.

'GIBRALTAR' was undertaken at the suggestion, and when written had the sanction, of Auguste Comte. The present work appears under different circumstances: for I, in common with his other disciples, am left to mourn the loss of our guide and master. Still it is in the confidence that what he dissuaded last year, would this year be judged by him opportune, that I venture on its publication. I offer it as a tribute to his memory, and as a pledge that his noble example of self-devotion to the cause of Humanity shall not be lost. His voice is no longer heard, but his spirit lives amongst us; and the increased energy of our mutual action will, I hope, show that we, his disciples, are determined to carry on his work. I offer it, next, as a mark of sympathy to those who share my faith. I offer it, lastly, to the service of Humanity.

Il faut payer de sa personne. When I attack so openly, I have no wish to guard myself. As little as any can I be liable to illusion as to the reception of such sentiments as these pages contain. Yet I have not written in any spirit of contempt for the ideas which are yet believed in, or of reckless opposition to the feelings of the majority.

"Io parlo per ver dire,
Non per odio d' altrui, nè per disprezzo."

Rather would I ask fair readers to judge of me by the motto on my title page. That expresses the spirit of my work. For I

consider that the time is come when the doctrines of Positivism must be proclaimed; when the moral solution offered by that system of the great questions which agitate society in all its parts, must be put forward in no hesitating manner, nor in implicit statements, but most firmly and most explicitly. I may not decline the perilous honour of the vanguard.

It is not here the place to enter on any development of the doctrinal basis or religious system of Positivism. As in the case of 'Gibraltar,' it is to the special application of its principles that I confine myself. This is the point of view from which I would wish my work to be judged, in order to a fair appreciation of my reasons for introducing certain statements not at first sight essential to my argument; otherwise, I might seem to some unnecessarily to run counter to existing belief. I have really, in what I have said of religion, only obeyed the strictest necessity. The careful working out of one's own opinions on such subjects, leaves a temper but little disposed to shock or to irritate others. The effort should give the courage requisite for open expression; it should inspire at the same time respect and conciliation.

*South Fields, Wandsworth,
November 9, 1857.*

INDIA.



PART I.

To subordinate politics to morals,—in other words, to test political action and speculation by moral considerations,—such is the aim of Positivism, viewed as a political philosophy. It would reverse the relation which has so long existed between the two sciences, a relation equally disastrous to both. It would no longer allow policy to set aside morality, and state-necessity to be a bar against bringing political questions before a higher tribunal. It would (and this is the simplest form of stating its object) lay down the principle, that, for States as for individuals, it is the question of duties, not of rights, that must henceforth take precedence. To set forth and enforce this principle, seems to me the only worthy object of any political writing on the questions of the present day.

With these views, in the winter of last year, I published a pamphlet entitled ‘Gibraltar, or the Foreign Policy of England.’ In it I aimed at showing, in the simplest case I could find, how England might introduce into her political action this new principle. She might, in reference to a weaker member of Western Europe, ask herself, not what she had a right to do, nor what she had the power to retain, but what she ought to do, looking at her social position among the nations and the claims of other nations upon her. She might inquire how best to contribute not to her own isolated self-aggrandisement, but to the general well-being of the system of which she is essentially a part.

I had hoped that I had done my part. I had hoped that the

publication of such views would have been enough for the present, and that I might devote myself to other occupations. The principle stated, it is easy to be seen, is one of wide application. It was expressly shown to be so. It involved a revision of the whole position and international relations of England; a revision of her national bearing, whether in the West or the East. But when I wrote, it seemed enough to limit myself to one special case in which the application was easy. There was at that time no urgent reason for explaining how it might bear on the most important of all the cases to which it could be applied—that of India. By right means or by wrong, we had won our Indian Empire. We held it apparently unquestioned. Recent acts of arbitrary aggrandisement had seemed to meet with acquiescence. To the distant political observer there seemed no probability of an immediate agitation of the Indian question.

Such an observer might be convinced, as I had long been, that there was no moral justification for our retaining our dominion in the East. On general principles he might conclude that such dominion, lacking such justification, was unsafe, and at any moment liable to attack. But the general feeling was, that our rule was for the present likely to continue. For myself, I had gone further. Contented with protesting against our Indian Empire, I had accepted it as a fact. Not blind to the wrong means by which it was acquired, not blind to the inherent evil of its ultimate retention—evil both to England and to India—I had yet hoped that the hour of its fall might be adjourned for some time. And I had rested my hope on the conviction that the English Government, by the enforcement of order, the furtherance of material improvements, and by the lessons of western punctuality and honour, was in some measure redeeming its origin; and if not in principle justified, was in its practical results offering to its Eastern subjects some perceptible compensation for the conquest. In this feeling I waited patiently for the day when either the energies of the native population should make our further hold impossible, or, what was more desirable, the spread of purer moral feeling on such subjects should lead the English nation voluntarily to abandon that hold, and of itself retire from India, after having done everything possible to secure for it

country it had so long ruled, order, good government, and external security.

But the course of events has been rapid. The recent revolt has dispelled all such ideas of patient acquiescence in a recognized evil. The Indian question has become the prominent, absorbing topic. Its immediate solution, or the more distant future of India, largely occupy the thoughts of all.

Discussion is rife on the subject; but the basis of assumption on which the discussion rests is in general the same. As I differ from that basis, I feel that I should be wanting to the cause I have in hand—failing to the inner consciousness of duty—if I were to shrink, whatever the consequences, from openly avowing the opinions I have formed and the grounds on which I have formed them; if I were to shrink, in the face of solutions which to me are incoherent and immoral, and generally the more immoral in proportion as they are less incoherent, from putting forward the solution which Positive Philosophy can offer as at once coherent and moral. That philosophy avows its claim to universal applicability; I may not admit that such claim is ill-founded, I may not silently see it abdicate.

In the case of India, just as in that of Gibraltar, it were dreaming to suppose that, in the present state of opinion, a policy such as mine could meet with immediate assent. But there is a difference in the two cases. Gibraltar is not likely to be soon an object of contention. Whereas in India the question is raised. It is possible, nay even highly probable, that the struggle with some mutinous regiments, which has already assumed the dimensions of a revolt, may pass from a revolt to that stage in which the question for our Government and nation shall be: Shall we set to work to re-conquer India? When such a question is, if not formally stated, at least instinctively felt to be the question, then is my time; then considerations of apparently no weight now, may assume weight; then, brought face to face with so formidable a juncture, pregnant with such great issues to itself and its subjects, the English nation may ask, Are there no means of avoiding this evident evil? Are we so certainly in our right that we can justify to ourselves the great sacrifices we and our posterity must make? Is India a lawful object for our arms?

Is its re-conquest a duty? Is there any obligation on us, for presumed advantages to it or to ourselves, to inflict on it and on ourselves the horrors of a deliberate war?

I am not called on to trace the vicissitudes of the contest in India, though, as a man, I cannot but feel a painful interest in them. I look on the whole with strong reprobation. So mild a term as regret would not express my judgment on our bearing in India previous to the revolt. That bearing has been singularly concentrated by an Indian statesman, in the bold expression, "We have stalked as conquerors." I see no reason to doubt the justice of this concentration. As little reason do I see to doubt that the horrors of the outbreak, as distinct from the outbreak itself, are attributable to the long sense of humiliation consequent on that stalking as conquerors.

"Men must reap the things they sow ;
Force from force must ever flow,
Or worse."

I reprobate these horrors as much as any one, whilst I feel that it is easy to account for them, most easy to parallel them. Not less strongly would I reprobate the retaliation, the spirit of vengeance, which has seized our civilians and soldiers: not less, but more strongly, as in more glaring contrast to our position and professions. To me the war in India has every repulsive feature, none of the palliations that ordinarily attend on war. I recall the words of the Latin poet:

"Bella geri placuit nullos habitura triumphos."

Again, as an Englishman, I cannot but take interest in the manifestations of English feeling. It is clear that a large, though comparatively quiet body of sentiment throughout the nation condemns the blind ferocity with which the first blow was received. Yet I am but anticipating the judgment of after-times, when I say that the English Government has merited the gravest disapprobation. Either it sympathized with, or it tolerated as 'useful,' or it had not the courage to resist, the spirit of bloodthirstiness. It has degraded England by such conduct. And yet in this, as in other cases, no line of absolute demarcation can be drawn between the Government and the nation. The condemnation which rests on the former, must be shared by the latter as a whole; for only

by virtue of an absence of right moral feeling, or the courage to express it, could the sentiments we have heard been allowed free scope for so long a time.

With regard to the cry for justice on the perpetrators of outrages, it is a legitimate one; and it may perhaps receive a fair satisfaction, though it will hardly do so, if the plan of giving no quarter is adopted, and the Sepoy falls in fair fight, life for life. Such a policy defeats itself. But granting that with all due solemnity just retribution be exacted, and not military vengeance, then all I have to say is, Let it be even-handed. Let justice be done on the Sepoy, but let it be done also on the European, whether civil or military, who shall have committed excesses. In both cases it should be not unmixed with mercy. But if the feeling of the governing classes, indorsed by our Commander-in-chief, is too strong for this, then in both cases alike it must be stern. If for the Sepoys there is no mercy, there should be none for the European offender. Not alone the white woman, or the child of English parents, but Hindoo women and children, should be fearfully avenged. Not British ladies and gentlemen, but the innocent sufferer of whatever nation or whatever rank—such is the real statement for any who are capable of estimating moral obligations, when not blinded by an overweening sentiment of outraged pride—outraged in its feeling of national superiority; or the still intenser feeling of superiority of race.

As to the expression of our own feelings at home, I am aware that a great change has taken place. At the outset, men were so shocked that they let themselves be hurried farther than their deliberate judgment would sanction, and the recoil has come. Besides, the question once forcibly brought home to us, the uneasy consciousness of the weakness of our cause has been aroused from its dormant state. This consciousness betrays itself in the seeking for, and the production of, higher reasons than those which have been in vogue for retaining our hold on India. Looking at our past history, I own that much even of the better language now adopted revolts me. We occupied India under the impulse of commercial and political motives; we have governed it as a valuable appendage, commercially and politically. This is the broad truth. When our Empire is tottering to its

fall, then to step forward with moral or Christian motives for holding it, which have never influenced our previous policy, is a very questionable course. Still I am aware that, in the consciousness of many, the language they hold is genuine, and others who have not used it hitherto, nor are likely to use it henceforth, will for the present adopt it. As used by its truest advocates, I accept it as a valuable indication, whilst I feel with sorrow that I have no hope of their support. My conclusion, I well believe it, some of them might adopt. If intellectually convinced, they would have no moral repugnance to it. But the premises on which it rests will keep them from me. I can only, therefore, treat their language as a valuable indication that they, as I, allow moral considerations to precede political; that not for the pride, not for the honour, not for the power of England would they force India into subjection, but in the interest of India—her highest interest, and as the duty of England. When the interest of the weaker, as viewed by the stronger, so entirely coincides with the power and pride of the stronger; when the duty of the stronger so entirely coincides with his own views of his interest; in the case of individuals, it would be clearly right to call in some third judgment, not for the stronger to act at once as judge and party. As between nations, I believe the same rule holds good, and that no other conduct can clear us in the matter.

This leads me by a natural transition to my main object. I proceed to state the policy which I think it is the duty of England to adopt towards India. It is simple in the extreme. It is that we withdraw from our occupation of India without any unnecessary delay, within the shortest period compatible with due arrangements for the security of European life and property, and with such measures as shall be deemed advisable in the interest of Indian independence and good government.

This is the shortest statement of the result which I think desirable. I put it thus nakedly forward, that it may be clear and intelligible to all. The great object is our withdrawal, the cessation of our dominion. The means of effecting that object are not within my province. The means of securing to the Empire we abandon, all advantages that we have it in our pow

to secure, these are matters for mature consideration, and on them I would say a few words.

It seems to me, that in such a case we should not act alone. Though we have neglected it, our best claim to our position in India has always been, as the representatives of the civilization of the West, and as invested with somewhat of the character of a Protectorate. Let us fall back on this in the hour of our withdrawal. Let us, in the spirit of this claim, secure, as we may easily do, a guarantee on the part of all the great European powers that the empire we retire from shall not be considered open to the ambition of any of them, and that no extra-European power shall have a right which we renounce ourselves.

Then, in the settlement of the relations of Western Europe and India, including in Western Europe all European populations, whether American or Australian, it would be well, in the present state of things, to associate with ourselves some other nations. Three seem marked out,—the three which, beside ourselves, have East Indian settlements. They are France, Portugal, Denmark. To these I would add Sardinia, as a representative of the fifth great nationality, the Italian. And as in India we have to deal with Islamism and Brahminism, I would appeal to the natural head of Islamism, the Sultan of Turkey, for his co-operation in this great work; whilst in India itself I would have some eminent Brahmin selected as the fitting complement to the mixed commission thus formed.

Such a commission of seven would, in principle, not be different from that named to investigate the question of the Danubian Principalities. It would have to act in concert with any Government established, or to be established, in India. It would have to settle the terms on which the intercourse of the Western World with India could be carried on. It might fairly constitute the germ of a European protectorate, and in the meantime it might, on the strength of a policy of renunciation on the part of England, speak in persuasive language to the various Indian Governments on their own internal affairs. So might immediate interests be fairly dealt with, and a just satisfaction be given to whatever there is of truth in the feeling, that the cause of England is the common cause of civilization, and that to sympathize

with her immediate overthrow, were in fact to sympathize with a retrograde movement towards disorder and barbarism.

Whatever may be the judgment formed of any such plan, the objects of any legitimate policy are not affected by such judgment. They are threefold :—The withdrawal of English occupation; the securing the independence of India; the retaining a wholesome commercial and moral connection between the West and the East. If I dwell not on the more distant object of a Protectorate on the part of Western Europe, it is because under present circumstances such protectorate might awaken national susceptibilities in India.

Such a proposal will perhaps appear startling; yet it is the natural policy to adopt. So much is the presumption in its favour, that I might content myself with its statement, and throw on my opponents the burden of disproving its reasonableness, or the burden of proving that it is England's duty to exert herself to retain India. But I am met at the outset by an argument, or rather a statement, which takes somewhat different shapes, but which remains in principle the same. The Bishop of Oxford tells us boldly, "that God has entrusted India to us to hold it for Him, and we have no right to give it up." I answer: The evidence of such commission can only be read in the facts of history, and they are not in its favour. On the contrary, were I to place myself for a moment at the theological point of view—, that at which my opponent stands,—I should be tempted, after a careful survey of the origin of our acquisitions and the series of subsequent additions, to suggest a commission from a totally different power, and the words rise before me—"All these will I give thee, if thou wilt fall down and worship me."

Less familiar with the designs of Heaven than the Bishop, with less, at the same time, of his imposing confidence, and perhaps, under all the circumstances of the case, less politic, Mr. Gladstone cannot wholly keep himself from mooted the question of our mode of acquisition. But he determines conveniently that such is not now the question for us. "The question is, not whether we were justified in the acquisition or not; the question is not whether our hands were clean or not in those acquisitions the question is, what obligations have we contracted towards the

nearly 200 millions of people under our rule in India, and towards the God who cares for that people as much as for us? Perhaps rashly and presumptuously we have placed ourselves in the condition of trustees, standing between Almighty God on the one hand, and 200 millions of his creatures on the other hand: it is our absolute duty to discharge the trust we so undertook," etc.

I answer, in the first place: The language is somewhat late. This trusteeship has not hitherto been recognized—that is confessed. Secondly, let us distinguish a little: of course if we hold India, we are under solemn obligations to govern it well; indeed, under such obligations, (and the government required of us is such, that, were they rightly understood, I much doubt whether our Government or nation would in the least covet a possession which involved such complicated and serious responsibilities,) we should not be casting about for reasons to retain India, but for such as might justify us in our own sight in abandoning it. Nor, in abandoning it, do I fail to recognize one solemn obligation which rests on us. In rashness and self-confidence we occupied it; but the spirit we should bring to its relinquishment is that of the calmest judgment, of the most absolute self-denial. The one permanent consideration should be—what is the interest of India. Let us act as men, not as angry children. Let the sense of wrong done be powerful to prevent more wrong. Like an unskilful physician, we interfered with the course of nature, and suspended its healing action. The confession of this error constitutes a demand for the highest exertion of skill in meeting its consequences. If the recognition of such obligation be deemed visionary, at any rate it is not I who despair of my countrymen. I freely censure the conduct of its Government and the acquiescence of its people; but I would not for a moment unjustly under-estimate that people. I believe that an appeal to its highest moral feeling may yet be listened to, if heard. The nation that produced Milton and Cromwell, and the soldiers of Cromwell, has within its grasp whatever is noble, or great, or self-devoted in action. Would that, with Milton, I might see her "rousing herself like a strong man after sleep!" Would that across the last two painful centuries we could catch some echoes

of Milton's mighty voice, strong to express his own noble feelings, strong to give utterance to those of his nation! Would that on us might rest a portion of that spirit which, in the poet, worked itself into all forms of beauty,—in the great statesman and ruler, into all noblest actions!

To return. To Statesman and Bishop alike, I answer, that the language is, after all, but solemn trifling; such a commission, such trusteeship, are valid only with those who accept them; they offer no ground for argument; they remove the question out of the simple domain of human morality and human policy into an arbitrary region where it becomes wholly insoluble. The moralist and statesman alike require a more common ground, a more available line of argument. They cannot follow the one proposed. Who is, in the last resort, to judge whether this trusteeship has the sanction of God? It has no presumption, I repeat, in its favour; and its palpable coincidence with our wishes, feelings, and supposed interests, should make us feel the full indelicacy of ourselves putting it forward. I do not enter more on the subject, as I wish to avoid, when possible, everything that may irritate.

I repeat it, the policy I advocate is the natural policy, with such presumptions in its favour as to throw the burden of disproof on my opponents. What I mean is this. Open any map of the world, and see the relative position of the two countries it constitutes a strong presumption against their union. Their estimate their relative population, their differences of climate language, religion,* manners and customs, and have you no so many additional presumptions? Ask yourself under what conditions a conquest is either justifiable or admissible; and then ask yourself whether, in the case of India, any one of those conditions is realized. Treat the question either on moral

* I borrow from the *Spectator* of Saturday, Nov. 7, a journal unfriendly to our cause, the following passage:—"With these essential differences in feelings, views and even in the use of language, how impossible it is for the two races to come to clear mutual understanding! We can scarcely measure the amount of moral capability in our adversaries; for with their training, religion approves their treachery and destructive fanaticism, and justifies the criminality of their most barbarous conduct. To them the brutal slaughter of women and children is justified some religious sanction."

political grounds, I have no fear of the answer. Simply assume, by a slight effort of abstraction, that you are standing at the point when the English commercial intercourse with India is to pass into a political one—one of conquest and of occupation. It is no difficult task to put ourselves so far back in time. Then what would be your judgment as to the duty of England? Was there a moral obligation resting upon her to seize that great Empire?

The motives which led to the enterprise at the outset are well known, and need not now be too severely judged. They were, rivalry with France and the desire of aggrandisement. The real interests of the vast populations thus made the stake of the game between two Western Powers, were never for a moment considered; nor have they been so since that game was decided in favour of England, and our conquest consummated. The substantial truth of these statements cannot, I believe, be disputed.

There was no danger, real or pretended, to Western or Eastern civilization from India. No historical record speaks of that great territory as sending forth armies of invaders for the conquest of neighbouring States. All history testifies to the contrary,—India has been, like Italy of later days, the prey, not the spoiler.

Again, it was no case of a vast extent of land insufficiently occupied, with its wealth misunderstood, its advantages lost to the race. This is the ground on which rests the occupation by more civilized nations of such countries as America and Australia.

In fact we may task imagination to the utmost, and not find any ground on which, before the event, the seizure of India by a European Power could be justified. The break-up of the Mogul Empire had, it is true, disorganized all its internal relations, and given occasion to great and deplorable confusion. But that would not, now at least, be accepted as adequate justification. All the nations of modern Europe have passed through such a stage, and all would equally repel the thought of any violent interference to check the action of natural remedies. Such a state of things explains the success of our enterprise, but does not justify it. Bad government and constant internal war are no grounds for interference. Naples has a government prover-

bially bad. Mexico is in constant disturbance. In neither do we think it our duty to interfere.

It is my conviction that all principles of international law are against our occupation; or must we slightly vary the question drawn from Heeren by our conduct in Ceylon?—must we ask, Is there in the East Indies a different international law from what exists in England? If openly it is avowed that there is such a difference, that what holds good of independent States in Europe is not binding in the East; then what are the limits of this difference, and on what rational basis does it rest? Is it on the evident assumption of superiority of race in the European; or is it on the plea of the comparative barbarism of the Hindoo population? On this subject listen for a few moments to Burke: “This multitude of men does not consist of an abject and barbarous populace, much less of gangs of savages, like the Guaranies and Chiquitos, who wander on the waste borders of the river of Amazons or the Plate; but a people for ages civilized and cultivated; cultivated by all the arts of polished life, whilst we were yet in the woods. There, have been (and still the skeletons remain) princes once of great dignity, authority, and opulence. There, are to be found the chiefs of tribes and nations. There, is to be found an ancient and venerable priesthood, the depository of their laws, learning, and history, the guides of the people whilst living, and their consolation in death; a nobility of great antiquity and renown; a multitude of cities not exceeded in population and trade by those of the first class in Europe; merchants and bankers, individual houses of whom have once vied in capital with the Bank of England; whose credit had often supported a tottering State, and preserved their Governments in the midst of war and desolation; millions of ingenious manufacturers and mechanics; millions of the most diligent, and not the least intelligent tillers of the earth. There are to be found almost all the religions professed by men, the Brahminical, the Mussulman, the Eastern and Western Christian.”—*Burke, Speech on the East India Bill*, vol. iv. p. 18.

If, on the contrary, the principles that govern the intercourse of nations, the result of experience and reason, are as valid in the East as in the West; if the only difference is one of me-

form, rendered necessary by the different manners of the East, then I confidently assert that no English statesman can give an adequate justification for our forcible retention of our hold in India.

True, it may be said, but the thing is done. We are not here to justify what has been done, but to make the best of it. We cannot be always opening up such questions. I may admit that there is some force in this language. But then it must be shown that what has been done has been ratified by time. It must be shown that the conquest is in some sense a genuine one,—that the conquered have amalgamated with the conquerors,* or that they are evidently in the way of amalgamating; or it must be shown that the sense of a common interest has overcome the sense of national humiliation, or is gradually overcoming it;—so far may I go,—that there is a probability, in short, of a genuine union being at last effected. This is to concede much, to place my opponents in as favourable a position as possible. But even so, I am in no danger. A few months ago, and this last position was apparently a tenable one. It was then possible, not more than possible, even to a comparatively superficial inquirer, to suppose that the English power in India was gaining strength. But recent events have made it impossible. They have shown that it is impossible, alike to those who object to our dominion and to those who, with almost fanatical vehemence, cling to its retention. A despotic Government, resting on the sword, such, if the Indian population succumb in the present struggle, is their only perspective for long generations to come; and a despotic

* I should not notice Lord Shaftesbury's speech, but for some valuable materials it contains. It has its interest, as the manifesto of one of the lay leaders of an important religious party. I can only express my sorrow that such a speech should be thought peculiarly English. My present object is, to borrow what the speaker calls "these emphatic and valuable words;" they will be seen to illustrate the position in the text. "Of all the evils produced by this state of things in India, there is not one so great, not one so difficult to overcome, as the feeling of intense and dreadful execration that has arisen on the part of the Europeans towards every man of a coloured skin. It will be next to impossible for many years to come, that we, in the government of India, shall be able to do anything for the benefit of the nation. I maintain," he says, "that it will be absolutely impossible to elevate their position by placing them in any situation of trust, so great is the feeling of detestation towards them on the part of the Europeans."

Government resting on the sword, should jar on the ear of Englishmen.

I asked my readers to abstract themselves from the actual condition of things for a moment, and to place themselves at the point of time when the English had as yet no hold on India as conquerors. But for all purposes of argument we may, I believe, fairly drop this abstraction, and consider ourselves now, as much as a century ago, face to face with the question, Ought we to conquer India? For the century has passed, and we have made no way. Indeed, a century ago, whilst smarting from the evils consequent on the break-up of the Mogul Empire, whilst English or French rule was yet untried, the intervention of some European power might hold out no unwelcome prospect. But stained as our conquest was, and clearly seen, as it is now, to be incompatible with any independence in any part of the Peninsula, the native races may fairly reject what they then welcomed, and prefer the chances of less settled government to the certainty of an alien despotism.

I may, then, call on those who advocate the continuance of our Indian power, to produce a principle which, if the thing were to be done again, would justify the occupation of India. Equally with justice may I, on the strength of passing events, call on them to produce a principle of international law which warrants our persisting in that occupation. The principle produced must be one which, in the case of any State of European origin, either in the Old or in the New World, would justify our adopting the same conduct as we adopt towards the East Indies. If they refuse to meet me with such a principle, on what ground do they rest such refusal?

We enforce on Persia the observance of treaties, as we should enforce it on any equal European State. We require China to acknowledge even the punctilios, as well as the principles, of European international law. The great Peninsula which stands geographically between China and Persia, is equally one of the community of nations, and has an equal claim on us that we should in respect to it, obey our own principles.

Very shortly, then, to resume what I have said. I conceive I did wrong in seizing India. No subsequent experience warrants

our considering that wrong as condoned. There remains but one alternative,—restitution, reparation to the utmost of our power, of the wrong done. This is the sum of my argument. The first part of it I really believe granted by the majority of reasoners on the subject. It is the latter part which, if I am to judge by the utterances on the question, is no less generally denied.

The reasons for this denial I will take one by one, and answer them to the best of my ability. If we put aside the ultimate one of superior power, the immoral statement that we will keep what we have won till a greater power can take it from us, as admitting of no appeal, amenable to no argument, there are four reasons which are producible, on which, with more or less of colour, we may rest our retention of India. They are:—

- (1.) The Commercial.
- (2.) The Political.
- (3.) The Ground of Civilization.
- (4.) That of Religion.

As a matter of mere argument, I have but little difficulty with the two first. Not that I therefore ignore or undervalue their practical influence; but when a ground has been abandoned by the higher and more conscientious reasoners among one's opponents, its abandonment constitutes a sufficient plea for not pressing it. It is allowed, then, by the class of reasoners to which I have alluded, that the self-interest of England would not justify her in keeping India in subjection, whether that self-interest be viewed politically or commercially.

Our commercial intercourse with India existed before, it will continue to exist after, our empire. Previous to our conquest, it can have excited no very unfavourable feeling against us, or our first steps would have been met with more suspicion. When we have ceased to hold India by conquest, there is not a shadow of a probability, however the separation may be effected, that her people will wish to shut themselves up and exclude the commerce either of ourselves or any other Western nation. For, either they expel us, or we retire. If they expel us, they will have little reason to fear any other nation's playing again the game we have played there. If we retire of our own will, the conviction must force itself upon them, that what we have renounced no

other nation will be bold enough morally to attempt. Setting aside all guarantees by treaty, the act would have an irresistible power to exclude any such design. And if the commerce of England is admitted, it may be as profitable, or even more so, with a nation that is independent or actually hostile in feeling, as with one that is dependent. The United States of America are a case in point.

For the political reason; by which I mean the position, that India is essential to our power, still more essential to what we call our prestige, the false front of our power—that in the interest of our imperial rank amongst the nations, we may not recede on any point; on this, too, I need not argue at length. For it, too, is allowed to be insufficient. Yet, in regard to it, I may say, that India is, when all has been said, a source of political weakness, not of strength. Conceive the present outbreak to have come on us when engaged in the Russian war. The pressure would have been beyond our strength. Or, without any such supposition, in quite ordinary times, it is clear, that with our military force engaged as it is at present, England weighs not more, but less in the councils of Europe. No! the cry for colonies or dependencies is at any rate a delusion, so far as it is thought that they increase our strength. They are encumbrances on our finances, and a drain on our military power. We are great, not by virtue of them, but in spite of them; they are burdensome outworks from which we should retire for concentration. We were great when no dream of Indian acquisitions had occupied any adventurer. We shall be great again, when the energies of the nation shall have a great government to give them a wholesome direction, a noble expression.

The third reason alleged for our retention of India is, the interests of Civilization. It is urged that, released from our hold she would fall back into disorder and barbarism. I frankly own that such a plea has no weight with me. I am not deeply versed in the literature and religious antiquities of India; but something I have read on the subject, and from that reading, and from the principles on which I base all historical judgments, I can sympathize fully with such language as that quoted from Burke. I have gained a respect for that ancient polytheistic organization, con-

pared with which our own social order is but a child in point of duration. I am convinced that it were unwise prematurely to hasten the decay of that long-established society; (for it is in decay;) that it were unwise to press on it the premature adoption of the progressive, yet still anarchical civilization of the West. Let us wait with patience. When the fabric of our own society shall have assumed something like harmonious proportions, it will be ample time to propose it as a model to others. Doubt it not, a just organization of the Western World would tell rapidly enough on the older, and yet younger, civilizations of Asia.

Should then the retirement of England from India have the effect of checking for a time the influx of European ideas and European mechanical improvements, should railroads and the electric telegraph be suspended, I should acquiesce in such result. The extant means of communication, we have found to our cost, are rapid and secret enough, and the decomposition of their whole mental framework which all mechanical changes have a tendency to produce in nations at a lower stage of religious ideas than our own, seems most undesirable in the present state of the world.* Whatever organization exists should be allowed to exist as long as it has the power to do so. The energies of the statesman and political philosopher have ample scope elsewhere. Indeed, there is something absurd, or worse, in the part we play in India in this matter. No Government is more tenacious than our own of the actual order, none piques itself more on its attachment to precedent. None is more proud of the "slow broadening down of freedom." Yet this same Government acts as a most active revolutionary agent when brought into contact with such societies as the Indian. The contrast of conservative policy in England with the subversive

* I again borrow from Lord Shaftesbury's speech. Mr. Kennedy, Missionary at Benares, writes in these remarkable words:—"What can be the cause of all this frenzy against us? Surely our Government has most grievously oppressed them? All I can say is, the people themselves give no such reply. What I have heard asserted by scores of individuals is, that our whole system, missions, schools, railways, electric telegraphs, etc., is taking away and destroying their religion; they can stand it no longer."

action advocated by the same men in India, suggests the idea of self-interest as in both cases the determining motive.

On this question of civilization we should be careful to keep clear of illusions. Strong in the sense of their superiority in religious light and higher civilization, the Spaniards of the sixteenth century broke in on the Empires of Mexico and Peru. At the point of the sword they enforced their Christianity and social order, and gratified their more real motives, the lust of power and of gold. The calm reason of our own day is unanimous in its judgment on this point. It condemns, too, not merely the cruelty or avarice of the Spanish invaders, but their crusading spirit, their reckless want of sympathy with the state of things they found, their destruction of such instructive forms of civilization. Perhaps even it looks with contempt on the substitute they offered. Is it certain that in the judgment of a distant future, say three centuries from the present time, our enforcement of our civilization on India, supposing us successful, would not be as unanimously condemned?

There remains the fourth point, the question of Religion. Whatever there is of really respectable in the general wish of the upper classes, centres itself here. But whilst I can respect much that is said, I cannot agree with it.

I will not dwell long on the fact that this consideration of Christianizing India has never hitherto had a perceptible influence on our policy, nor a perceptible hold on English ideas. Missionary societies create a certain demand, and men more or less qualified meet that demand. But I appeal to the experience of those interested in Missionary Societies, whether the result is not quite disproportioned to the effort made and the machinery set in motion. I am sure it used to be so when we took an interest in such matters. Throughout the nation there is no original impulse calling out its energies in this direction. Nor is there much reason to believe that future experience on this point will belie the past. A great temporary effort may be made, but it will be temporary, for it will rest on no deep popular conviction; and the final result will be that when the calm hour of reflection and judgment shall come, those to whom the task of governing India shall be entrusted, will shrink, as they have

ever shrunk, from coming into collision with the religious systems of the natives, whether Mahometan or Hindoo.

Nor will I do more than state the facts of past experience as to the result hitherto obtained by missionary labour. For a considerable period, whether as traders or as governors, the Christian nations of the West have been in contact with the Eastern populations. The ideas which are embodied in Christianity have been presented to those populations in various shapes, as a mode of life, a system of worship, and a religious doctrine, by various agents, Catholic or Protestant. Have they, in any shape, or through whatever agency, made much progress? I believe I am but stating the conviction of most competent observers, when I say that the acceptance of Christianity by the people of India, is, on grounds of experience, not to be expected within any appreciable time.

I might in this matter of religion take up another position, a negative one. On a consideration of the state of our own country, from the religious point of view, I might, with Coleridge, say that we ought to look coldly on all Missionary enterprise, for the mere extension of Christianity is of small value when its interior action is so weak, its central part so hollow. I might point to the state of religious belief and feeling at home, and ask, without fear of a convincing answer, Can it be anything but self-delusion in a nation to think itself competent as a nation—I am not speaking of individual zeal, of the possible case of one endowed with the spirit of St. Paul,—but competent as a nation and a Government to carry religion and morality to others, when neither one nor the other is sound? The mere fact that we tolerate the existing Press, is to my mind a sufficient answer to my question.

We have two religious systems to deal with in India, the Mahometan and the Brahminical. Both are yet powerful,—on neither can we make any impression. If in his contest with Brahminism the Missionary puts forward the philosophical side of Christianity, the subtle mind of the Brahmin delights in the combat, and meets him with a counter-philosophy. There is matter for endless dispute, but there is no result. If more wisely advised, the Missionary rests on the simple statements of Christianity,

on the facts of its history and its appeals to the conscience of men ; he spares himself personally the annoyance of defeat in argument, or the pain of seeing his arguments make no impression, but for his cause the effect is the same. For the religious system of India leaves its worshippers no sense of want, that primary condition of the acceptance of a new religion. The contest is not such as it was with the polytheistic systems of Greece and Rome, which were profoundly undermined by the philosophic culture of the educated, by the moral dissatisfaction of the multitude. In India such would not seem to be the case ; and when you add to the absence of this the force of traditional associations and long organization, the power of which was tested in the case of the Greek and Roman world, and not broken but by four centuries and a barbarian conquest, you have then the measure of the Missionary's difficulties in dealing with Brahminism ; you may form an estimate of the hopelessness of his task.

For the second great religious system with which we are in contact, little need be said. The verdict of history is definitive and unimpeachable. On Mahometanism Christianity has made no impression, has tacitly renounced the attempt to make any. The rival Monotheisms met in the Middle Ages. The issue of the struggle is not doubtful. Greek Christianity succumbed. Latin Christianity waged successfully a defensive war. More than this it was unable to accomplish. Each of the rivals claims for itself an exclusive possession of the religious belief of mankind. Both alike are rejected. They rest side by side, convincing monuments of the exaggeration of their respective claims.

In fact, whether the object be the spread of civilization or religion, there are but three methods available for securing the object. You may spread them by driving out or exterminating those who hold to the forms you wish to supersede : this method is evidently inapplicable in the case before us. Or you may spread them by the gradual process of assimilation and incorporation as the consequence of conquest. This was the method adopted by Rome, and under the actual conditions of social existence, in the western half of her dominions it was successful. It was not so even with Rome in her eastern dominions, or at best very pa

tially so. It is dreaming to think of it in India. Or there is the third method, that of simple persuasion. But the success of this last is hardly possible, unless it is tried pure. If there is attempted a combination of it with the second, such combination is an almost certain element of failure, so many and such powerful feelings are then enlisted against you. Yet this last is the only course open to us, in the event of our holding the country.

But when all such considerations had had their due weight, I could not rest in them. I feel there is something more to be said, a something which I might well wish to leave unsaid. But at all risks I feel bound to make my position quite clear, to leave no opening for any misunderstanding. Not merely then do I differ from the language to which I have already alluded, and reject the solemn obligation which is said to rest on us, as a Church and people, the solemn obligation to preach Christianity; this many would reject from political motives, or convinced of its inutility. I see the force of these political considerations, and I feel convinced also of the inutility. But I hold further, that it would be, not a gain, but a loss to the Hindoo nation, were it persuaded to accept Christianity. Throughout Christendom, faith in the Christian system is, as a fact, extremely weak,—I had nearly said, dead. I say, faith in it as a system. Much individual belief exists yet, much acceptance of it as a system of worship; but as a system influencing the feeling, the thought, and the action of large masses, and combining them on the ground of such influence, it is gone. Once, Catholicism gathered the nations under it, and united them one with another. From its own weakness it ceased to do so. No external causes are sufficient to account for its decline and fall. No other form of Christianity has arisen to take the place left vacant by Catholicism. And whatever the form it may assume, I am bound to own that I hold it incompetent ever again to act as the centre of all life, individual or social, incompetent ever again to perform the functions of a Church. I would not depreciate,—on the contrary, I would draw out into the fullest light, its great benefits on the past; but I look on it as an idea of the past. It is yet tenacious of life. It will continue to live and influence individuals largely,

till the new doctrine which shall replace it shall be worked out and accepted.

Believing no longer in Christianity, not accepting it either as a guide for personal life, or as a regulator of social or international conduct, I of course deprecate most earnestly any attempt to force it on other nations, or to spread it even by persuasion, whenever and in however decaying a form there yet lives a religious organization. I deprecate it in such cases as calculated to do harm, not good; to be an element of disturbance, not of order; of retrogression, not of progress. Let us leave the Brahminical system to its natural course. So may the people which yet finds shelter in it, clinging to its rites and worship, even though it may not rest on its doctrinal system, be spared the unnecessary phase of religious belief which Christianity represents. So may we hope, that without passing through the agitation which has accompanied the religious development of the Western world, the inhabitants of India may accept gladly the new religion which shall offer itself to them, a religion unsullied by any associations such as those which are connected with Christianity in their minds, associations of contempt for their previous state, associations with a foreign and insulting domination.

I have taken, then, one by one, the grounds on which the advocates of our Indian Empire may be supposed to rest their claims. Each, singly, is insufficient, so far as I can see. And I do not think that in combination they will repair the defect of their individual weakness. There is yet one position which I have left unexamined. Our original title is allowed to be bad. Our subsequent government is not defended as a whole. Our ultimate tenure is considered uncertain at the best. But it is urged that if we abandon the country now, India would relapse into the state in which we found it, and would suffer infinitely more than it would by remaining under our power. I cannot think this a sufficient plea. First of all, is it to justify our permanent or our temporary hold? If, as I suppose, the last, the what is the limit to be fixed? At what probable date shall we be able, if they accept this view, to leave it? We absorb its government into ourselves, we shall do so still more, if we succeed in quelling the present revolt. More distant than ever will

the day of our leaving, if it is left to us to judge of the proper moment. We cannot constitute ourselves judges in such a case; we cannot take into account, in our action, such future contingencies. The plain moral conclusion overrides all others, and the consequences predicted are not so distinctly shown to be necessary as even to make us hesitate. In the contact of a century with Europeans, India has learnt much. In retiring we might aid her to meet her more immediate difficulties. We might soften the necessary evils of any such transition state. But we cannot lay it down as a principle that we may step in anywhere we like, to remedy misgovernment. There are numerous cases in which we tolerate it.

After all argument, the real obstacles to our abandoning India lie in the undefined impression of the advantages resulting from its possession, and in the feeling of national pride which will not submit to failure. What! after a century, to give way, and confess that we have been in the wrong; that it was a conquest we should never have made, for it was made under conditions fatal to its duration? What a strange discrepancy there is in our national judgment! We sit down quietly under, nay there is visible in many quarters a satisfaction, in our Irish failure, though the truth is, it is infinitely more disgraceful to us than that in India. 1,500,000 of the Irish nation are said to have died by famine, and that famine directly, and by no obscure chain of reasoning, traceable to a neglectful government. Large numbers of the survivors leave their country; in the popular writings of the day it is spoken of as the Irish Exodus. But Ireland is now tranquil and prosperous, and the remedies are forgotten in the result.

I am ambitious for my country, but not with the common ambition. Her policy hitherto has placed her in the first rank in the conflict of interests. She has been led far in a course of aggression, and, as a consequence of success, of oppression. I would have her in the first rank in a new and nobler policy of repentance, restitution, and disinterested moderation. We are told, it is a glory to have conquered India. But looking back on that conquest even now, it sheds but an ambiguous lustre on our arms and on our counsels. What will be the case

when, as is sooner or later certain, it shall be torn from us, and our possession of India shall be an episode in our history? I put aside the gloomy celebrity of such men as Clive and Warren Hastings, and take the better instances of our successful generals: lasting glory will not be their meed; for the cause is much, nay all for the soldier, and the English soldier in India is the instrument of a nation's servitude.* Noble deeds may be done in that service, but the service itself stands condemned. And for our Indian statesmen, there have been men of eminent ability and virtue among them, greater than their contemporaries at home, greater in themselves, and greater by virtue of the greater stimulus of their position. Yet theirs has been a depressing mission. In proportion to their greatness was their clear sight of the hollowness of our power, a conviction that no efforts could make it otherwise; that they were there to palliate, not with the happier task of conceiving, or guiding the application of, measures which should permanently contribute to the welfare of their subjects. That they kept themselves clear from illusion, and worked on at their appointed work, is matter of high honour for them. But with the honour pity is mingled. Neither for statesman nor for general does India offer a legitimate field.

And for the country of which they are the servants—to return to England—the only real glory she can hope to gain by India is by its voluntary restitution to its inhabitants. That glory she may yet gain. I write with the feeling that the opportunity of gaining it is probably passing away, and that she is destined to be expelled, or, worse evil, to attempt to reconquer India; or worst of all, to succeed in that attempt.

Thus far I have argued in support of a line of policy alien

* Our position relative to India reminds me of the judgment of Napier on that of the French in Spain. "With a strange accent he called from the midst of foreign lands upon a fierce and haughty race to accept a constitution which they did not understand; his hope of success resting on the strength of his brother's arms, his claim upon the consent of an imbecile monarch and the weakness of a few pusillanimous nobles, in contempt of the rights of millions now arming to oppose him. This was the unhallowed part of the enterprise, this it was that rendered his offer constitution odious, covered it with a leprous skin, and drove the noble-minded from the pollution of its touch."—Napier's Pen. War. vol. i. p. 10. We co-sympathize with the Spanish rising against Napoleon.

in conception and results to the thoughts and wishes of the upper classes of England. I am aware that I stand in comparative isolation. But I believe (it were wrong to doubt it) that there are large numbers in England who, if my opinions could reach them, would sympathize with them in spirit at least, if they could not wholly accept them. I believe that these opinions are such as would be sanctioned by the majority of thoughtful men in the other European nations; that they are in keeping with the general moral sentiments of the great mass of mankind and with the conclusions of the master spirits of political philosophy. But as I hope for no immediate acceptance, in my own country or time, of such political doctrines as I have expressed, so in the future I am confident of their prevalence. And even in my own country I turn, in the remaining pages of this pamphlet, to two classes in whom I place some hopes. I appeal to the women of England, and to her working men. If both fail entirely or in great measure, still my confidence will not be shaken. In this confidence I have been bold, as the avowed servant of Humanity, to raise my voice against any longer continuance of the enforced unnatural union of India and England; I have been bold to come forward on behalf of one of the great constituents of the race, hitherto unjustly borne down, and now struggling to free itself, as the champion of what I conceive to be reason and justice, as against error and interest and passion.

PART II. (1.)

It is a very prevalent feeling, prevalent amongst women as well as men, that women should abstain from politics. In one sense, such feeling is just. If by politics are meant the details of government, the strife of parties, the more or less ignoble questions of personal ambition, from such, women cannot too completely hold aloof. But there is a sense of the word politics which does not require their abstention. There are large political questions on which they are perfectly competent to form a judgment, and on which their judgment would be most valuable. In proportion as politics assume their right place and become more and more subordinate to morals, in proportion as moral considerations prevail over purely political ones, the value of woman's interference will rise, the desirableness, nay necessity of it, be more allowed. It is for them to estimate rightly the extent of their influence, and the best way of bringing it to bear on those with whom they are in contact. In all the relations of life, as mother, wife, sister, or daughter, woman has large opportunities of exercising a moderating power over the colder and more selfish conclusions of the son, the husband, the brother, or the father. Such moderating power it is high time she should worthily assume.

Therefore to the women of England I say: This question of India is one on which you should make your voice heard. Brush aside the sophisms of interest or passion, and appeal to the nobler feelings. You listened with horror to the tale of outrage. You would acquiesce, though with closed eyes, in the infliction of just punishment. In the cry for vengeance you could not join: you should loudly condemn it. You should turn with aversion from those who appeal to the feeling of revenge, and condemn the efforts made to urge on England the commission of outrages upon humanity as a reparation for those already committed.

And for India generally ; not entering into the question of advantages, you can appreciate the claims of justice. The statistical, political, commercial bearings of the case, give up without a struggle. Bring the question into the court of moral feeling, and keep it there. Listen not to those who would deny your competence within such limits. Moral questions are yours even more than ours, by virtue of your superior moral organization. Ask, and be satisfied with no evasive answer : What is the English title to India ? Is it one of force, or does it rest on any ground of right ? Is there any duty binding on us to hold India ? Is it with the consent of its people that we persist in trying to rule it, or solely by virtue of a favourable judgment on our claim pronounced by none but ourselves ? More sensible than we are of moral wrong, less willing to allow that material advantages can compensate for such wrong, you can estimate more justly the repugnance of the Indian population to the rule of the stranger, even though beneficial in some respects. More sympathetic than we are, all the domestic life of the Hindoo would meet with a keener appreciation from you. Even the blinder religious instincts of another faith would excite in you naturally no cold sneer. You could be touched with the beauty of the idea, veiled though it is under a repulsive outward form. Even in the Suttee you could recognize the true instinct, perverted in its mode of expression, which would make the marriage union triumph over death.

If the interest of civilization be pleaded, you can estimate at its true value our material, mechanical civilization, with its neglect of all moral and spiritual elements. And so estimating it, you can see why I wish not for its spread. You can estimate also, by reflecting on your own keen associations with all that is familiar, the duty of dealing gently with the associations of others. No rude importation of Western ideas will meet with favour from you.

If the interest of Christianity be pleaded, I ask you not to abandon your convictions, I ask you not to adopt mine, but I ask you to wake up within you the pure ideal of the faith you cherish, and by which you live. Draw it out into even fuller life and vigour ; and side by side with it, in its full power as you see

it, place the English dominion in India, its origin, its history, its consequences as seen in the past and present, its probable consequences in the future. Then ask yourselves, Is it in the interest of that faith to present it to India connected with such associations? Would it not be better that it should offer itself, as it offered itself of old, unsupported by any worldly power, unsullied by any possible union with worldly interests? I should have no fear of your answer.

Lastly, if by any chance the Christianity which is made the plea of dominion, has lost or is losing its hold on you, then acquiesce not in the mere absence of religious faith. Recognize its necessity, and listen to the claims of a system which offers satisfaction to all woman's best feelings; which, without undue exaggeration, estimates more highly than any other her position and influence; which, turning from all the evils produced by the long process of dissolution of the ancient order, recalls our thoughts to the graceful and pure ideal of our chivalrous ancestors; which shall gratify your love of beauty by the prominent cultivation of art; which shall afford ample satisfaction to your intellect by an education, the same in kind, if not in degree, with that of the highest intellect of the philosopher; which shall satisfy all your moral feelings of justice and social order; which shall cultivate and develop in you your religious sentiments, and afford them a more ample means of expression than the gorgeous ritual of Catholicism.

PART II. (2.)

My second appeal is addressed to the Working Men of England. Their direct political competence is not generally denied, though the limits within which it should be exercised are a difficult question. Without presuming to assign accurately such limits, I conceive that in a rightly constituted political order, whilst abstaining from any share in the details of Government, its general principles, its spirit and tendencies would be peculiarly matter for their judgment. If so, all questions such as this present one of India, the settlement of which either way involves a modification of the whole political action of England, are within their province, and in them their influence should be felt. None are more interested than they in such settlement; none are more intimately bound up with the question in all its aspects, viewed in relation to the political condition and interests either of India or of England; none, I venture to say it, more qualified to judge it in its moral bearings. They are the only class of my countrymen to which I can turn with any immediate hope. Whether that hope be answered or not, they constitute my natural support. He who advocates, though in no revolutionary spirit, a reconstruction of society, naturally looks to those who most feel the necessity of such reconstruction, and are least interested in the maintenance of the older form. And when the transition is over, when the new society has taken shape, still it is between the philosopher and the great working class, or proletariat, that there must ever exist the keenest political sympathy, the most ready contact, in order to control the working of the social machinery. Such are the considerations on which my second appeal is based.

To the working classes I would say, the question is twofold. It is an Indian one, but it is also an English one. The interests of both countries are at stake. You may take them

apart for convenience, but you cannot really separate them. Let us take India first, and then England. You ask, and you get no answer, What right have we to India—what business have we there? As merchants we have business; as missionaries even, if our impulse lead us that way; but as conquerors or governors, none. You are not blinded by that which blinds so many—personal connections in India. You have no Indian interests to warp your judgment. You derive no advantages from its possession; you can therefore bring fairly to the question the simple moral judgment of man. Will such judgment sanction our holding India by force? The arguments used you will value aright. You will not be deceived by the assertions that the mass of the Hindoo nation wishes us to continue its ruler.* Such assertion will have light thrown on it by similar ones made at home about your own state of feelings. You well know that submission is different from acceptance; that men may endure known and great evils to avoid greater, but that such endurance does not mean that they are blind to the evil. You know that your own state of feeling is misinterpreted or entirely neglected by those who administer your Government; is it likely that they would be successful in interpreting that of the distant and alien populations of India? You ask for justice yourselves. You give strong marks of sympathy with those who, in other countries, in Italy or Hungary, ask for independence and justice. Extend your sympathy yet further; sympathize with the Hindoo in his struggle for the same objects. You, as men, may call for justice on the criminal amongst the revolted soldiery, but you would

* Once again, to make what use I can of Lord Shaftesbury. He asks, "Have you found in any instance a national, or even the symptom of a national, rising? Has not the whole country, with very few exceptions, been perfectly tranquil and quiescent? Have not the greater part of the villagers assisted the Royal troops, and attempted to discomfit the mutineers? Whenever an exception occurred, it may be traced to the brigands, and those wild lawless hordes that will always be found on the Continent of India, wandering from one village to another. The villagers themselves in no instance have risen against the British power; on the contrary, they have known that their security consisted in the vigour and permanence of her Majesty's dominion."

If this is true, then what means the proposal of the 'Times,' which I get in the same paper, the 'Spectator' of Saturday, Nov. 7, "that the rebel *districts*, at least, pay for their own pacification"?

not involve guilty and innocent in one indiscriminate sacrifice to the pride and vengeance of England. In calling for justice, then, you should call also for mercy. None better than you can judge that much provocation may have been given. Such provocation cannot be pleaded as an excuse for crimes, but it may be pleaded in palliation of that state of feeling which, in the more violent, turned to outrage. You can judge of the bearing of the English in India by the bearing of the same classes at home, by the bearing of your aristocracy, whether commercial or landed, by the bearing of your middle classes. The hard indifference of the latter, the haughty neglect of the former, the reckless way in which both satisfy all their personal tastes and feelings, and take no care of yours, the strange display of almost fabulous wealth and luxury, in vivid contrast with the extreme of poverty and suffering, all these you can appreciate at home. You watch them with mingled feelings, for those who so act are your countrymen, and have some points in common with yourself, some points of friendly contact, some common feelings. Take away all that softens the relation; let the conduct be the same, and let the men be conquerors of another colour, another language, and another religion, and let them add the contempt such difference too naturally inspires: you may then have the measure of the feelings of the subject Hindoo or Mahometan towards his European masters. You may understand their vengeful spirit; you may not palliate their mode of vengeance.

If you can so judge the actual outbreak, you will not find it hard to judge the larger general question. You know what oppression means; you know still more how the sense of neglect and injustice rankles, even when there is no active oppression. You cannot find it difficult to sympathize with the Hindoo. Taxes press heavily on you when paid in support of your own national Government. They press still more if you think the money so raised misapplied or wasted. What would it be if they went to pay the dividends of a company of your conquerors? In the eleventh century England was conquered by the Normans. It took long centuries, and the slow progress of intermixture of the conqueror with the conquered, partially to efface the evils of that conquest; and in that case there was no difference of race, of co-

lour, of religion. What would it have been had there been no intermixture possible; had the Norman conquest been a permanent occupation by the conquerors, without any gradual fusion of them with the conquered? On all grounds, then, so far as India is concerned, I fearlessly appeal to you for a verdict, given by the light of your common English experience, and by the light of your common human feeling; and, as you would rise, to a man, to prevent your country from being the victim of foreign oppression, so I call on you to raise your voice no less unanimously in protest against her being the oppressor.

And if from India you turn to England, and ask how this Indian question bears on your welfare as the great majority of Englishmen, I answer—You know that on you will rest the burden and the heat, not for you will be the reward, of the labour of the day. You are told of a real increase in the comforts of the great mass of the population. You know what such language at bottom is worth. You know that the greatness and power of England have increased, and that, as the necessary instrument of that increase, your numbers, your work, your skill, have increased also. But you know that at the same time there have increased your political alienation, your moral discomfort, your feeling that you have no part in the existing social order, and, taken on the large scale, your physical suffering. You are sensible, and you only as a class, of the urgent need of some better social organization; and you cannot but be aware that the policy of your governors is at present not to hasten such, but to adjourn all such questions by directing the national energies abroad.

Consider their past policy and present action. See their remarkable agreement in this present emergency. See how they are all, with more than usual activity, preaching to you on this Indian question. Be sure that their instinct fails them not. India is the keystone of the existing system of Government. Trust their instinct, and meet them on this point. You feel that they are incompetent to deal with the great questions at home, more especially with the greatest of all, how you may be admitted into the social order so that you shall feel that it satisfies your legitimate demands, and, as doing so, justifies your support. Place a resolute veto on those incapable governors taking more

upon their hands. Their cry is, more power, more dominion, more commerce, more action abroad. Yours should be, a better exercise of the power they have ; a dominion narrower in extent but better wielded ; not more commerce, but a commerce with some tincture of morality ; not increase of action abroad, but increased attention to home questions. I would use no revolutionary language ; I was once revolutionary, but I am so no longer. I advocate order as the necessary condition of progress. My whole notions are alien to disorder. But in the interests of that order which they profess to value as much as I do, but which their conduct is placing in such jeopardy, I must speak freely of your governing classes. If my language is untrue, they need not fear it. If there is any truth in it, they need not take it as revolutionary, but as warning. Demoralized as I consider them to be, by a false policy, and perverted by a long misuse of power, it is for you, with as little prejudice as possible to order, to endeavour to recall them to a better spirit. You can exert a powerful moral influence. It is time that you should do so. It is time that you should make clear to them the difference of your judgment from theirs. You should enforce on them a total change of their policy, a concentration on home questions of the energies now wasted abroad, wasted on disputes with China of the most discreditable kind, or on Indian misgovernment. The timely expression of your opinion, the timely exertion of your influence, might avert contingencies which otherwise threaten us, might secure sufficient internal progress to guarantee us all against that which would be a common evil to us all, to you no less than to them, a violent interruption of the actual order.

Over and above these general political considerations, there are others of importance. Your governors contemplate holding India mainly by European troops. You are told that 70,000 will be enough. I believe the estimate is below the mark. But grant it true. How is even that number to be raised ? They are aware of their difficulties. They are aware that it is not easy to raise it. They are gradually trying to familiarize you with the idea of becoming a military nation. Nothing can give so mean an idea of their capacity. Your strong common sense will reject the folly. Your instinct is the same as that of the other

European populations. It is against war, and the instinct is in this case, as in others, the result of experience. You know that peace is the basis of all rational hope of bettering your social position. A Government which seeks to foster a military tendency, is a degrading anomaly.

But grant, as I said, the estimate to be a true one. What motive have you to furnish that number, to be exposed to the baneful influences of an Eastern climate, to the chances of constant insurrection, and in such a cause? Why should English soldiers be, like the German in Italy, the proscribed and hated ministers of a foreign domination? No higher pay or increased comforts are of any weight in the case. If they weigh in the balance with the soldier, it is because he is demoralized. And you cannot wish this to be the case for those you furnish from your ranks. In the present state of affairs, your union, which has been powerful for other objects, should be brought to bear on this point by a quiet disapprobation of all who enlist. You, and you only, can stop recruitment.

And who is to pay for all the increased exertion? The finances of India are out of the question. In the present they cannot suffice, nor in the future will they be able to bear the whole burden, even granting the right to make a nation pay for its own subjugation. On you then, in the last resort, will it fall; on the slight margin between ease and suffering which is the best you can attain to. You best know how little need there is of any increase of pressure upon you. It needs no argument of mine to bring home the weight of this last consideration.

I call on you, then, to make your sentiments clear by all legitimate means. Let it be clear that you wish England to lay aside her aggressive and bullying attitude, and adopt a policy which shall manifest to all, her desire for peace, and her determination to respect the rights of others. Let it be clear also that you wish the leisure so gained employed on social questions.

I have appealed to your best moral feelings and to your highest interests, and I call on you, in the name of your country's honour, now on its trial, and in the name of humanity, to listen to my appeal. You have no powerful prejudices to retain you. You know the hollowness of our civilization and of our religion.

You are many of you looking around you for something which may correspond to those names. In you, as in women, is vested a moderating power. It is by the union which I have already alluded to, of your class with the social philosopher, that such power can be rightly exercised. Such union must henceforth become more close and active. I call on you to do your part towards the alliance. I have done mine.

The objects of the union are great. They are, the acceptance on your part of the existing order, but the acceptance under the condition that order shall be the basis of progress. Listen then to no revolutionary appeals, accept no revolutionary doctrines, however time-honoured. Reject, on the other hand, all the baits held out to you: care little for extension of suffrage—as little for academic titles and degrees, and a share in the absurd educational system now in vogue. Interest not yourselves in such questions. Know and nobly accept your position, but in accepting it look closely as to how it may be bettered.

Your class and the philosopher, by their union, can secure two things. They can secure an education which shall answer to your wants; an education the same in kind for the working man and the philosopher, different in degree, as their needs are different. They can secure also a moral control over the rich, in whom the government of society is naturally vested. Such control must check the oppressive tendencies, whilst it promotes the formation, of large capitals. It must check by social discouragement the dangerous license, it must give strong social encouragement to the nobler action, of the capitalist. You feel the need of such control. It is in your power gradually to secure it. On such points, in due time, I would gladly be heard by you, for I feel, and have ever felt, sympathy with you, and I have need of your sympathy in return.

Your first demand should be, a different policy towards other nations, whether equal or unjustly dependent on us, and, as a first step, the abandonment of India.

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S P E E C H

OF THE

RIGHT HON. SIR CHARLES WOOD,

PRESIDENT OF THE BOARD OF COMMISSIONERS FOR THE AFFAIRS OF INDIA,

ON MOVING FOR LEAVE TO INTRODUCE

A BILL TO PROVIDE FOR

THE GOVERNMENT OF INDIA.

DELIVERED IN THE HOUSE OF COMMONS

ON FRIDAY, JUNE 3, 1853.

LONDON:

JAMES RIDGWAY, PICCADILLY.

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S P E E C H

ON THE

GOVERNMENT OF INDIA.

MR. SPEAKER,

I HOPE, Sir, considering the importance of the subject which it is now my duty to bring before the House, that I shall not be thought unreasonable if I ask for even more than the usual indulgence which on many former occasions it has been my good fortune to receive. I have had at various times to submit to the consideration of the House questions of considerable importance,—at one time, the state of the Navy of this country—at another time, what I believed to be the whole state of Ireland—at another, the whole state of our West India Colonies, and on different occasions the state of the finances of this country; but I never have had, and no man can have had for the last twenty years, to bring forward a question of such paramount importance as that of the whole state of our Indian empire—not in one branch, but in all its branches—and to explain every portion of the measure which I shall conclude by asking leave to introduce for the Government of India, and which is one affecting, either for weal or for woe, the destinies of 150,000,000 of our fellow creatures and our fellow subjects. It is no wonder, then, if I feel oppressed by the magnitude of the subject, and I fear that I

shall find it impossible, however inadequately and imperfectly I may perform the task I have to discharge, not to trespass on the patience of the House for some considerable time. I have to meet also, first, that opposition which, from the threatenings that have exhibited themselves on former nights, I have reason to anticipate, arising out of a desire for delay in respect to legislation on this subject; and, in the second place, I cannot but anticipate opposition upon the substantive merits of the measure. I must deal separately with these two classes of objections, differing in their character, and to be met with different arguments. I trust, Sir, that the course of delay will not receive any general support in the House, but with respect to the second point I have referred to, I must, of course, expect a difference of opinion, knowing that very opposite views, and of a reasonable character, do exist on so important a subject. I have the satisfaction, however, of entertaining the most perfect confidence that no party feeling will be allowed to enter into the discussion of this mighty question. For differences of opinion—for fair arguments in opposition to his own views, every man must be prepared; but the stake is so great, and the interests of our Indian empire are so vast, that I am certain, whatever differences of opinion may exist, that the discussion will not be allowed by any one to degenerate into a contest of party feeling, or to be embittered by party spirit.

Having said thus much by way of preface, I trust,

looking to how many topics I must necessarily touch upon, that the House will permit me at once to address myself to the suggestion which has been made for delay in our legislation for India. The House is doubtless aware that the Act which at present provides for the government of India expires on the 30th of April next. It is, therefore, indispensably necessary to legislate in the course of the present session. No one would risk the passing of an act of this kind, considering the important business which usually occupies the beginning of a session, by postponing legislation on such a subject till next year. There is no alternative, therefore, but to propose a measure providing for the future government of India, or to adopt a course which has been suggested at different times—namely, to pass a temporary continuing Bill, leaving for future discussion in the next session of Parliament, any measure for more permanent legislation on the great question of the government of India. Considering what we all must expect to take place in the course of next session, such a course, I think, would be exceedingly unwise and unsafe. The Right Hon. Member for Buckinghamshire, I recollect, stated, as an objection to the present act, that it was passed in the midst of the excited feeling which accompanied the Reform Bill. We must now bear in mind that the Government stands pledged to introduce a measure on that subject in the course of the next session. Whatever that measure may be, it cannot but be one which will fully occupy the attention and interest of Parlia-

ment and of the country. What the state of our foreign relations then may be no man can tell; I know not that we can possibly look forward to a period of such quiet and tranquillity as we at present enjoy, in which there exist so few circumstances calculated to disturb the calm and deliberate consideration of this vast subject of the government of our Indian territory. It therefore seems to me not only desirable, but imperative on us, to avail ourselves of this most favourable opportunity of dealing with this great and important question; for, doubtless, no subject can well be more important, or so important, as the determination of the mode in which our Indian empire shall be in future governed.

At the same time, the measure which I have to submit for your consideration is, so far as legislation goes, comprised in a very small compass. I may have much to state, and I should not be acting fairly by the House, if I did not explain the views of Her Majesty's Government on many questions not comprised in the Bill which I propose to bring in; but, I repeat, that so far as legislation is called for, the Bill will be small in compass, and, with trifling exceptions, confined to one subject only, namely, the subject of the government of India at home and in India. That was the branch of the inquiry which my Right Hon. Friend opposite laid before the Committee last year as the first subject for their consideration—namely, “the authorities and agencies for administering the government of India at home and in India respectively.” This subject was

inquired into at considerable length by the Committees of both Houses last Session; and so far had that part of the inquiry been, I will not say actually, but apparently terminated, that at the commencement of the present Session the Committee of the House of Commons proceeded to the next head of inquiry; and my Right Hon. Predecessor in the office which I now hold stated, on moving the re-appointment of the Committee in November last, that it was his intention to propose to Parliament to legislate on the subject in the course of the present Session. We have heard in the course of the last few weeks four witnesses further on the matter. The evidence of two of them is already in the hands of the Members of this House, and the evidence of the other two was presented yesterday; but I do not think it at all necessary to wait till that evidence shall be delivered. Of course, before the Bill can possibly pass through the House, that evidence will be delivered, and every Member will be in possession of as much information as the Committee possesses, and will be in a condition, therefore, to decide fully on all matters connected with this question. No person, I think, will deny that it is most inexpedient that any unnecessary delay should take place, and that so great a question as how our Indian empire is to be governed, should be left in a state of suspense even for a short period. Suspense in questions of Government cannot but be a source of evil. It becomes us therefore to see whether there is any argument in favour of delay so unanswerable that we are bound to incur

the risk of delay—for that there is risk in delay no man, I believe, denies. The arguments mostly relied upon, in favour of postponement, though plausible, seem to me, I confess, to be utterly without foundation. We are told that, before we legislate, even with respect to the governing bodies for India, we must wait until we have concluded all the portions of our inquiry—until we have terminated our investigation into the seven other heads, each of great importance and branching out into various subjects, all requiring, at the rate at which our investigation has hitherto proceeded, no inconsiderable period for their completion. These, however, are not in general matters that require legislation here, but the greater part of them must necessarily be dealt with either by measures of administration or of legislation in India. I have no wish or disposition to close the inquiry. I think that, for the information of this House and the country, and of the Government both here and in India, it is desirable that our investigation should be proceeded with; but there is no reason, on this account, for postponing our legislation with respect to that matter on which our inquiry has been concluded, and on which legislation can now, and without difficulty take place. If, before we legislate on the form of government for India, we are to investigate all the other subjects, and at our present rate of proceeding, I do not see what term there would probably be to the length of the inquiry, or when we should have a prospect of legislating at all. Certainly not for a period beyond that which any reasonable man has

hitherto proposed for delay. The Hon. Member for Knaresborough the other day urged delay on the ground that the inquiry into many branches was not completed, but I am sure he succeeded in convincing the House that he, at least, stood in no need of information on the matter to which he referred. He went, for instance, at some length into the military arrangements of India, adverted to the small number of officers with their regiments, and called for some amendments in the practice in that respect. It may be, and I believe is the case, that the number of officers with their regiments is constantly too small. That is a subject which, no doubt, requires looking into, and may call for the attention of the Commander-in-Chief or the Adjutant-General; but it does not require legislation in this House. It may be necessary to send more officers to the regiments in India, or to withdraw fewer officers from them, when there, but that is a matter, I repeat, not requiring legislation in this House, but orders from the authorities regulating the military arrangements in India. The Committee has, this Session, inquired into the military branch of the subject, and then proceeded to the next head, that of the judicial establishments, and the administration of justice. On this head most of the members of the Committee thought we had taken sufficient evidence, and were satisfied to close the inquiry; but my Hon. Friend behind me (Mr. Hume) told us that even then we were only on the threshold of that part of the subject. The House may judge therefore, what prospect of legislation

there would be, if it is to be postponed till the inquiries of the Committee are closed, and if these inquiries are to be conducted in the manner, and at the rate recommended by those who are the principal advocates of delay.

Again, it does not appear to me that any great advantage would be gained by waiting for evidence from India. I believe that with respect to the subjects which have now been inquired into—and which are the only matters introduced into the proposed Bill, such for instance, as the relations between the Board of Control and the Court of Directors, the constitution of the Court of Directors, or the abolition of that Court, we are better able to decide than any witnesses that could be brought from India. On many topics, such as the want of public roads and of irrigation, the tenure of land and the taxation in India, we might perhaps obtain further information from that country; but all these points have been brought before the Committee by witnesses already heard, or by representations laid before the Committee; and I do not see that any new light or additional information is likely to be obtained, beyond what we have already got in substance, by waiting for fresh evidence from India. At any rate, the information, if any were so obtained, would have little or no bearing on the question which I have now to submit to the House; for, I repeat, those subjects are subjects for legislation, or administration in India, and are not subjects which can possibly be settled by legislation in this House. The Hon. Member for Poole has

asked if Her Majesty's Ministers were prepared to deal with the question of the form of government for India, not being in possession of all the evidence which may be given to the Committee, but, if I am not mistaken, the Indian Reform Association, of which my Honourable Friend is Chairman, has made up its own mind on this subject of the government of India, and has announced its intention to oppose any plan which is not founded on the basis of what is called "single government," and which does not utterly put an end to the Court of Directors. They, then, require no further information, no further time, to enable them to come to a decision on this question. I do not object to that Association having made up its mind on this point; but, surely, the House, and Her Majesty's Government may also be allowed to have made up their minds; and I trust that, at least, the members of the India Reform Association will not urge any arguments in favour of delay. It seems to me, I must be permitted to say, that whatever plan for the government of India may be decided on,—whether "the single government" should be adopted, or "the double government" should be continued or amended,—it is our bounden duty to give to India, at the earliest possible moment, the best government which the wisdom of Parliament can devise. Those who attribute more blame than I do to the past government of India, and who are of opinion that much that has been ill done, or altogether left undone, is to be attributed to the existing form of government, ought to be most

anxious, at the earliest possible moment, to amend that form of government. Her Majesty's Ministers are prepared to lay before the House the plan of government, which, in their judgment, is best calculated to promote the welfare and benefit of India, and also of this country, as inseparably connected with the welfare and prosperity of India. Amend it, if you will; alter it, if you please; suggest improvements, if you can; but let us not refuse to India, as soon as we can give it to her, the best government we can devise for her permanent welfare. In the opinion that we are not likely to obtain much additional information from India calculated to be of service in the present stage of our proceeding I am confirmed by the statement of a most intelligent witness, who appeared before the Committee a few days ago; a gentleman who has resided the whole of his life in India, and is better acquainted than almost any one else with the feelings and habits of the people of India,—I mean Mr. Marshman. He stated to the Committee his opinion as follows:—

“ For the arrangement of the general government
 “ of India, both abroad and at home, I think the
 “ Committee has received as much information as
 “ can be deemed necessary, and that nothing is to
 “ be gained by waiting for further light upon that
 “ subject. I do not think it is at all likely that by
 “ postponing legislation we should obtain further
 “ valuable information from India. I think that
 “ there can be no necessity whatever for waiting in
 “ the hope of obtaining further information from
 “ India.” Well, then, if there be no validity in the

argument for delay in legislating on this subject, is there no danger in postponing legislation? I can only say that I have heard no persons connected with India express any other opinion on this point, but that, whatever we do, we ought to legislate as soon as we can. The gentleman to whom I have just referred states his opinion very clearly, "that on many grounds it appears advisable to complete the arrangement in the course of the present year." I have communicated with the Directors, the great majority of whom are connected with India, and the opinion they express is this:—Settle it as you will; abolish or deal with our Court as you please, but legislate in the course of the present session; leave no uncertainty in India. But, what ought to be of far greater importance is the opinion entertained by the Governor-General of India, Lord Dalhousie, than whom no one has ruled India more successfully, or is better acquainted with that country. After a residence of five years in India, and when his rule is nearly expired, he is both a competent and a disinterested witness, and he says, that we ought by all means to conclude our legislation at once, and not to delay: that delay is a source of weakness, and weakness is a source of danger; and, that if the people of India begin to suspect that the rule in India is uncertain and tottering, and that Parliament has not made up its mind how India is to be governed, they may begin to suspect that the existing authorities may be set at nought. That is a risk which I think Parliament would be most unwise to run. In the evidence given by Lord

Ellenborough before the Commons Committee a somewhat parallel case is mentioned, exhibiting a striking instance of the danger, in dealing with native princes, likely to result from a supposed weakness in the governing power. Lord Ellenborough states, that when he was engaged in negotiations with the Government of Gwalior, a rumour respecting the probability of his recall had been circulated in India, and led to increased difficulty in the negotiations in which he was engaged, and to resistance to his demands. Under these circumstances, and with these views so strongly expressed by men to whose opinions the greatest weight ought to be attached, I think we should have been utterly unjustifiable if we had not, at the earliest possible period consistently with the progress of the other important measures which were already before the House, brought forward such a measure as we thought the best calculated to provide for the good government of India, and promote the welfare of our Indian subjects. There are certainly many reasons of convenience, looking to the time of the year and period of the session, for delay; but such considerations as these could not for a moment be put into competition with the reasons which I have stated for proceeding at once with legislation on this subject, and I sincerely trust that, at any rate, the great majority of the House will agree with us in this opinion.

But, Sir, although I do not think that a minute and protracted inquiry into all the details of the administration, and the state of every part of our

Indian Empire is an indispensable preliminary to legislation on the subject of the government of India, I should not be doing my duty to the Indian Government, or dealing fairly towards the House, if I did not attempt to place before the House, as concisely as I can, what has been the result of the administration of India for the last 20 years. The Committee was appointed to inquire into the effect of the Act of 1833 ; and I fully admit, that if any great abuses were found to exist,—if any great crimes or delinquencies could be shown, such a circumstance might affect most materially the question we have to decide. It is due, then, to the House that I should show, in general terms, how matters have been conducted in India, what progress has been made there during the last twenty years, and how far the governing powers have discharged the duty imposed on them by Parliament. But, in making this review, we must take care that it shall be a fair and impartial review. We must not judge of Indian progress by the English standard of the present day. That would be exceedingly unjust and unfair, as it would be unfair to judge of English progress some time ago by the standard which we adopt at the present moment for measuring our progress. In India we must make allowance for a difference of race and a difference of circumstances. We must look at India with somewhat of an Indian eye, and take into consideration all those circumstances which ought materially to affect our judgment in respect to Indian questions. In this country we know that

there is every possible stimulus to active exertion both public and private—public ambition, private rivalry, large capital, general education, and every motive which serves to make an energetic race urge on, in every way, and on all subjects, progressive improvement at a most rapid rate. No prejudices, no antiquated habits or customs are suffered to interfere. In India, on the contrary, you have a race of people slow to change, bound up by religious prejudices and antiquated customs. There are there, in fact, many, I had almost said all, the obstacles to rapid progress; whereas in this country there exist every stimulus and every motive to accelerated advancement. On nearly all subjects, too, I find there is the greatest difference between the various parts of India. That which is true of one part of the country is almost sure to be untrue of another. For instance, with regard to the tenure of land, there are three or four different kinds of tenure, and those best acquainted with each invariably think that the one which they know best ought to be maintained and extended to every other part of India. We have had most contradictory evidence upon another topic—the advantage or disadvantage of enlisting in the ranks of the Indian army the high caste or low caste Hindoos. We were told by one officer that nothing is so disadvantageous as the enlistment of high caste Hindoos, while another officer expressed his decided opinion that high caste Hindoos were invariably the best soldiers. We soon found, however, that one of these officers was in the

Bengal army and the other was in the Bombay army. The circumstances of the two services are quite different; and statements which seemed altogether contradictory were perfectly true, in consequence of the different positions of the two armies. This extreme diversity of circumstances and diversity of opinion renders any general conclusion almost totally impossible as to remedies for admitted evils. Besides this it appears to me that no inconsiderable misapprehension exists as to the progress which India has made during the last twenty years. Petitions have been laid before Parliament—documents professing to be the productions of native associations—and one of them to which my attention was called some time ago, and which has excited considerable notice, is a petition professing to emanate from the Native Association of Madras. I should certainly have thought any statements proceeding from intelligent and well informed natives of India, entitled to the most careful consideration, but I must say that I do not believe that this petition was either prepared or knowingly sanctioned by intelligent natives of Madras, who were acquainted with the actual state of things in that Presidency. The statements which it contains appeared to me to be of a very extraordinary nature, and the result of inquiries showed that there has seldom been such a tissue of exaggeration and misrepresentation. Those statements are utterly contradicted, not only by facts, but by documents to which the petition itself refers. For example, an enactment of the British Parliament in

1787 is dealt with as an act of recent Indian legislation. A report of 1837 is quoted as containing the last accounts with respect to irrigation in Madras. The petition also states that its promoters were unable to obtain official information upon certain subjects, which information is actually contained in published documents to which the petition itself refers. These misstatements were so important that I wrote to the Governor of Madras requesting him to make some inquiries on the subject, and he informed me that the first intimation he had of the petition was from seeing complaints in the local newspapers that they had been unable to obtain a sight of the document. He also tells me that at Madras, where knowledge on the subjects referred to in the petition does exist, many of the statements contained in it are known to be so utterly untrue that they excite very little attention, and are treated with the utmost contempt, although here, in our ignorance of Indian matters, they are palmed upon us as of the greatest importance. Now, I am far from saying—and I beg not to be misunderstood on this point—that much has not been left undone that ought to have been done. I am far from saying that there have not been many sins, of omission rather than of commission, in the administration of affairs in India, but I think I shall be able to show the House that much has already been done, and that those to whom the administration of affairs on the spot has been entrusted—the local officers in different parts of the country—the Government in India, supported by the Government

at home—have not been neglectful of those great material and domestic interests—domestic I mean, so far as India is concerned—which have been committed to their charge. The fact that more has not been done is, I think, in no slight degree attributable to the unfortunate, the continual, and the expensive wars in which India has of late years been engaged. It is not for me now to express any opinion upon the policy and conduct of those wars, but this, no doubt, has been their inevitable result—that means have been wanting to carry further than has been done the material improvement of India. The points upon which the greatest stress has been laid, and which are the heads of the complaints contained in the petitions presented to the Committee, relate to the administration of justice, the want of public works, and the tenure of land. I will proceed to deal with these matters in the order in which I have mentioned them.

First, with regard to the administration of justice, the complaints relate principally to the inconvenience arising from the technicalities of English law, to the alleged incompetency of English judges, and to the corruption of the native judges and officers. So early as 1833 the difficulties of the state of the law in India were strongly felt, and provisions were introduced into the Act passed in that year which it was thought were likely to lead to an amendment of the law. Provision was made for the appointment of a Law Commission in India which was intended to prepare a code amending

and consolidating the various laws and regulations in force in that country, and to establish, so far as circumstances would allow, one uniform common law for the different races of people who inhabit our territories. I am sorry to say that the result of the proceedings of that Commission has not answered the expectations which had been entertained. Principally under the care of my Right Hon. Friend the Member for Edinburgh (Mr. Macaulay) a penal code was prepared, which was the first complete result of the labours of the Commission. It was submitted to the consideration of the various local authorities in India. This occupied a very considerable time, and the suggestions made by them had to be revised and reconsidered by the members of the Law Commission. The revised code was sent to this country. It was returned to India, with authority to enact it with such modifications as the Government of India thought expedient, but in the meantime my Right Hon. Friend had come home. Some years had elapsed since the code was framed. Another Legislative councillor (Mr. Bethune) had been appointed, he disapproved of much of the draft of the code, revised it with different views, and substituted a code differing in very essential particulars from that of my Right Hon. Friend. The Governor-General naturally thought that though he had authority to pass the one it was beyond his competency to pass a totally altered code. He referred it to the Government at home, by which step some further delay was necessarily incurred, and finally

authority was sent out to the Governor-General to pass the code in whatever shape he thought best. In the meantime Mr. Bethune, who prepared the second code, had died in India, and the code had therefore to be submitted to the revision of a third English lawyer who succeeded Mr. Bethune as Legislative Councillor at Calcutta. He (Mr. Peacock) is a man of high character, and who is no doubt perfectly competent to perform the task, but he was naturally, on his first arrival, ignorant of many of the habits and customs of the Hindoos and of other inhabitants of India, with which it was most desirable that a person performing such a duty should be acquainted. He is at present engaged in revising the two codes, and the Government of India has the requisite authority for enacting whatever it considers to be right, but owing to these unfortunate, though perhaps unavoidable delays, no actual result in the shape of legislation has yet been attained. I believe, however, it will be found that the labours of the Commissioners have not been altogether useless, for in many of the Acts which have been subsequently passed by the Legislative Council the spirit, if not the letter, of their recommendations has been complied with. So far, therefore, their labours have not been without benefit to India, and I shall state to the House, before I sit down, the measures we intend to propose with the view of bringing to a practical conclusion the investigations which have been carried on for some time into the matters of legal reform, and of giving to

India at an early period the benefits of the consideration which the subject has received.

With regard to the complaint of the technicalities of English law, I am afraid there is some truth in the allegation. We carried with us to India that attachment to our own laws, and to our own modes of proceeding, which distinguishes,—or rather did distinguish—the courts of Justice, and the lawyers of this country. These laws and proceedings were, however, perfect, as Englishmen thought them, totally foreign to the habits and manners of the people of India, and it is remarkable that even now it is proposed by some of the Indian reformers, to establish a class of officers for conducting magisterial business, totally distinct from those who manage the revenue and other business; thus departing still more widely from the native habits and customs, which almost universally place all authority of this kind in the same hands. I am afraid that if we look into our own proceedings at home we shall see that we have not much right to find fault with the mode in which these matters have been conducted in India. I have now been for more than twenty-five years a member of this House, and one of the first motions I heard submitted to Parliament was a proposal to reform the Courts of Chancery—a reform which it has taken a quarter of a century to effect. When I cast my eye the other day over the report of the Law Commissioners, which has been recently presented to Parliament, I found in it a reference to two topics, the consideration of

which had been recommended by a Law Commission which sat some twenty years ago, with regard to one of which no remedy has been yet provided, while the other was not dealt with until about two years ago. The one is the necessity of an unanimous verdict on the part of juries; and the other related to the admissibility of some descriptions of evidence, the exclusion of which has frequently tended in no inconsiderable degree to defeat the ends of justice. Probably many Hon. Gentlemen may have seen a pamphlet written by a Mr. Norton on the administration of Justice in India. No doubt Mr. Norton has succeeded in stringing together a number of decisions and results of trials which appear, as they stand, very absurd. (Hear, hear.) The gentlemen who cheer as if this was a wonderful proof of the defects of the administration of Justice in India, may perhaps be astonished when I tell them I have heard that one of the most eminent Judges in this country has declared his opinion, that if you were to take the criminal proceedings in this country from the first proceedings to the verdict of the jury, and the sentence ultimately inflicted under the authority of the Secretary of State, it would not be difficult to string together a tissue of absurdities equal to those contained in Mr. Norton's work. Why, it is not long since sentence of death was recorded in very numerous cases, although every body knew that the sentence would not be carried into effect. How frequently have we found efforts made by individuals and associations to prove the innocence, and sometimes successfully, of crimi-

nals who had been convicted by the legal tribunals of the country? How often has it been necessary for the Secretary of State to pardon persons who had been convicted of offences when they ought to have been acquitted? I think, then, such cases as are mentioned in the work to which I refer afford no very conclusive proof of the defective administration of justice in India.

I would, however, ask Hon. Gentlemen to consider the different circumstances in which Courts of Justice are placed in England and in India. Here for the most part truth is told in our Courts of Justice. The Judges are generally justified in believing the evidence given in Court. There may be exceptions; no doubt there are; but no man will deny that, as a general and almost universal rule, the evidence given upon oath in our Courts is true, and not false. Is that the case in India? If you believe the evidence given before the Committee, directly the reverse is the case. The chances are that the evidence given in the Indian Courts is false, and not true. Is no allowance to be made, then, for judges administering the law, and attempting to dispense justice, under such circumstances? It seems to me that every allowance ought to be made, and that, instead of trying to depreciate the administration of justice, or to run down those who administer the law under such adverse circumstances, we ought to extend to them every possible indulgence; for considering the circumstances in which they are placed, I think it is rather a matter of surprise that justice should be

administered with any satisfaction than that such charges as I have alluded to should be made. Perhaps the House may not be aware to what an extent falsehood, perjury, and subornation of perjury are said to be carried in India. I do not believe that the description can apply to the great body of the people of India, but as regards many of those who appear in the Courts of Justice, we have evidence of the strongest nature showing the prevalence of these crimes to an extent which, I confess, would be utterly incredible if the statements did not rest upon authority so general and so irreproachable. Dr. Duff, a Christian missionary, made this statement before the Committee :—

“ It is the simple fact that scarcely a single case
 “ that goes to a Court in India goes there without
 “ bribery and without perjury on all sides. I mean
 “ literally what those words denote.”

A gentleman of high authority, Mr. Baillie, a pleader for many years in the Courts in Bengal, both at Calcutta and up the country, was examined before the Commons' committee, and this, after long experience, is his opinion :—

“ Oral evidence in a case is, generally speaking,
 “ plainly and palpably false. To express in the
 “ strongest way my own views, I may state that I
 “ was a pleader in the Sudder Dewanny Adawlut
 “ for twelve years. For a good many of those years I
 “ had a very large business, but I scarcely recollect
 “ an instance where I thought it worth while to
 “ comment upon the evidence at all.”

Now, what says Mr. Norton, who complains so

much of the administration of justice, as to the mode in which evidence is prepared, and the reliance to be placed upon it? He tells us:—

“ Informing a native of a point which it is necessary for him to prove in order to substantiate his case is almost tantamount to bidding him go into the bazaar, where witnesses to any fact may be procured at an anna ($1\frac{1}{2}d$) a-head, and setting in motion all the secret springs of a complicated machinery of forgery and subornation of perjury.”

It is then, I think, only right that a fair and full allowance should be made for the circumstances in which the judges are placed. Nor is this a new or temporary state of things, produced, as some people would have us believe, by the prevalence of English rule. I referred the other day to a charge delivered by Sir J. Mackintosh to the grand jury of Bombay many years ago, in the course of which he said,—

“ Such is the unfortunate prevalence of the crime of perjury that the hope of impunity is not extinguished by the apprehension of the delinquent. I observe that Sir W. Jones, who carried with him to this country (India) a prejudice in favour of the natives, after long judicial experience reluctantly confesses their general depravity. The prevalence of perjury, which he strongly states, and which I have myself already observed, is perhaps a more certain sign of the general dissolution of moral principle than other more daring crimes. It is that crime which tends to secure the impunity of all other crimes, and it is the

“only crime which weakens the foundation of every right, by rendering the administration of justice, on which they all depend, difficult, and in many cases impossible.”

The evidence of the difficulty to be encountered by an Englishman in the administration of justice increases upon us as we look further into the subject. The Madras petition mentions, as an instance of the mal-administration of justice, the case of a man who was convicted before a Zillah judge, but who proved to be innocent. There certainly is no doubt of those facts having occurred, but the man had been convicted in the first instance, not upon any evidence, but upon his own confession. You will find, if you refer to the evidence given by Dr. Duff, that he states it is by no means uncommon for persons in India to confess themselves guilty of crimes of which they may be proved to be innocent; but is a judge to be blamed if he convicts a man upon his own confession? I think there is no reason to doubt that justice is fairly and impartially administered by English judges in India, and that, in reviewing their conduct, we ought to make allowance for the circumstances I have mentioned. It was stated that judges were placed upon the bench in India at a very early period of life,—that young and raw Englishmen who had just arrived in India were made Judges of appeals from the decisions of the native Courts. Sir G. Clerk, a gentleman well versed in the affairs of India, and who served for a long time in various parts of that country, distinctly stated that, so far as he knew, such could

not be the case. It is, however, true that sometimes gentlemen of no long standing in the service, acting as Assistant Judges, do try such appeal cases as are assigned to them by the Judge, that officer taking the important cases and assigning the smaller ones to the assistant. The Judges themselves are generally servants of twenty years standing or upwards. On referring to the Bengal judicial appointments, I find that the youngest judge on that bench has been twenty-two years in the service of the East India Company. Perhaps the most satisfactory evidence that can be laid before the House on this subject is that of persons who depose to the implicit confidence reposed by the natives in the English judges. It is shewn by the decisive testimony of different persons that this is the almost unanimous feeling among the natives. No one who has appeared as a witness before the Committee appeared to be better acquainted with India, and with the Indian service, than Mr. Halliday, and he says:—

“As far as regards the integrity of the judges, the confidence of the natives is complete; they have little or no notion of the possibility of corrupting an English judge. I know from constant intercourse with the natives, from the very commencement of my service in India down to a very recent period, that they look upon the incorruptibility of an Englishman, his truthfulness, and integrity generally, as something quite by itself.”

Mr. Marshman informs us that “The general impression throughout the native community,

“with two or three exceptions, is that the English judges are absolutely incorruptible.”

Mr. Baillie, the pleader to whom I before referred, says :—

“The native has a general feeling against the honesty of all judges. I think that general feeling has given way entirely, and I think, as a general rule, the native believes that an English judge is usually honest.”

Mr. Javanjee Pestonjee, a Parsee merchant from Bombay, says,—“There is no question about the integrity and the morality of the Civil Service. There are many Civil servants who are quite competent and thoroughly understand the duties of their office; those even who do not possess a knowledge of the Law, are willing to discharge the duties of their office with impartiality.”

It must be remembered that in this country we have one language and one law, while in India there are many languages and many laws. To each man in India, to the best of the judge's ability, is administered the law of his nation. The Mahomedan law is administered for the Mahomedan, the Hindoo law for the Hindoo, and for the natives of all parts of the world the law of their respective countries, so far as it can be ascertained, is administered: and the House will see at once how infinitely great must be the difficulties of administering such a varied and complex system. As regards the competency of the Indian judges, that is a very difficult question for us, sitting in this House, to decide. Nevertheless, it happens that

we are able to test, to some extent, the competency of these judges fitly to discharge the duties of their office, by observing how their decisions are dealt with when they reach this country. A return has been presented to the House of the decisions of the Privy Council in appeals from India. The appeals come from two Courts,—namely, the Supreme Court, presided over by Queen's judges, who are barristers of some standing and reputation from this country, and the Sudder Courts, presided over by the Company's judges—Civil servants who have spent their life in India, and have ultimately been raised to this high judicial office. The appeals comprised in the return to which I refer have been decided since 1833. There have been ninety appeals from the Sudder Courts, of which sixty-three have been affirmed, and twenty-eight reversed, being in the proportion of two-thirds to one third. The appeals from the Supreme Court have been thirty-six in number, of which ten have been affirmed, and twenty-six reversed, being in the proportion of one-third to more than two-thirds. The House will observe that in the two cases the proportions are reversed—of the decisions of the Company's judges two-thirds have been affirmed, while of those of the Queen's judges only one-third has been affirmed. Looking at these results, and that the judges of the Sudder Courts are chosen from gentlemen who have sat as judges in the various country districts, I am not disposed to come to the conclusion that the Company's judges are utterly incompetent efficiently to discharge their duties. As regards the Native judges

there is, I fear, some truth in the assertion that they are, to a certain extent, tainted with impure and corrupt practices, the remains of the ancient system of administering justice. It, however, is most satisfactory to find, from the evidence of Mr. Halliday, that of late years a great improvement has taken place in the practice of the Native Courts, and that the judges are gradually being raised above the temptations to which they formerly yielded. Mr. Halliday says:—

“The (native) Courts themselves, within my observation and knowledge, have manifestly improved in regard to integrity and trustworthiness.”

This circumstance is of more importance than might, at first, be supposed, because, in consequence of the increased employment of natives in the judicial service, a large proportion of civil suits are decided, not by English but by Native judges. It appears by the evidence of Mr. Hill, who is at the head of the Company's legal department at the India House, that only six or seven per cent of all civil suits are decided by English judges, the remainder being disposed of by native judges; and, taking original cases only, not more than one per cent is decided by English judges. I say therefore that this statement is satisfactory in two respects; first, as showing the great extent to which natives are employed in that branch of public business for which their service seems most available—namely, the administration of justice; and, secondly, as affording evidence that the native

courts are gradually improving, and approaching to the purity as well as the ability of the English tribunals. Beyond the very general employment of natives in the administration of justice they are now constantly employed in higher situations than formerly. They have been frequently appointed deputy magistrates, and Lord Dalhousie took the unprecedented step of appointing a native to a situation of considerable importance in Calcutta. Mr. Halliday states in his evidence:—

“ Lord Dalhousie appointed a Hindoo of high
 “ caste, high family and character, stipendiary
 “ magistrate of Calcutta, much to the annoyance
 “ of the English applicants for the situation ; but
 “ the natives especially exhibited their jealousy and
 “ dissatisfaction in so many ways, that the person
 “ appointed complained to his friends of ‘ the
 “ bitterness of his position, and the pain and misery
 “ which had been brought upon him by the con-
 “ stant attacks, public and private, and the annoying
 “ petty jealousy which he had experienced from his
 “ countrymen in consequence of his elevation.’ ”

It is disappointing to find such results from the appointment of a Hindoo to a higher situation than had ever before been filled, except by an European, but this is no reason for not appointing a native to such an office. I am most anxious that natives should be employed as extensively as possible in situations for which they are fitted ; and that they should also be gradually appointed to higher situations than they have generally occupied hitherto, but it is obvious that there may often be difficulties

which do not occur to one at first sight, It cannot be agreeable to a native to be placed in an employment in which he becomes an object, not of envy, but jealousy, to those around him, who, had they our feelings under such circumstances, would be proud of their countryman's elevation.

I pass now to the question of public works. This is, certainly, a subject of the greatest importance, as regards not only the welfare of India, but the interest of this country. It has been earnestly pressed, not only on my attention, but on that of those who have preceded me at the Board of Control, by gentlemen interested in one of the largest branches of English manufacture, — viz., that of cotton. When these gentlemen did me the honour of waiting on me, they took what seemed to me the unnecessary trouble of apologizing lest they should be supposed to have been actuated solely by selfish motives in pressing the matter on the attention of the Government. It certainly never occurred to me that they were actuated by such a motive. It is, undoubtedly, an object of the greatest importance to this country to increase the supply of cotton in every possible way. It is a great evil—and one to be avoided, if possible—to be dependent on one country alone for the supply of a staple article of manufacture employing many thousands, I may say millions, of our population. So far from complaining of the gentlemen to whom I have alluded for having stirred this question, I think we ought to be grateful to them for having called the attention of the Government of India and of this country

to a subject of such vital importance. I have already explained that, in consequence of the large expenditure caused by the political situation of India for some years past, the Indian Government has been unable to devote as large a portion of the revenue to works of public improvement as—even for the interests of the revenue itself—might be advantageously applied to such purposes. On the whole, however, this subject has attracted, and is attracting, more and more consideration, year by year, and day by day. I hold in my hand some statistical details, which will be laid before the House very shortly, and which afford satisfactory evidence of the increased attention which is devoted to the question of public works. This document shows a great increase in the funds appropriated to public works during the last fifteen years. The average of the first five years of the period was £250,000; of the second five years, £240,000; and of the last five years, £400,000. This account, though it affords a fair criterion of the increase of late years, does not, in truth, give a fair representation of the actual expenditure in these years. The total expenditure, including the cost of establishments, convict labour, and other items, not embraced in this account, amounts, for the last year, to upwards of £700,000. Taking the account as it stands, however, as a measure of the comparative expenditure of former and recent periods, there has been an increase of about forty per cent in the expenditure on public works in the latter years.

Another great subject of complaint has been the

deficiency of roads ; and here I must confess at once, that in many parts of India the means of communication are deficient. On the other hand, more has been done in this way than members are, perhaps, aware of.

Allow me to refer to accounts of what has been done in this respect in the various Presidencies.

The great trunk road to the Upper Provinces and the furthest extent of our territory is already open from Calcutta to Kurnaul, 78 miles beyond Delhi, in all 965 miles, and in two years it will be completed to Peshawur—1,423 miles. It is a macadamized road, “smooth as a bowling-green,” upon which carriages go at the rate of ten miles an hour ; serais and provision depôts have been established at convenient distances, and there are guard-houses and police stations every two miles ; the road is watched and patrolled night and day, and it is calculated that an officer of some sort is employed for every half mile. Mr. Raikes states that in his district, notwithstanding “parties of wearied merchants are spending the night all along the road under the canopy of heaven,” the losses by robbery were *nil*, and those by theft no more than 4*d.* per £100.

In the Presidency of Madras, the great western road to the borders of Salem and Bangalore from Madras has been put into proper repair ; the traffic upon this road is larger than that upon any other road in India, and the cost of carriage has been reduced one-third since 1846.

Three different trunk roads have been made or

repaired, opening Mysore and Coimbatore to the west coast. Cotton from Coimbatore now goes to Ponany, a port on that coast, instead of being carried to Madras, and the carriage of it has already been reduced from six to two rupees per bale of 300 lb., making in many cases the whole difference between profit and loss in the export. In Canara, where in 1831 wheeled carriages were unknown beyond the town of Mangalore, 508 miles of good road are completed, and six excellent ghauts are now open. The exports of cotton, coffee, &c., have largely increased, and the imports of British piece-goods doubled since 1838. A good road south towards Trichinopoly has been formed.

On the other hand — wishing to conceal nothing, I must frankly admit that the great north road is in a very bad state; but 240 miles of canal along the line will be opened in connexion with the Godavery and Kistna works, and Colonel Cotton says, therefore, it is quite out of the question at this moment to waste any money on this part of the road. District roads are generally wanting in this presidency, but their state varies very much in different parts of it. In Salem, Madura, Tanjore, and Canara they are good. In Bellary and Cuddapah, together half the size of England, and growing cotton and indigo, they are altogether wanting, there being only thirty miles for the whole. A direct line to Cuddapah has been sanctioned, and a pass on it opened, so the want as regards a great line of communication will soon be supplied. I do not for a moment mean to say that

many public works are not required ; but still I declare with truth that much has been done—much is in progress—and that as soon as funds are forthcoming, the Government will apply them to the purpose of opening and improving the communications from the interior to the coast. These are the roads which are much more important for the benefit of commerce and improvement of the country than the north line which runs parallel to the coast for nearly all its length. I have here an extract from “The Scindian” newspaper, which shows that even in this, our last acquisition, great attention is paid to the construction of roads and canals. In the interior of the country, the roads for conveying the produce are by no means so bad as some persons would have us to believe. In reference, for instance, to the great cotton-growing districts in the Bombay Presidency, Mr. Davies, the Collector of Broach, reports in 1849, that “there are no macadamized roads, and no materials wherewith to construct them, yet nowhere throughout the Presidency is communication so well kept up, not only on the great lines of traffic, but between village and village, and nowhere is the number of carts greater in proportion to the population.” And Mr. Bell says that in Candeish “there is a passable and often an excellent cart road in many districts from every village to its neighbour. The main Bombay and Agra road is in excellent order; the traffic and travelling on the cart road is constant during the fine season; the province abounds with fine

“cattle, and carts for burthen and for locomotion
“are in general use.”

Such is the account of the ordinary roads in the great cotton-growing districts of the presidency of Bombay. Great part, however, of the Indian cotton is grown in the interior of the country in native states, and for the purpose of bringing this cotton to the coast at such a cost as would render it profitable to do so, common roads are inadequate. I believe that for the transport of cotton from Berar to the coast a railroad is necessary. It becomes doubtful, therefore, whether it is worth while to expend large sums on trunk roads. Indeed, it is probable that the great trunk road, to which I have before referred, leading from Calcutta to the upper provinces will, in a great measure, be superseded when the railroad is completed. In reference, however, to this important question, I cannot here avoid expressing my opinion that the Indian railroads, although there was perhaps some delay in the first instance, were commenced without sufficient consideration. The consequence has been that in the case of both the great railroads it has been found necessary to change the line originally laid out. In the first instance it was intended that the line from Calcutta should run along the old road through a comparatively wild and uninhabited country; but after it had been carried to a certain point it was wisely determined that it should run along the line of the river, and through the most populous parts of the country. The direction of the line from Bombay was also changed after the

works had been commenced. It was planned and commenced on the supposition of its being carried over the Malseg Ghât which on survey has been found to be impracticable, and it is now proposed instead of attempting this passage to carry it over two other Ghâts, and to pass the ridge in two places instead of one. This change of purpose has fortunately been determined on before any part of the line, of which the first portion has been opened, had been carried beyond the point where the deviation would commence, but I refer to these circumstances for the purpose of showing how important it is not to begin a line until all circumstances connected with it have been fully and maturely considered. There is no person more competent to form a correct opinion on this matter than the present Governor-General of India. He made himself master of every thing connected with railroads when he was President of the Board of Trade in this country, and I believe that, as regards several railway undertakings here, great advantage would have resulted from following the suggestions made in the able report to which that Noble Lord's name is attached, and which was for our assistance laid on the table of the House. My Right Hon. Friend who preceded me in office did well, I think, in referring the whole of these questions connected with Indian railways to the consideration of the Governor-General, for of all men in Europe or Asia he was the most competent to form a correct judgment on the subject. I expect a final report from the Noble

Lord by the next mail. Looking to the vast importance of the question, I have thought it right to defer any decision on the subject until I receive Lord Dalhousie's report. On receiving it I can declare, on the part of the Court of Directors and myself, that no time shall be lost in carrying the railroads through with as much rapidity as the means at our disposal will allow of. It is indispensable that the great lines—I will not speak of them as they have been hitherto called, experimental lines—should be completed as soon as possible to their proper termini, and no expense shall be spared to effect that object.

Another part of the public works which is of the greatest importance is the irrigation of those parts of India which require artificial aid to render them productive. This is one of those points on which the statements contained in the Madras petition are most signally false. The petition states that nothing has been done in the Presidency of Madras to promote irrigation, and it quotes "the latest published Report of Captain "A. Cotton upon the Tanjore district," as the petition calls it, to the effect, that millions of gallons of water are daily running into the sea, uselessly and wastefully down the Coleroon, which if properly employed might bring fertility and plenty to the district, and the authors of that petition would have the people of this country believe that such is the case at the present time. Now will the House believe that the report was made in 1837, about 15 or 16 years ago; that works for

damming the Coleroon had even then been commenced, and were completed in 1841, twelve years ago, and by which upwards of 1,000,000 acres have been irrigated. The success of that work was so complete that another similar work was immediately commenced on the Godavery, which I believe will be finished in the course of the present year. In the last report on the public works which has been received in England, and which has, I think, been laid upon the table of the House, I find the following passage with reference to the works on the Godavery :—“ A river exceeding two miles in actual width besides the islands which at that point divide it into four branches, and running over a bed of pure sand of unknown depth, was to be arrested in its course by a dam, 12 feet high, thrown across it, and a large part of its waters was to be distributed over an extent of 3000 square miles by means of a network of channels; and all this was to be done in a country where such works had never been heard of before on a scale of magnitude, or at least only by tradition, and to be effected by the agency of workmen who had to be taught almost everything.” These works in India are constantly spoken of as if they were on the same scale as those constructed in this country, and constructed with the aid of able engineers and skilful workmen; and complaints are made that they are not executed as rapidly and as well as in England. But let gentlemen fairly consider such an account as I have just read of the character of these works, and of the difficulties

attending their execution. It is most unjust and ungenerous to condemn persons acting under such circumstances for not completing the works intrusted to them as rapidly and substantially as they can be done here. The Coleroon anicut has been finished some time, the works on the Godavery will be finished this year; the Kistna, another river in the Madras Presidency, has been surveyed, the necessary machinery has been removed there from the Godavery, and in the course of three years, when this work will probably be completed, the irrigation works in the Presidency of Madras will have extended to 3,400,000 acres of land, which will be available for the cultivation of sugar, cotton, rice, or other crops requiring irrigation. In the Northern Provinces the irrigation works are carried on in a different way. Instead of dams, canals are constructed. The Jumna canals, which have been constructed some time, have brought 625,660 acres into cultivation. With regard to the Ganges canals, they were sanctioned in the year 1838, but were unfortunately stopped by Lord Ellenborough on his arrival in India. Some notion was entertained that they were likely to prove prejudicial to the health of the inhabitants; an inquiry was made into this point by order of Lord Hardinge, to whom it was reported that no disadvantage whatever could accrue to the health of the district, and the works were therefore ordered to be continued. They were begun in 1848, and, according to the report of the committee of engineers they will be completed in 1856. By that time 810 miles of irrigating canals

will have been constructed, and 1,560,000 acres of land will be watered by the canals in connection with the Upper Ganges. Similar works are now in course of construction on the Ravee in the Punjab, which will also be probably completed about the same time, and about half a million of acres will be watered by canals of 450 miles in length. The total number of acres which will be irrigated by the canals in the Bengal and Madras Presidencies amount to nearly 6,075,660; but this certainly does not give an adequate notion of the extent of land that will be benefited by the irrigation. As regards the districts to be watered by canals, one third part only requires the actual irrigation, although the remaining two thirds derive the greatest advantage from supply of water. The above amount therefore is far below that actually benefited, and the total amount of acres benefited by irrigation will be between 14,000,000 and 15,000,000, or rather more than the whole cultivable area of Ireland. I see also that sanction has been given to the construction of two lines of canal from the Indus, one of them being near Shikarpoor, the other near Hyderabad. It is, no doubt, of late years that the attention of Government has been more and more called to this subject; the officers employed in the administration of the country have seen the great advantages which these works have conferred on the people, while at the same time the revenue has been increased, and they are, therefore, encouraged to press them forward to a greater extent and with greater rapidity. Their exertions have been approved and seconded by the Government both in

India and at home, and the best security the public can have for the prosecution of works of this kind is, that they contribute to the improvement of the revenue as well as to the benefit of the people. Measures have been taken both in India and this country for putting these works on a better system than that on which they have hitherto been conducted. Formerly, they were divided among different boards, an arrangement which created great confusion. In Bengal superintending engineers have now been appointed, who are responsible for the whole of the works in their respective districts. Only the other day a despatch was sent to India, giving instructions that the whole system of public works should be placed upon a better and more general system; that an annual estimate should be prepared for the whole of the public works in each Presidency; and that a considerable portion of the revenue should be annually expended in a systematic manner on those which are the most important. I do not know that I can expect the House to listen with much patience to the details into which I must now enter with respect to the tenure of land in India. Great complaints are made by those who think that the tenure of land in the Madras Presidency interferes with the production of an article which it is desirable to import into this country—viz., American cotton. In the Madras Presidency the ryotwar system obtains, which is an arrangement made between the State and each cultivator. The land is divided into very small portions, varying from one to ten acres. The opponents of this system desire that it

should be abandoned, and a description of landlords created, holding, as nearly as may be, the same position as the landlords in this country. That was a favourite system with the Court of Directors for many years—the Presidency of Bengal was settled upon it in the time of Lord Cornwallis. It is called the “Zemindary system.” The Court of Directors desired that it should be extended to the Madras Presidency, and measures were taken for the purpose of doing so. Land was divided into lots, each constituting an estate of considerable size for India, and, to all appearance, landlords of the desired description were created; but, most unfortunately, this scheme turned out a complete failure. The system which now prevails in the Madras Presidency is the consequence of the failure of the attempt to create a system of large landlords. The Zemindary system is now represented as an inestimable benefit to the whole of the population. Lord Hastings did not think so. What was his account? He speaks of the benevolent purpose of Lord Cornwallis, and says:—“ Yet this truly benevolent
 “ purpose, fashioned with great care and delibera-
 “ tion, has, to our painful knowledge, subjected
 “ almost the whole of the lower classes throughout
 “ these provinces to most grievous oppression; an
 “ oppression, too, so guaranteed by our pledge,
 “ that we are unable to relieve the sufferers; a
 “ right of ownership in the soil, absolutely gra-
 “ tuitous, having been vested in the person through
 “ whom the payment to the State was to be made,
 “ with unlimited power to wring from his coparceners
 “ an exorbitant rent for the use of any part of the

“land.” I quote this description to shew that the Zemindary system has its dark as well as its bright side; and indeed each of the systems of local tenure has its advocates, who maintain its exclusive advantages, and condemn every other mode of tenure. It is very difficult to decide on their comparative merits. We may well hesitate before we attempt again to introduce that system into the very district where its failure has been most complete. It appears by the evidence given before the Committee of 1832 by Mr. Lewin, a gentleman very well acquainted with many parts of the south of India, that the ryotwar system was the natural and ancient tenure of land in that part of India. The person by whom it was more generally extended throughout the Presidency of Madras was one of the ablest of Indian servants, Sir Thomas Munro. There was no desire on the part of the then Government to extract large amounts of rent from the ryots,—there was no imperative order for the establishment of the system; it was established by a man who had the interest of the natives very much at heart, who was better acquainted with them and with their habits and customs than most people, and who, in spite almost of the directions of the Government, established the system, believing it, in his experience, to be most certain to benefit the country. In Madras the Government stands in the relation of landlord to the cultivating ryot, and I think that the most determined advocate of tenant-right in Ireland would be charmed to see a relation between landlord and tenant introduced into that country such as that which was estab-

lished in India by Sir Thomas Munro. It entirely prevented the existence of a middleman; the rent to be paid by the tenant was fixed at one-third or one-fourth below the average payments of the preceding 10 or 12 years; and so long as he cultivated the land, and paid his rent, the cultivator possessed an indefeasible right to his holding. Circumstances have, no doubt, changed since that period, and the amount of rent then imposed has, I think, become too high in consequence of the general fall in the price of the produce of the country, and on this ground a revision of assessment may be desirable. The principle, however, of the ryotwar system is what I have described, and what is commonly called the annual settlement is in truth only determining how much of the stipulated rent shall be remitted to the ryots in each year in consideration of adverse seasons or other causes which render them unable to pay the fixed rent.

In the North-Western Provinces what is called the Village Settlement prevails, and seems, so far as we can judge at present, to answer there very well, and in consequence we are recommended by some persons to extend it over all India. Certain persons undertake on behalf of the whole village to pay the land revenue which is assessed upon it. Leases are granted for 30 years, which gives them a more permanent interest in the land, and they are responsible for each other's defaults. Some of the land is cultivated by themselves, some by other persons not named in the lease from Govern-

ment. The system suits perfectly those districts where it is in accordance with the old habit of the country, but it is a very different question whether it is possible to extend it to other parts of India. In Bombay which is principally settled on the ryotwar system, long leases are very generally given to the cultivators, which gives each man an interest of considerable permanence in his land. It might be desirable to endeavour to substitute the village settlement for the ryotwar system; but there are very great difficulties to be overcome in any attempt to do so. When I asked Sir George Clerk whether he thought it possible to change from the ryotwar system to the village settlement, he replied that it would be almost impossible. In the ryotwar system the landlord deals directly with the tenant; in the village settlement a certain number of persons undertake the responsibilities for their neighbours, and if persons willing to do this cannot be found, or if all parties do not agree to the arrangement it becomes an impossibility. Hon. Gentlemen will see how very difficult any operation of this kind must of necessity be. The truth is, we have in times past committed the greatest injustice and injury by attempting to force on different parts of India a system to which their habits and customs are opposed. We committed great injustice in Bengal when we introduced the permanent settlement system there. We committed great injustice by forcing the same system on part of the Madras Presidency. We committed great injustice in our first attempts to

settle the North-west Provinces; and at last we have come, by dint of long experience, to this conclusion, that we must in each case endeavour to adapt our system to the local customs and habits of the natives. Everybody acquainted with India knows how exceedingly difficult it is to induce the people to depart from the habits and customs of their forefathers. Sir G. Clerk, who knows the North-west Provinces, who has been Governor of Bombay, and who had ample opportunities of inquiring into it, has expressed a favourable opinion on the village system; but there are many persons who entertain serious doubts respecting its advantages. All these matters, however, we must leave to the Administration of India—to the decision of those best able to judge of the wants and feelings of the people and to ascertain what measures under the circumstances are most likely to promote their welfare. Our object must be to frame our settlements, not on what seems theoretically to be the best, but in such a manner as is most suited to the wishes and habits of the people in their various districts.

Connected with the tenure of land there is a subject to which I wish to refer very shortly—I mean the cultivation of cotton, which is universally acknowledged to be of great importance both to England and to India. Some time ago, as many Hon. Gentlemen well know, all the cotton of India was of a coarse description and short staple. It was well enough suited for the Indian and Chinese manufacturers; but it was wholly unsuited to compete with the American cotton in the manufactures

of this country. For some years the East India Company have taken pains to introduce cotton of American growth, and to ascertain whether the climate of India is favourable to its cultivation. I think that happily that point has been abundantly established. For some time they established cotton-farms, which, as might have been expected under Government management, turned out exceedingly unprofitable. They then undertook to purchase at a certain price all the American cotton grown by the ryots, and it is now clear that the ryots understand the cultivation of the American plant very well. On this point Dr. Wight, the late superintendent in the Madras Presidency, says:—

“ Within the last two years many of the ryots of Coimbatore seem to have become so well convinced of the much greater advantages of cultivating the exotic than their indigenous cotton plant, that (unless I am greatly misinformed) they planted last season from 1500 to 2000 acres of ground with it, and seem as if they intended to treble the quantity in this year.” It is thus proved that the ryotwar system is no inseparable obstacle, as had been alleged, to the successful growth of cotton. But in addition to this native cultivation, three or four Englishmen have gone out to India to establish cotton plantations. I speak again on the authority of Dr. Wight, who states that,—

“ On the coast, within the last three years, Messrs. David and Arthur Lees, Messrs. T. and L. Shaw, both from Manchester, and Mr. Kenrick, of

“ Madras, have embarked in the undertaking. The
 “ aggregate extent of land under cultivation by
 “ these persons amounts, I think, to about 2,500
 “ acres, exclusive of smaller patches held by others,
 “ whom they have induced to follow their example.”

Some time back the East India Company having, as I said, ceased to cultivate their cotton-farms, they bought up the cotton produced by the ryots, at fixed prices, if not bought up by other persons. But the fact that American cotton can be grown in Madras having been satisfactorily established, I think the interference of Government ought to cease. It is their duty to provide roads and to facilitate the communication between the plantations and the port of embarkation, but the encouragement of the growth of the article ought to be left to private enterprise. I have no doubt that private individuals will be found either to take land or to make arrangements with the ryots for the delivery of the cotton grown at a certain price. The whole question is dependent on the fact whether there will be a certain market for it in this country. If there is a certainty of a market, the cultivation will be carried on. No doubt, the price to be given for this cotton from India depends on the price of the American cotton; but it ought to pay to export cotton to England if it pays to export it to China. The exportation has increased considerably of late years, and I have no doubt, if steps are taken by the parties who are principally interested in the matter, that good American cotton may be grown to a very considerable extent. On

this subject I will read a portion of a letter from a native of India which bears on the question. Speaking in reference to the growth of cotton and the necessary interference of English capital, this gentleman (Manockjee Cursetjee) says:—

“If they are in earnest, nothing that I can see
 “impedes their acting independently of Govern-
 “ment; and, if they would but form themselves
 “into an association, subscribe a sufficient capital
 “among its members, and judiciously lay it out in
 “farming or purchasing from the Company’s Go-
 “vernment or its allies—the Nizam and other—
 “districts capable of being improved by such out-
 “lay, they would not only render England inde-
 “pendent of America in respect to their cotton
 “supplies (which appears to be their grand object),
 “and obtain an accession to their imports of other
 “East Indian produce, but they themselves would
 “reap a large profit independently of the considera-
 “tion of improving the moral and political condi-
 “tion of the people of the place. On the other
 “hand, it can hardly be expected that the natives
 “of India, if left to themselves, would bestir them-
 “selves in any such national undertakings, their
 “ideas and prejudices being generally against any
 “innovation.”

That is the opinion of a very enlightened native of India, well acquainted with the feelings and prejudices of his own countrymen—and he thinks all that is wanted is that the plant should be cultivated by British capital, that the required capital should be sent out to India, as was done in the case of

indigo. [Mr. BRIGHT.—“Where was that letter written? Was it written in England or India?”] It was written in India. [Mr. BRIGHT.—“What is the date of it?”] I am not sure as to the date. I find on looking at the paper that I have no date marked on it. Well, Sir, next comes the subject of the revenue of India. I will trouble the House but very shortly on that subject. The revenue of India is raised almost entirely by what is called a land-tax, which is in the strict sense of the word not a tax at all, but is a portion of the rent of the land. All preceding Governments of India have invariably taken different portions of the rent of the land as constituting the main article of revenue, and the English Government have followed their example, and about three-fifths of the whole revenue of India is raised from this source; so that, according to the description of the able historian of India, Mr. James Mill, “the wants of the state are nearly altogether supplied really and truly without taxation.” It leaves every person at liberty to cultivate his land as he pleases, and does not affect his industry in any way whatever.

And again, to use Mr. Mill's words, “The wants of the Government are mainly supplied without any drain upon any man's labour, or the produce of any man's capital.” In Bengal the amount to be paid from the land is a fixed charge, and the revenue is certain; in Madras the assessment varies, as I have stated; in the North-western Provinces the rule has been laid down, which had been found most beneficial, that two-

thirds of the net proceeds, after providing for the expense of cultivation, should be paid to the State, and that one-third should go to the tenant. The next main item of revenue is that derived from opium. In Bengal the Government pays a fixed price to the cultivator for the poppy juice, and manufactures the opium. There are then public sales of opium, and the revenue is derived from the difference between the sums realized at these sales and the price paid for the poppy juice added to the cost of manufacture. The opium grown in the Native States of India must of necessity pass through our territories to the ports of embarkation, and our revenue is levied on the passes granted for the opium so brought down. The revenue has increased to a very considerable amount from this source of late years, and it is, according to our last returns, nearly £3,500,000 sterling. I have had stated to me various objections to revenue from opium, some from the moral consideration of selling a drug of this kind to another nation, but I hope to receive, in this instance, some approbation from Hon. Gentlemen opposite, because we have, according to their principle, succeeded in raising the main portion of this tax from foreigners. There are objections, as I have said, urged against this tax, some of them on moral grounds, but it was inquired into by the Committee of 1832; and their report stated,—

“ Although the Government monopoly must, in
 “ all probability, like all other monopolies, be dis-
 “ advantageous, yet it does not appear to be pro-

“ ductive of very extensive or aggravated injury ;
 “ and, unless it should be found practicable to sub-
 “ stitute an increased assessment on poppy-lands,
 “ it does not appear that the present high amount
 “ of revenue could be obtained in a less objection-
 “ able manner.”

The next large item of revenue is one to which, no doubt, considerable objections may also be said to exist, and that is the duty on salt. (Hear, hear.) Let Hon. Gentlemen who cry “Hear” remember what has been the doctrine urged on us by great political economists of the liberal school for some years—that, whatever revenue must be raised, from some source or other beyond direct taxes on property, should be raised on as few articles as possible—that some few articles should be selected, and the whole amount of our taxation should be put on them, and that all other articles should be left free. That view has been almost completely carried out in India, and every article of consumption is relieved from tax except salt. The Customs’ duties are of very trifling amount, and all other articles of consumption are totally and absolutely free ; and, though I quite admit that it would be desirable, if possible, to reduce the duty on salt, and, when we have a revenue to enable us to make the reduction, no doubt we ought to do so, yet, after all, the tax is not so very heavy as has been supposed. I see by the table before me that the average consumption of salt per head in India is about 12 lbs. a-year, and, the duty being $\frac{3}{4}d$ a pound, the actual amount of duty paid by

each person in India amounts to not more than 9*d* a-head per year. Now, considering the absolute freedom from all duty of any sort or kind on other articles, I cannot say this is a tax of so very oppressive a nature as it has been said to be. It is hardly worth while going into the other items of revenue, the whole revenue of India being about £26,000,000 a-year. (An Hon. Member.—“Not so much.”) By the last accounts of the revenue, and according to the printed papers to which I have referred, we have for the last year to which the accounts come a revenue of £25,890,000 a-year.

I have now, Sir, referred to those subjects which have been the general topics of the charges against the administration of India during the last twenty years. I think I have shewn that, with respect to public works, considerable misapprehension has prevailed if it is supposed that nothing has been done. I think I have shewn that, with respect to the system of land settlement, which is supposed to be most prejudicial to persons holding land in India, any attempt to alter that system of tenure might, if done hastily or rashly, as we have sometimes acted in this matter, be productive of as much insecurity and injustice as has been caused by hasty though well-meant proceedings in former times.

If we look to that which has been done by us in the course of the last twenty years, I think there is much on which we may congratulate ourselves.

I find that in the last twenty years, partly by law in our own dominions, partly by influences exercised

by us on other States, in the greater part of India Slavery has been, in fact, put an end to.

In the year 1829 Suttee was abolished by law in our own portion of the country; in 1840 it was abolished by the Guicowar, and by the chief of other States adjoining; in 1846 it was abolished in Jypore by the influence of Colonel Ludlow; and eleven out of eighteen of the Rajpoot States followed the example. In 1847 Lord Hardinge announced that,—“Suttee, infanticide, and slavery “are prohibited throughout the territory forming “the remotest Hindoo principality of India “(Cashmere).”

There was hardly any crime so prevalent among the Rajpoot states as Infanticide; in fact, it was not considered by them as any crime at all; and it is most interesting to witness the influence of a single officer in putting an end to this system of murder. This has been effected by the exertions of one man, Mr. Unwin, in a state where it prevailed to a frightful extent. In Mynpoorie, in 1843, there was not a single female infant left alive; in 1850, 1400 female infants were born during the year, and were alive at the end of it. Mr. Willoughby has used similar exertions, and with very great success, in Kattywar. When we remember that on this subject the prejudices of the Rajpoots were exceedingly strong, that it raised a blush to their cheek, and that they conceived it almost a degradation to have female children, we must take it as a strong proof of the influence of a single officer that he should have been enabled to put down a crime of this

nature, so prevalent, and so rooted in the habits of the natives. I know there are many persons who have a fancy of looking back to some golden age of Hindostan, before the English foreigner set foot on the soil, when a system of law and order, of tranquillity, justice, and peace prevailed, such as has not been witnessed since ; and yet I confess that the further I inquire the further this age of gold seems to retire from our sight, and when I refer to history and to documents the most ancient I can get, I confess I never yet have been able to discover a period when this universal peace and prosperity prevailed. In no period to which authentic history reaches can we find anything like the peace and comfort which prevail under our rule in India, and I will not go back to the fabulous days when an Indian Apollo piped to his attendant shepherds. It is within the last twenty years that the monstrous system of Thuggee was discovered and put down—a system by which murder was carried on under the sanction of religion. Could anything be more monstrous than this, that a large class of people, believing they were performing acceptable sacrifices to the Deity, should roam from one end of the country to the other and commit wholesale murders for no object whatever but the mere commission of the murder ? In referring to this question of the state of India in former times I have found the assertions in some quarters of the mischief of our rule so strong that I have thought it necessary to look back to records of those former times to see what the facts

really were. I have referred not to any English historian, because he might be partial, but to a foreigner, long resident in this country no doubt, as Minister from Sweden, but still to one whose character is well known to those interested in Indian affairs. Count Bjornstjerna quoting from the *History of Hindostan*, of Golaum Hoosein Khan, says:—

“ At this time (the beginning of the 18th century) all prisoners of war were murdered—all suspected persons were put to the torture; the punishments were impaling, scourging, &c. The people in certain provinces were hunted with dogs like wild beasts, and shot for sport. The property of such as possessed anything was confiscated, and themselves strangled. No one was allowed to invite another to his house without a written permission from the vizier or rajah of the place where he lived, and the people were constantly exposed to the most dreadful plunderings and outrages. Such (continues Count Bjornstjerna) was the situation of Hindostan during the latter part of the dominion of the great Moguls. It became still worse when Nadir Shah, like a torrent of fire, overwhelmed the country, and was perhaps most unhappy when, after the departure of Nadir, India was left in the power of the Mahrattas, whose only object was plunder and devastation. Hindostan then presented a picture of such unheard of oppression that one shudders at the description. Thousands of examples may be found in the history of these times of the whole population of conquered towns

“ being massacred by the conquerors. Delhi, which
 “ then had more than 1,000,000 of inhabitants,
 “ became quite desolate after Nadir Shah’s massacre,
 “ which continued seven days without intermission.
 “ Shah Abdala, Nadir’s successor on the Persian
 “ throne, also left it to the pillage of his outrageous
 “ soldiery (1761), and it fell a third time a sacrifice
 “ (1767), to the power of the Mahrattas, who mas-
 “ sacred all who could not save themselves by
 “ flight.”

That is a picture of the period of the administra-
 tion of the Great Mogul, and that is the period
 which is always quoted as the time in which Hin-
 dostan was so extremely peaceful and prosperous—a
 state from which it has fallen into degradation under
 our withering rule. Well, but we are told that
 justice is so badly administered under us, that here
 again the contrast with former times is very much
 against us. (Hear.) Now, I will read the Hon.
 Member who seems to think so an article on this
 subject from a native paper published at Delhi :

“ Let us give a specimen of what the English
 “ really do for this country. In former times, under
 “ our vaunted ancient kings, there were many
 “ places in this very city (Delhi) where a poor man
 “ could not venture after sunset without the chance
 “ of having his turban stolen off his head ; and now
 “ a weak old man may pass in safety over that same
 “ ground with a bag containing 1000 rupees in his
 “ hand. The roads through the wilderness were
 “ so unsafe in former days, that no one dared to
 “ travel without an armed guard, and robberies in

“ the jungle were of constant occurrence. Now the
 “ loneliest traveller knows no fear. We often hear
 “ the praises of this king, or that wuzeer, who
 “ perhaps built a paltry serai, or laid a dawak to
 “ Cabul to provide himself with musk melons; but
 “ who does not know that our Government, by the
 “ construction of good roads, has placed the luxuries
 “ of distant places within the reach of the poorest
 “ people; then as to the administration of the laws,
 “ Under the native rulers of old justice was put up
 “ for sale, and this is now unblushingly done in the
 “ independent native States; while, under the
 “ British rule, rich and poor, black and white,
 “ Christian, Hindoo, and Mussulman, all alike
 “ obtain equal justice. The kings and rajahs of
 “ old defied all religions as they sat on the judg-
 “ ment seat; whereas the British study the religious
 “ scruples of every suitor, consulting the Mooftes
 “ when Mussulmans are concerned, and the Pundits
 “ in the case of Hindoos, and they do their best to
 “ discourage litigation by promoting the adjudica-
 “ tion of cases in Panchayet.”

I refer those who speak to the deterioration of
 the country under our rule to the opinion of a
 native writer on the subject. The Hon. Member
 who cheers may know better than any native,
 but he will forgive me if I prefer the testimony
 of a native editor to the information he may have
 on the matter.

Well, Sir, we examined Sir George Clerk, who
 is well acquainted with the North-western Portions
 of India, on this subject, and he stated :—

“ On the decline of the Mahomedan Empire,

“every village found it necessary to repair the
 “defences which had existed or to erect new ones
 “if they had none before. All Upper India was
 “covered with bands of horsemen, Sikhs, dashing
 “at everything, and the inhabitants only repelled
 “them by erecting little citadels in the middle of
 “the villages with watchmen aloft on a high look-
 “out. The bricks which formed these redoubts
 “are now all taken for the houses of the cultivators.
 “There are no such defences now to be seen in
 “the British territories. The districts are highly
 “cultivated. There is not a vestige of the jun-
 “gles near villages.”

I will refer now to the statement that even at
 the present time, the condition of our territories is
 worse than that of those under the rule of their
 own Princes; and I will read the statements in
 some recent Indian papers with respect to the
 condition of affairs and of existing society in Native
 States. Let us take the State of Oude. In the
Calcutta Englishman we read,—

“The continual warfare which distracts Oude
 “for eight months in the year, is now carried on
 “upon a more extensive scale than ever.”

Is that a condition of things more favourable
 to the cultivation of the soil and the prosperity of
 the inhabitants of the country than exists in British
 India? Again, as to the Nizam’s territories it is
 stated in the *Madras Spectator*—

“The state of violence and rapine is such that
 “capitalists do not quit their houses till they have
 “provided escorts from their military friends.”

That this is not an inaccurate representation of

the state of things in the Nizam's territories is certainly confirmed by what I heard from the late Resident there, whom I saw the other day, and who had the best opportunities for knowing the real state of the case. Now, be it remembered, that it was into this very territory of Hyderabad we were told by one witness that the people of our districts fled for refuge—and when they got there this is what they had to expect. The conclusion of that evidence, however, was not a little remarkable, because we were told by the witness that these people fled to escape the technicality of English law, and it appeared that this was owing to the use of stamped paper, for they thought it would be perjury if any false statement were made on stamped, while it was not so on unstamped paper. I have often heard Rampoor, one of the native States quoted as being much better governed than any part of our own dominions; but it is curious enough that the present Nawâb of Rampoor had been a deputy-collector in one of our provinces, and has improved the administration of his country in consequence of the knowledge of the methods of doing so, which he had acquired when he was employed in the service of the Company. I have no reason to think that the works which have been executed by native princes are at all superior, or, in fact, can at all compete with those works,—bridges, canals and roads,—which are executed by our Government. No one is better acquainted with the ancient history of India than Sir H. Elliot. No one is better acquainted with the

administration of the North-western Provinces of India than Sir H. Elliot is. Here is what he says :—

“To the North-western Provinces, at least, cannot be applied the taunt that we have done nothing compared with the Mahomedan emperors with respect to roads, bridges, and canals. Even here, in the very seat of their supremacy, we have hundreds of good district roads, where one never existed before, besides the 400 miles of trunk road, which is better than any mail road of similar extent in Europe, and to which the emperors never had anything in the remotest degree to be compared. In canals we have been fifty times more effective. Instead of wasting our supply of water on the frivolities of fountains, we have fertilized whole provinces which had been barren from time immemorial. The scientific survey alone of the North-western Provinces is sufficient to proclaim our superiority, in which every field throughout an area of 52,000 square miles is mapped, and every man’s possession recorded. It altogether eclipses the boasted measurement of Akbar, and is as magnificent a monument of civilization as any country in the world can produce.”

Why, Sir, really when I read these things I am at a loss to account for the assertion so recklessly made even by some who, from their acquaintance with the country, I should have thought had been in possession of better information on the subject, that we are disgracefully neglecting our

duty in regard to India. Not many years ago there was a system of most odious transit duties through India; there was a Custom-house at intervals of every eight miles, at which goods were stopped and subjected to a heavy Customs duty. Those duties have been entirely abolished. [An Hon. Member.—“How long since?”] They were abolished at various periods in different Presidencies. In Madras, which is the last place in which they were given up, they were abolished in 1844, and the Customs revenue was reduced, in consequence, from 36 lacs of rupees to 18 lacs—a loss of one half. I must say that I see no evidence from which it can be supposed that the condition of the people in India is not so good as that of the people in most other parts of the civilized world. If Hon. Gentlemen will turn to a book of not very recent date—*Bishop Heber's Journal*—they will find there accounts of the state of the Presidencies, showing a degree of comfort among the people which, taking into consideration their condition and the requirements of their climate, may be looked upon as superior to what we should find in many parts of Europe. I will not trouble Hon. Gentlemen by quoting from that work, with which they are probably familiar, but I will refer to a more recent publication, because it states the condition of the peasantry in that portion of India where it is asserted that the ryotwar system is productive of the most injurious effects. This is a quotation from the work of Mr. Dykes, late assistant-collector of Salem, re-

specting the condition of the people in that district of the presidency of Madras, Mr. Dykes says:—

“ Agricultural labour can readily be obtained for 1s 3d a week, the articles of daily consumption being cheap in the extreme. The Government demand for an acre of dry land (2s 8d), scarcely exceeds what a common labourer can earn in a fortnight, about which amount of labour will find him with an ample supply of salt for the whole year. The signs of improvement cannot be mistaken. When the people throw down the walls of their villages and towns; when the cottage shines out among the distant fields; when the children drive the cattle to pasture, and troops of women pass fearlessly along the public roads, seeking the neighbouring markets—these, surely, are different times from those that saw the ryot go to the plough with his spear or his matchlock in his hand; when the trade of the country, carried on bullocks, straggled from village to village, guarded ever by armed men, and the merchants feared to engage in cultivation, because such gains could not be hid with sufficient ease; the greatly increased fertility of the soil, the increasing traffic, the improved bazaars, the value that land, even under the present system, is everywhere acquiring, all show clearly that capital is accumulating, and that the condition of the people is better than it was.”

These statements, of course, refer only to particular districts, though I have no reason to suppose they are not fair specimens of what exists throughout

most parts of our Indian territory. But we have still more convincing proofs, not only of the increased power of production, but of the increased power of consumption of the people of India in the returns of their imports and exports. I see, for instance, that the average importation of their sugar and molasses into this country in the ten years ending 1842 was about 444,000 cwt., while the average importation in the last ten years has been 1,369,000 cwt. The average importation of rum has risen during the same period from 233,000 gallons to 600,000 gallons, and has thus been more than doubled. The importation of coffee has risen from 2,358,000 lbs. to 3,256,000 lbs. The importation of cotton wool has increased from 58,000,000 lbs. to 80,000,000 lbs. So much for their powers of production. Now for their powers of consumption. The value of the cotton piece-goods imported into Calcutta in 1833-34—and this will be some comfort to the manufacturers of this country—was £700,000, while in 1851 it was about £2,950,000. Surely that shows a power of consumption which proves most completely that the condition of the people must be improved of late years. Well, Sir, I will take now the whole exports and the whole imports of India, and the case is still more remarkable. The value of the whole imports of merchandize in 1834-35 was £4,261,000 while in 1849-50 it was £10,300,000, being an increase of no less than 140 per cent. The exports in the same time have increased from £7,993,000 to £17,312,000, being an increase of 112 per cent. With all our boasted increase of trade at

home, the value of our exports in the same time has increased, not 112, but only 66 per cent, while the improvement in production in India, as measured by the exports, has thus increased in nearly double the ratio of that which indicates the increase of production in this country. Can anybody believe, after these figures, that the condition of the people of India has deteriorated in the course of this period; and must it not be apparent, on the contrary, that alike in their powers of production, and in their means of purchasing the quantities of goods which have actually been imported into India, ample proof is thus afforded of the vast improvement of the condition of the people.

There are many minor topics which I should be anxious to mention, as affording evidence of the desire on the part of the Government of India to advance the interests of that country. I will only refer, however, to the trigonometrical survey, which is a work of vast importance, not only for scientific purposes, but for the more practical object of facilitating the surveying and laying down the boundaries of villages, and indeed of every man's property and occupation, and of preventing the constant litigation as to the rights of the various owners and cultivators of land. We are establishing lines of electric telegraph for 3,150 miles, connecting all the great towns of the Indian peninsula; and I must say it affords me the greatest satisfaction to read the constant accounts of the attention which is paid to the improvement of the people in various ways, by the establishment of dispensaries, the extension of vaccination,

the formation of schools, and various matters of that kind, which in other countries are left to the charity of individuals, but which in India have been taken up by the Government, and which prove, I think, that in every part of that vast empire unremitting attention is paid to the improvement of the condition of the people. I have before stated that many things may have been left undone, many things ought to have been done more completely ; but I must say, that I think great credit generally is due to the administrative officers in India for the energy and zeal which they have displayed in their various functions ; to the Government of India for supporting them in their administration ; and to the Government at Home, who have invariably urged upon the Indian Government measures for the welfare of the country, —who have sanctioned almost every expense asked for such purposes,—and who have encouraged by their approval the exertions of the various officers. I will only allude to the opinion of one of the ablest of modern historians who has written an account of the administration of India in late years—I mean the author of the *History of the War in Affghanistan*, Mr. Kaye,—who concludes his work with a review of what has been done in India, in which he says that much has been omitted ; much more might have been done than has been done, if means had been available ; but that, as it was, “ more good
 “ has been accomplished in India—more earnest,
 “ serious, and enlightened legislation has taken place
 “ for the benefit of the people under the Act of 1833
 “ than during the previous two centuries and a
 “ quarter of British connexion with the East.”

I am afraid I have wearied the House by these details. I have felt, nevertheless, that I should fail in doing justice to the authorities of India, and to the administration of that country during the last twenty years, that we should not have been enabled fairly to judge of the manner in which the government has been conducted; that we should have been liable to be misled by those representations which have been industriously circulated, and which seem to have met in some quarters with a belief to which I think they were not fairly entitled, if I had not endeavoured to put before the House what I believe to be a true and faithful picture of the state of India and the government of India during the last twenty years.

Now, Sir, I fully admit that it does not therefore follow, because all these improvements have taken place, that the Government of India either ever was, or is the best that can be devised, but I say this—that if we are to test the government by the results of that administration on the condition of India, there is no ground whereupon to condemn it as being negligent and inefficient. I fully admit that if you are to test the present form of the Indian Governments by any known principles upon which government should be framed, it would be difficult to find so great an anomaly as that form of government, except the still greater anomaly of our whole Indian Empire. I admit that it is almost incredible, that it is fabulous, that such an empire as our Indian empire should exist—that a country of some 2000 miles in length and some 1,500 in breadth, containing 150,000,000 of inhabitants, should be ruled by a mere

handful of foreigners, professing a different religion, speaking a different language, and accustomed to different habits,—that this mighty empire should be administered by less than 800 civil servants—the number of those servants, be it remembered, not having increased with the increase of our dominion, but having, on the contrary, diminished,—it seems incredible that a private nobleman or gentleman should be sent there from this country who for five or six years, as Governor-General, exercises a power greater than almost any sovereign in the world—that he again should be controlled and governed by twenty-four gentlemen, elected by a body of men not perhaps the best qualified to judge of the merits of a statesman ; and that this body of men should be in their turn controlled by an Indian Minister who, in the necessary play of parties, is often put into that position without any previous knowledge of the Government of the country over the destinies of which he is called on to preside. No man, if he were to sit down to the task of constructing a Government for India, would dream of constructing a Government upon such a system for so mighty an empire. But it must be remembered that this form of government has grown up along with the growth of our Indian empire. Defects there may be in that Government, imperfect it may be, but surely, whatever its faults in theory, it cannot have been so badly administered, when under it that empire has so grown in extent and in prosperity, and the condition of the people has been so much improved. That it has been made more fit by

alterations at various periods for the advancement of the interest of the people every one knows. That it is not now what it was twenty years ago, and was not then what it was twenty years before is known to us all; and, the period having arrived when it is necessary for us to deal with the Government of India, and to provide for it after the 30th of April next, it becomes essential to consider in what shape it should be once again remodelled and framed, in order to insure that which it is our bounden duty to look to—in the first place, the welfare of the people of India, and in the second place, and dependent upon that, the interests of this country, which two considerations, however, I firmly believe to be inseparable.

Now, Sir, the Government of India must necessarily be considered under two different branches—the Government at home, and the Government in India.

I will proceed, in the first place, to deal with the Government at home. Faults of various descriptions have been found with the Government at home. It has been said, in the first place, that there is no responsibility. In the next place, we were told, in the earlier stages of the discussion, that the Court of Directors was an obstruction to all good government. Latterly a different line of argument has been taken, and we have been told that the Court of Directors is a fiction which ought to be done away with as utterly useless. Great complaints have been made also as to the mode of electing the Directors, and fault has been found with the existence of patronage in their hands, and the

mode in which it has been administered. A further fault has been found with the mode of transacting business, as being slow, and leading to unnecessary and mischievous delay. I believe I have stated fairly the principal heads of accusation against the home Government of India. Now, the House will observe that two of these heads are quite contradictory of each other. It is impossible that the Court of Directors can at the same time be a perfect obstruction to good government, and yet so complete a fiction as to be dispensed with without being missed. We must deal with it as either one or the other, and the arguments on the one side completely upset those on the other. I think that, as usual in all cases of this kind, the truth is to be met with in neither of the two extremes, and that it lies, in this case, as it often does, between the two contradictory propositions. Most of the misrepresentations which have taken place on this subject seem to me to have arisen from considering the Government not as it is practically carried on, but as it might be carried on under the full exercise of those extreme rights that belong to the different members of which the government of India consists. It would be just as absurd to say that the government of this country could not be carried on because the three branches of the Legislature, if each exercised the rights to which it was entitled, would constantly come into collision with one another, or that business in this House must practically be put a stop to from the power which by the exercise of his extreme privileges any

individual member possesses of obstructing public business. What we have to deal with is the practical mode in which the business of the various departments is carried on ; and upon this subject I must be permitted to say, with reference to the course which has been taken in the Committees appointed by this and the other House of Parliament, that it is useless to examine persons coming from India, and persons who, not having had any experience in the mode of conducting business here, really can tell us very little on the subject. Those who have been in one office or the other, the Board of Control, or the India House, and who know how the business of the several departments is conducted, are far better able to give information upon the subject than those who, from want of experience, cannot by possibility know anything of the matter. The home business of the Government of India may be divided into two distinct parts. One comprises the political relations of the government of India with other States, and questions of peace and war. These questions are decided not by the Court of Directors but by the Government of this country, and their orders are sent through the Secret Committee of the India House, and for these decisions not the Court of Directors, but the Government of this country, is entirely and altogether responsible. Upon that point, therefore, there can be no question as to divided responsibility or anything of the kind. The Secret Committee merely acts as an organ to convey to India the directions sent from the Board of Control, and the President of the Board of Control is,

in that respect, only the organ of the general Government. A good deal of unnecessary importance appears to me to have been attached to a declaration made by Lord Broughton, that he alone was responsible for giving an order to the Indian Government as to crossing the Indus by the army for the Affghan war. But that order must have been signed not by Lord Broughton alone, but by two Cabinet Ministers, and he was no more responsible for the order than the Secretary of State at the time for the order directing the Duke of Wellington to cross the Pyrenees. The act is not the act of the President of the Board of Control alone; it must be in pursuance of the determination of the Government. There is no mistake, no concealment, about the matter, and it is nonsense to talk of the irresponsible power of the President of the Board of Control, because the Government of this country is as responsible for war in India as it is responsible for war in Europe, Africa, or America. The other great branch of the Government is what is called the ordinary business of the administration of India, and in that the Directors take a very considerable and important part. Every despatch is addressed to them, all questions are considered by them in the first instance, and they have the initiative on every question. Grants of money cannot originate in any way with the Board of Control, and in the exercise of patronage, except in some of the higher appointments, the Directors are entirely uncontrolled. In the greater portion of their

business, however, they are liable to the check and supervision of the Board of Control. A draft of every despatch is sent up to the President of the Board of Control, is considered and revised by him, is sent back to them; is submitted to a committee at the India House and then to the Court, and is there carefully revised; and it is only just to the Directors that I should say, as far as my experience goes, I have reason to know that the most careful attention has been given by them to every important despatch. It is quite true that the President of the Board of Control has the power of overruling, in the last resort, the Court of Directors. I therefore fully admit that I am responsible to this House for any acts in the administration of India, just as the Secretary of State for the Colonies is responsible for the acts of administration connected with his department. In substance, there is no difference between the two cases, though there may be a difference in form. Hon. Gentlemen seem to treat this question in a very singular manner, for at one time we are told it is impossible to say that the Court of Directors can be responsible, and at another time that it is impossible to say they are not responsible; and again that they cannot find out who are responsible for the government of India. The simple state of the case is, that the President of the Board of Control is the person responsible to Parliament for the Government of India. But all this is nothing new. It has been stated over and over again to be the case for the last seventy years, and it has been perfectly

well known to every one who has thought it worth his while to inquire into the subject. The same fact has been stated, in better language than I can pretend to use, by Lord Grenville, who, in 1813 used this remarkable language:—

“The law which passed in 1734, the source of
 “all these benefits, the very line of demarcation
 “from which commences the good Government of
 “India, did actually commit this whole authority
 “(the political direction of India) to commissioners
 “appointed by the Crown. In the Public Board,
 “so constituted by the wise and necessary interpo-
 “sition of Parliament, and continued with slight
 “variations by succeeding Acts, has ever since re-
 “sided a complete and effective superintendence
 “over every part of the political affairs of India.
 “That Government has still been exercised, indeed,
 “in the name of the Company, as the Company
 “also has used the name of the Asiatic powers
 “whose misrule it has superseded; but both the
 “control and the responsibility of all political
 “measures are vested by law in the public servants
 “of the State. The commerce and the patronage
 “of the Company are alone excepted, but on all
 “other matters which in any way concern the
 “public interests in India it is the office and the
 “duty of the King’s Commissioners, at their dis-
 “cretion, to exercise a complete and unqualified
 “political control. It is their function to erase, to
 “add, to alter, and, in the default of the Directors,
 “to originate those instructions which by law the
 “public servants in India are bound implicitly to
 “obey.”

These words seem to me to describe the state of things as it existed in 1813, precisely as it exists at present. The President of the Board of Control has succeeded to the authority here represented to reside in the Commissioners. I am now responsible to Parliament for the affairs of India. Every person who is acquainted with the course of public matters must know, that although the head of every department is answerable and responsible for the whole business of that department, yet that in great matters he would consult his colleagues in the Ministry; that in other matters his decision, as chief of his own department, would be sufficient; and that in minor matters, having confidence in the persons in his department and under his authority, he, upon their representation, issues the orders that may be necessary. But there is a difference between the orders so issued by the Secretary of State and those which may proceed from the Board of Control. Before any despatches are sanctioned by the Board of Control they must have been carefully sifted and investigated by a body of independent gentlemen, many of them intimately acquainted with the people of India, and most zealous and unremitting in the transaction of business, and so far there is greater security for the good government of India than of our Colonial possessions. It must be obvious also to every one that the mere power of originating despatches must of itself give no inconsiderable share of influence to that body. It is clear, that if I did not issue despatches except upon matters raised and communications made to me by any Hon. Member of this

House, he could not but exercise a very considerable influence in the decision, whatever that decision might ultimately be. Mr. Mill—than whom there could not be a more competent witness—said, before the Committee of the House of Lords,—

“I do not think the present system is fairly described as a fiction, since it is acknowledged, that not only the Board of Control but the Cabinet, when of a different opinion, sometimes think it right to defer to the opinion of the Court of Directors; no doubt because they feel that the Directors are more competent to form an opinion than themselves.”

On these two points then, I will only say, that there can be no question—first, as to where the responsibility to this House lies; and next, that the functions of the Court of Directors are not that absolute fiction which they are represented by some to be, but adopting again the words of Mr. Mill, that—“they have a full share, in the administration.” The last imputation against the Home Government of India that I shall notice is, that in consequence of the numerous written communications which take place, and the divided residence of the two authorities—the Court of Directors and the Board of Control—Indian business is slowly transacted. I admit that the tendency of the mode of transacting business is to render it slow; but as to a large portion of Indian business despatch is not of the slightest importance. The principles upon which the Government of India is and ought to be conducted are laid down here,

but the Government of India is and ought to be administered in India. Good men ought to be carefully selected to carry out the views of the Executive. But then, when a proper selection of the instruments of government has been made, the more that is done in India the better ; and the object of the examination here is to see that in the exercise of the power of the Governments of India in detail, those principles so laid down in this country have been observed. Orders for executive administration are seldom issued from hence. The greater part of the business consists in revising the acts of the Indian authorities, but that is not business which requires much despatch. Perhaps I should not be far wrong in saying that nine-tenths of the Indian business is to revise and to see whether the administration of India is carried on consistently with the principles laid down. There are cases, no doubt, and sometimes very difficult ones, when most important matters arise which require a more rapid transaction of business. In cases of that kind immediate and frequent communications take place between the Board of Control and what are called the "Chairs" of the East India Company. I am happy to take this opportunity of stating that my Hon. Friend the late Chairman, and the present Chairman and Deputy-Chairman of the East India Company have always been most ready and willing to meet me, and have afforded me every facility and assistance that I could possibly require. Whenever it was important to obtain an early decision they would ask to see me, or come to me at

once when I sent for them. A personal communication takes place without delay, and a despatch is sent out immediately. About a month ago I thought it desirable that the interest on the Five per Cent Loan should be reduced. The Finance Department reported a probable surplus of £500,000, after paying for the Burmese war. I thought this an opportunity not to be lost of diminishing the expenditure by making a reduction in the rate of interest. I spoke to the Chairs, they agreed with me, and in compliance with my wishes a despatch was prepared and submitted to me, and by the next mail the order went out to reduce the interest of the loan. In another case, when the electric telegraph was determined upon, all the arrangements were made in less than one month after the receipt of the despatch of the Governor-General, recommending that this step should be taken. With a mail to India once a-fortnight, and with personal communications such as I have described, there is not the least delay in anything that requires speed, and on this head of delay in transacting business there has been the greatest misrepresentation and misunderstanding. But one great defect in the constitution of the Court of Directors has been pointed out—namely, that, owing to the necessity of a protracted and expensive canvass, the best members of the Indian service are deterred from offering themselves as candidates for the situation of Directors of the East India Company. It is said that it is a bad mode of remunerating the services of the Board of Directors that they

should look only to the distribution of patronage for their reward. I do not think that the imputations which have been made on this latter point are fairly borne out. It has been said that the Indian army and service do not receive a fair proportion of the patronage. The evidence clearly shewed that the sons of Indian servants and officers have received a very large and sufficient share of appointments. I think the Directors have taken great pains to preserve their patronage from being improperly applied, but I admit that there exists a general opinion that it is undesirable that the remuneration of the Board of Directors should consist in their patronage. I have now stated the principal objections that have been made to the present mode of conducting the Indian Government, and how far, in my opinion, those complaints are justified. But I still have to consider what it is desirable the Government of India should be for the future. The Hon. Member for Manchester said the other day at a meeting at Bristol on the subject of India that nothing could be satisfactory except a single Government by means of a Secretary of State. That also is the view of the gentlemen who have associated themselves together for the reform of the Indian Government. Now, we must consider what would be the effect of a change of this description. The proprietors of India stock and the Court of Directors will remain a body until 1874, and they will be entitled to receive the dividends upon their stock which are secured upon the territory of India, or to claim to be paid the amount of that stock. They claim to revive as a commer-

cial body, and to carry on their trade with the capital thus reimbursed. The Government, on the other hand, would assume the charge and government of India, and the obligations, liabilities, and debts of the East India Company, and I am not sure whether my Right Hon. Friend the Chancellor of the Exchequer would be pleased to have that debt added to his present obligations, because although it is true that it is secured on the Indian territory, yet it might be convenient that the same thing should be done for India which we have done for some of our Colonies, and that by giving the guarantee of the Government a lower rate of interest should be payable on the debt. This has, I see, been already suggested by a Noble Lord in another place, and though in the present state of things I should not think of preferring such a request to the Chancellor of the Exchequer, the case would be very different if India was administered as our other dependencies by the Government of this country, and in the name of the Crown. I do not believe that this is an insuperable objection, but it is one that requires to be carefully considered before we make any change.

With regard, however, to this vital question of the nature of the future Government of India we ought to look to the evidence that has been given before our Committees on this subject. The question whether we ought to have a single or a double Government for India has been mooted before both the Committee of the

House of Lords and the Committee of the House of Commons. There are three witnesses whose evidence has been said to be more or less in favour of the single Government. The evidence of the last witness examined upon this subject (Mr. Sullivan) is not yet in the hands of the Members of this House; but it can hardly be said to be in favour of a single Government, because Mr. Sullivan leaves two bodies—one for patronage, and the other for the management of Indian affairs. However, as his evidence is not in the hands of Members, I will not enlarge upon it. The most important evidence on this subject is that of a Noble Lord (the Earl of Ellenborough) who has been himself President of the Board of Control and Governor-General of India, and I am bound to bear my testimony not only to his great acquaintance with Indian affairs, but to the singular ability with which he expresses his views on these subjects. I do not know that I shall be charged with having said more than I am justified in saying if I add that one cannot be surprised to find the Noble Lord approaching any consideration which affects the Court of Directors with some little bias. The Noble Lord recommends that the Government of India should be as follows:—That there should be a council of twelve, who should be originally named in the Act of Parliament; that one-sixth should go out every year, and that they should be replaced by persons who have filled high situations in India; and who should be nominated on the recommendation of the Governor-General and of the Governors of the Presidencies of India. The

Noble Lord proposes that the whole patronage should be vested in the Council, and that they should have a veto on the appointment of a Governor-General, but naturally enough the Noble Earl did not propose to give them the power of recalling him. He proposed that these Councillors should be quite independent of the Government, and irremovable for six years. I remember the time when the patronage of India was supposed to create a power in the State of no inconsiderable amount, and a body like that which the Noble Earl suggests, and the members of which would be practically irremovable for six years, would constitute an exceedingly independent and powerful body. Therefore, although the Noble Lord's professed object is to get rid of the double Government, he does not do so in fact, and only proposes to transfer to the Council the power of the Directors, and to make them, as indeed he says himself in another answer, "the advisers of the Board of Control precisely as the Board of Directors now are." But the Noble Lord goes further, and says that his only object is to provide the President of the Board of Control with an able body of advisers. The Noble Lord states that he should not object to the continuance of the present system of choosing the Court of Directors if he were sure that it would be filled with men like the late Mr. C. Grant, Mr. Elphinstone, and Sir Richard Jenkins. The sole object, then, of the Noble Lord appears to be to obtain good advisers from Indian servants for the Board of Control, and therefore in whatever manner

this may be effected, his object would be accomplished ; but when he leaves this second body as powerful and independent as he proposes it should be, and acting in regard to the Board of Control much as the Directors now do, this, after all, seems to me to be only a double Government under another name. The Noble Earl says, that when he wanted advice about Nagpoor, he went not to the Court of Directors, but to Sir R. Jenkins, one of the Directors, who had been Resident at Nagpoor, and that, fortified by his opinion, he was perfectly indifferent to the opinion of the Court. I quite concur in the propriety of the course adopted by the Noble Lord of consulting the person who was the best able to give him advice and information upon the subject then under his consideration. I should have thought it right, however, even if I had consulted Sir R. Jenkins, to consult the Directors also, and I should not have thought myself justified in treating the Court of Directors quite so cavalierly as the Noble Earl said that he was prepared to do. The next gentleman examined, whose opinion is said to be in favour of the single Government, and who, as regards all matters in India, gave most valuable evidence, was Mr. Halliday, late Secretary to the Government of India at Calcutta ; but when Mr. Halliday was examined on the English part of the question, he stated that he was not so well acquainted with the Government in this country that he could give his opinion without very great diffidence. Well, but what was Mr. Halliday's

opinion, which was said to be a decided opinion in favour of a single Government? His view was in favour of the appointment of a body of twenty-four gentlemen, elected as at present, or perhaps as vacancies occurred, allowing a portion to be nominated—say one-third or one-fourth as the case might be—by the Directors themselves. This body would form a Council for India, perfectly independent of the Government, exercising the patronage as at present, and is to discuss all important matters connected with India with the President of the Board of Control, that he might have the advantage of hearing their discussions and weighing their arguments. I believe that most matters are carried on in India under the single responsibility either of the Governors or of other officers who manage the affairs of their districts, without consulting any person; and perhaps one ought not to be surprised at such an opinion from a man who has had little experience in Committees or Councils of many persons. But gentlemen who are conversant with the deliberations of Committees in the House of Commons, and those who are acquainted with the proceedings of Cabinet Councils, can imagine what would be the result of a Council of such numbers meeting to discuss with the President of the Board of Control or in his presence all important Indian questions, or as Mr. Halliday says, for the complete carrying out of his scheme—*all* Indian questions. Now I must observe that Mr. Halliday proposes to give to the President of the Board of Control the absolute

power of deciding as he pleases, whether he agrees with his Council or not. Does anybody practically acquainted with such matters suppose for a moment that such a system could be worked? Does anybody suppose that the business of a heavy department could be carried on with an executive Council of twenty-four members? Even if the President and his Council generally agreed, their numbers would be a practical hindrance to all business, from the variety of opinion, at any rate upon numerous matters of detail, which must necessarily exist amongst so many gentlemen. But suppose that the President in three or four cases overruled his Council, and that an irritated and sore feeling was thus excited, how would the business be carried on? If the President of the Board of Control was bound to attend their deliberations, the time would probably be wasted in endless bickerings and disputes, quite enough to interrupt the progress of all business; and if he was at liberty to absent himself, he would of course relieve himself from so unpleasant a position as this would inevitably be, by deciding all questions, as he would have a right to do, without reference to his Council, and they would become utterly useless. But in any case to talk of this as a single Government is an abuse of words. And Mr. Halliday, when he was asked whether he was favourable to a single Government for India, on a question put to him, at his own request, by the Chairman of the Committee, that he might remove any misapprehension as to his meaning, said that

he only aimed at improving what he understood to be the present mode of transacting business, without introducing organic changes, which in his opinion were not desirable. He said that he would “reform existing institutions only as far as they needed reform, and would keep them otherwise in all their integrity; that the system of double Government and election by the Court of Proprietors had undoubtedly, whatever defects may be attributed to it, the good effect of keeping out mere party differences and discussions from the Government of India, and that good he would on no account do away with.”

But Mr. Halliday, beyond his own opinion, and I have quoted his own words, gives very strong and very important evidence on this subject of single Government. He sees clearly enough that none of these proposals do in fact amount to single Government. He sees clearly enough, and I agree with him, what a single Government ought to be, if we are to have it at all, and he says with this view:—

“The plain straightforward course would be decidedly to have the Government and the Council nominated altogether by the Crown; but whenever I have spoken of that with well-informed persons I have been informed, in a manner that I could not possibly resist with my want of experience, that such a measure was totally out of the question; that it was quite impossible; and therefore, driven from that, I fall back upon what appears to me to be the more practicable suggestion, which I have made in the course of my evidence to-day.”

The witness states distinctly what he thinks would really establish a single Government, and he says he has been told by every well-informed person with whom he has spoken on the subject, that such a measure is totally out of the question. Surely after this statement of his evidence, he can hardly be represented as a witness who has practically advocated the establishment of a system of single Government. Now, these are the witnesses whose evidence is supposed to be in favour of a single mode of Government. I am aware that we have in this House advocates of that form of government, and I have no doubt that we shall hear from the Hon. Member for Manchester and others able and powerful arguments in favour of such a scheme, but, certainly, they cannot claim in support of their views the evidence of those gentlemen to whom I have just referred. But we have, on the other hand, the very remarkable evidence of a person well known to this House, and well known to the world as one of the ablest writers of the day on subjects connected with questions of Government, of taxation, and of political economy. I do not myself agree with him in some of his views on the latter subjects, but I have always borne willing testimony to his ability—I mean Mr. John Mill. No doubt it may be objected to Mr. Mill, that he is open to the suspicion of having a bias in favour of the East India Company, in whose service he is. But, on the other hand, from his intimate acquaintance with the mode of transacting business in connexion with the affairs of India, which is greater, perhaps, than

that of almost any man in this House or the country, he has better means than most men of forming an opinion, and his evidence, therefore, is of the greatest weight, and I will say from what I know of him, and from the high character which he holds in the country, that I do not believe Mr. Mill is one who would express an opinion which he does not honestly entertain. I think, therefore, that the opinion—and it is not an opinion that is not accompanied by the reasons on which it is grounded—which he has given in his evidence is entitled to no inconsiderable authority. Though, therefore, his answers are rather longer than I should wish to read, yet they are so well put by him, and are so much to the purpose, that I should be sorry to diminish the effect of them by not giving his own words. Let me, before quoting this evidence, observe that it is obvious, if the Government is to be vested in a Secretary of State, that such Secretary of State must be responsible to Parliament, and to Parliament alone—that, in short, it is only to Parliament that the whole Government of India must be responsible for the good administration of the affairs of that country. On this subject Mr. Mill says—

“ No one will deny that it is necessary that Par-
 “ liament should be open to appeals on all subjects
 “ connected with the government of any part of
 “ the British empire; but, so far as my opinion
 “ goes, I should say that the security for the good
 “ government of India derived from discussions in
 “ Parliament is far short of that derived from the
 “ habitual examination of all papers of any im-

"portance by persons especially devoted to that
 "object." He is then asked what would in his
 opinion be the result of more frequent Parlia-
 mentary interference, and he answers;—"I think
 "that many bad and few good consequences would
 "result. The public opinion of one country is
 "scarcely any security for the good government of
 "another. The people of one country, whether
 "represented by the public authorities of this
 "country or by the nation itself, cannot have the
 "same acquaintance with the circumstances and
 "interests of the other country as they may have
 "with their own. The great security for the good
 "government of any country is an enlightened pub-
 "lic opinion; but an unenlightened public opinion
 "is no security for good government. The people
 "of England are unacquainted, or very ill ac-
 "quainted with the people and the circumstances
 "of India, and feel so little interest in them, that
 "I apprehend the influence of public opinion
 "in this country on the government of India is
 "of very little value, because there are very
 "few cases in which public opinion is called into
 "exercise, and when it is so, it is usually from
 "impulses derived from the interests of Europeans
 "connected with India, rather than from the
 "interests of the people of India itself."

He was asked with regard to the effect of this kind
 of government generally, and he says:—"There
 "would be two great inconveniences. In ordinary
 "cases there would be apathy and indifference on the
 "part of Parliament and the public; the Secretary

“ of State for India would be able to do exactly
 “ as he liked, and to omit any part of his duty if
 “ he were too indolent or too ignorant to perform
 “ it ; but whenever it did happen that interest was
 “ excited in Indian questions, they would become
 “ party questions ; and India would be made a
 “ subject for discussions of which the real object
 “ would be to effect a change in the administration
 “ of the government of England.” - The objection,
 therefore, which Mr. Mill takes to the government
 of a single Secretary of State is—first, that it would
 introduce party considerations into the administration
 of India ; and, secondly, that in the present
 state of information with regard to India, the ex-
 perience of persons whose lives have been devoted
 to Indian subjects is a better security for good
 government than the sole check to be exercised by
 the House of Commons, reserving, of course, to
 the House of Commons that necessary interference
 on important matters which upon all questions it
 undoubtedly ought to exercise. Now, it is a re-
 markable circumstance in connexion with this
 question, that since the celebrated bill which decided
 the fate of Mr. Fox’s administration, party politics
 have seldom or ever entered into the consideration
 of Indian affairs. Party questions with reference to
 India are almost totally unknown either in the other
 House of Parliament or here, and I do not hesitate
 to say that it would be a source of imminent danger
 to India if its affairs were again made the objects
 of party warfare. I have been in Parliament long
 enough to see that in colonial matters questions

have occurred in which the interests of a colony have been neglected in the contests of party politics of this House. But we must not shut our eyes to the circumstance that the case of India is in no respect similar to that of the colonies. In all the colonies belonging to this country there is a large portion of British subjects well acquainted with the principles of representative government; and even if the worst were to occur—if, which God forbid, any of our colonies were to be separated from the mother country,—though I do not see why the connexion, founded on mutual benefit, should not last for a period much longer than we can any of us look forward to,—but even if a separation were to take place, there is hardly one of our colonies which would not be able with more or less success to govern itself. But if a revolution of that kind was to take place in India, will any one say that consequences must not ensue at which humanity would shudder? There is, in truth, no similarity between the probable consequences in the one case and in the other, and therefore it is of the utmost importance not to allow party politics to interfere with the government of that great dependency. There are very few gentlemen in this House who have been in India, and I believe that even residence in one part of India is by no means sufficient to enable a person to form a competent opinion with regard to other parts of India. I have heard an Hon. Friend who sits behind me, and who knows India better than most men, state that what he has learned was not learned from a residence of many

years at Calcutta, but has been learned almost entirely from constant and unremitting attention to his duties as a Director at the India House. I believe that those who have been long connected with the India House have a better knowledge of Indian affairs than any of us possess, and therefore I think there is much truth in the opinion of Mr. Mill, that it is a great security for good government that all the details of the Indian administration should be subjected to the careful revision and careful examination of people who have devoted their lives to the study of Indian matters, and that they should be looked over by those who have spent a portion of their time in India, who, collectively have a greater knowledge of the subject, than we possess in the House of Commons, and whose opinion, therefore, should have the greatest weight. In reference to the very principle on which the double Government is founded, Mr. Mill says:—"That all Indian proceedings are reviewed by two separate bodies independent of one another is a much greater security for good government than would exist under a system by which those two bodies were merged into one. The double revision by persons of a different class, in a different position, and probably with different prepossessions, tends greatly to promote a close and rigid examination." Again, —"If you have a body unconnected with the general Government of the country, and containing many persons who have made that department of public affairs the business of their lives, as is the case with the Court of Directors, there is much better

“ discussion and much better sifting of the matters
 “ committed to their charge by having such a body
 “ in addition to the Minister of the Crown, than by
 “ having the Minister of the Crown without such
 “ a body, or the Minister of the Crown acting as
 “ chairman of the body.” And he concludes his
 evidence upon this question by a distinct opinion
 that any change from a system like the present
 “ would necessarily be a change for the worse.”

I will now refer to the opinion of a Noble Lord who himself was a Cabinet Minister in this country, and subsequently Governor-General of India—I mean Lord Hardinge—and I may say that no one is better able to give a sound opinion than Lord Hardinge. He was a Cabinet Minister at the time of the differences between the Government of this country and the Court of Directors, when Lord Ellenborough was recalled; as Governor-General, he became well acquainted with the administration of affairs in India, and he now stands in a position perfectly independent, both of the Government and of the Directors, and is able therefore to express an unbiassed and impartial opinion. His opinion was expressed as follows:—“ I think the system of double government
 “ is much wiser than bringing the Crown more pro-
 “ minently forward. I think the present plan is
 “ the best. For two members elected by the Court
 “ of Proprietors, one Director might be put in by
 “ the Court itself taken from the Indian service,
 “ who had been a member of Council, or who had
 “ gained a high reputation for his service in India.
 “ I do not think it would be advantageous to have

“ the Court of Directors filled with men who had
 “ served in India ; there ought to be in the Court
 “ such a fusion of European feelings and talent, as
 “ well as Indian feelings and talent, as would not
 “ make it too Indian. A body of persons solely
 “ impressed with Indian views would not admi-
 “ nister the government of India so well as the
 “ present Court of Directors.”

But these opinions are not confined to persons only who are resident in England. I will quote the opinion of another of our witnesses on this subject, and that is the opinion of Mr. Marshman, a gentleman long resident in India, to whom I have before referred, unconnected with the Government, perfectly independent, well acquainted with the feelings of the people of India, and he says :—

“ I think that a change, such as the transfer of
 “ the whole of the Government of India from the
 “ Court of Directors to the Crown, would be much
 “ too violent and sudden, and would tend very
 “ much to embarrass so vast a machine as that of
 “ the Government of India ; and I think it would
 “ be more advisable to prepare for the change
 “ which must take place by gradually remodelling
 “ the Government. It might be possible to pre-
 “ pare for the great change by the nomination of a
 “ certain proportion of the Directors, so that the
 “ public would have an opportunity of seeing im-
 “ mediately how the newly-modelled machine
 “ worked. One-fourth or even one-third of the
 “ Directors might be appointed by direct nomina-

“tion from among those who have had long Indian
“experience.”

I will only refer, in one word, to the evidence of Sir C. Trevelyan, himself an old Indian servant, and well acquainted with the affairs of that country as well as with the machinery of Government at home. He states most decidedly that, in his opinion, “an improved Court of Directors, together
“with a Board of Control, is the best form of
“Government for India.”

I have now stated all the evidence that has been given on this subject, I must say not only that the preponderance of evidence is in favour of maintaining and improving the present form of Government, but there is no evidence which, carefully examined and tested, supports the views of those who advocate the Government of India by a Secretary of State.

It is obvious that one of the objections stated by Mr. Mill—viz. the want of information in this country on Indian subjects, is one that, with increased communication between this country and India, may be expected to diminish from day to day. Mr. Marshman expresses his surprise at the interest which on his arrival he found the affairs of India have excited in this country, and I may be allowed to express the hope that it is a subject which will excite a still larger and more constant share of the attention of this House and of the country. If, too, by the improvement and education of the natives of India, we can establish a race and a class of men such as Mr. Mill describes as afford-

ing the best security for good government, then a great point will be gained for the Government of India; but clearly that time is not come as yet. The opinion of such men will have great weight in India, and will be of great service in aiding the formation of sound public opinion in this country on Indian affairs. The time which is passing over our heads, the more ready communication with India, which is increasing so rapidly from day to day, will diffuse a knowledge of the affairs of India much more generally among the Members of this House, and render them more and more able to discuss with advantage the affairs of that country. I am most anxious to forward this object, before the attainment of which the too frequent interference of the House might lead to evil rather than good. I find that notice has been given of a motion by an Hon. Friend of mine to-night upon a subject on which it was my intention to have made an announcement to the House on the part of the Government, viz. that the President of the Board of Control will make an annual statement of the finances of India to the House. This used in former years to be the practice, but it has been discontinued for a long time, for no other reason, I believe, than because at that time no attention whatever was paid to the subject, and when the Minister rose from his seat to give his account of Indian affairs the other Members of the House walked out of it.

The question then for the Government to decide is, whether it shall continue the Govern-

ment of India as it is—whether it shall assume the Government of India to itself—or whether it shall maintain the present form of Government, but improve its constitution. I think with the defects that have been stated in the constitution of the Court of Directors, it is impossible to leave the Government of India as it is. If, on the other hand, the Government had been anxious to grasp at power; if I had wished to place myself in a position the most powerful, I think, that any minister could hold, possessing the undivided sway over our Indian empire—a prize well worthy of any man's ambition—and had obtained to this course the consent of my colleagues, we might, I have no doubt, have persuaded the House to make that change in the form of Government for India.

But we do not think it would be for the advantage of India that this course should be adopted. We think it far wiser and safer to maintain the present form of Government, and to improve its constitution in such a manner that while it will be rendered a more fitting instrument for the good administration of Indian affairs, the change which we propose will in some respects render it more easy to do at a future time what circumstances or an extension of the information on the subject of India may render fitting, viz. to assume the Government of India in the name and under the power of the Crown. I will not, on the present occasion, occupy the time of the House by any further arguments in support of this course. I will only say that I agree generally in the views which have been

so well expressed by Mr. John Mill, and that they are supported by the authority of those whose knowledge and situation enables them to exercise a sound and independent judgment on the question. What we propose to do is—leaving the relations of the Board of Control and Board of Directors as they stand—leaving the responsibilities of this House and of the Minister who holds the situation which I now have the honour to fill as they now are—to improve the constitution of the Court of Directors, limiting their patronage, and imposing some check on the higher appointments made by them in India.

The Court of Directors consists of thirty members, but twenty-four only sit at one time, whilst six are always out by rotation; and though the Directors are subject to an election every four years, they are practically elected for life.

We propose to reduce the elective members to twelve, and to add to them six to be appointed by the Crown from persons who have served ten years in India. Six of the elected Directors must also have served in India for the like period. That will make a Court of Directors consisting of eighteen persons. It was suggested that the Court themselves should select one-third of the number; but it appeared to us that the Directors so chosen by a majority of the persons amongst whom they are to sit would be placed in a position dependent upon those by whom they were appointed, and we thought it better that they should be nominated on the responsibility of the Crown, and named from

persons who had been at least ten years in the service of the Crown or the East India Company in India. The appointment in this manner will obviate the objection that the best of the Indian servants do not always obtain a seat in the Court of Directors. It has been shewn beyond doubt that many of those most competent to take a part in the Government of India—coming home from thence, and fully able in this country to take an active and useful part in the administration of its affairs—are deterred by the canvass from trying to obtain a seat in the Court of Directors—and we believe we shall improve the efficiency of the Court by placing in it, without the necessity of going through a canvass, persons of that description. The Government can have no object but that of placing the most efficient men in this situation; and in consequence of their selection being confined to Indian servants, any nomination for party purposes, or from party considerations, is, as far as possible, effectually guarded against. We propose that one-third of this number should vacate every second year, but be eligible or be capable of being nominated again without the interval of a year. Great inconvenience is now experienced by the intervening year, when Directors are out by rotation, and if they are fit to be in the Court at all there is no reason why that interval should exist in their service. With regard to the elected members, we do not propose to make any change in the nature of the constituency by whom they are elected. We do

not propose, as was suggested by some, to add the holders of the securities of the East India debt, because in that case people residing in India must be included, who, if they vote at all, can only do so by proxy. Neither shall we add, as has also been suggested, all those who have served in India, because the retired officers of the Indian army are so numerous in comparison with all other persons retired from the Company's service, that, as stated in Mr. Campbell's book, if we did adopt this course we should throw the whole election into the hands of the Indian officers, and should not, therefore, give that fair share of influence to other parties to which they are entitled. I do not think, from all I can gather upon the subject, that any great advantage could be derived from increasing the number of the persons entitled to vote in the election of Directors, and I propose, therefore, to make no alteration in that respect.

We do not contemplate to effect the whole of this change at once. We propose in the first instance—that is, on the expiration of the Charter in April next, that the present thirty Directors should select fifteen of their number, and that the Crown should select three persons who have served ten years in India. These will make the eighteen, who will be the first Directors of the East India Company under the new arrangement. Then the first three vacancies that occur in the elected Directors will be filled up by the nomination of the Crown until the full number of six members so named is completed. That once done, all future vacancies in the elected

Directors will be filled by election, and all future vacancies in the nominated members will be supplied by nomination, so as to maintain permanently twelve elected and six nominated members. We propose that every Director should serve for a period of six years; one-third of the Court, both of those elected and those nominated, going out every second year, but being capable of re-election or re-nomination, as the case may be. All the persons to be nominated by the Crown, and six of the elected Directors, must have served either the Company or the Crown ten years in India.

MR. DISRAELI.—Can they be nominated out of the thirty Directors that now exist?

SIR C. WOOD.—It will be no disqualification of any person that he is in the Court of Directors, if he have the other qualifications that we require; but merely being a Director is to be no qualification, unless he has served the ten years in India, which we deem the necessary qualification. We believe that this change will effect a great improvement in the Court of Directors. It will be, of course, to the interest of the Crown to name the best Indian servants that can be found; and we shall thus introduce at least six most competent persons of large Indian knowledge and experience. In proposing, however, this form of Government, which, in present circumstances, we believe to be the best that can be devised for India, we do not think it fair to tie up the hands of Parliament so as to prevent its making any change that may, in the course even of a short experience, appear desirable.

The times change ; and in these days no man can say how soon the necessity for alterations may arise. If the form of government as we propose it answers its purpose, and governs India well, there may be no need of change for years : if it fails, the change is rendered easy at any time. We do not propose, therefore, to fetter the power of Parliament for any period whatever, but that this government shall last until Parliament shall otherwise provide. While we believe that this alteration in the mode of constituting the Court, will materially improve the present government of India, still, if experience should prove that this form of government does not answer our expectations, or if it should be thought right by Parliament at any future period to adopt, on the part of the Crown, the exclusive government of India, it will be open to Parliament whenever it may think fit to make that change. And as it is the opinion of every man who is at all acquainted with the subject, that the government of India could not be carried on without the assistance of a Council, the nucleus for that Council is to be found in the Directors named by the Crown.

We make some slight alteration in the salaries of the Directors. At present every Director receives £300 a-year, and the Chairman and Deputy Chairman, I think, £500 a-year. Limiting the patronage in the manner that we propose to do, we think it fair somewhat to increase those salaries. As their numbers also will be reduced, and it will be necessary for them to reside more generally in town, we propose that the Directors

should receive £500 a-year, and that the Chairman and Deputy Chairman, upon whom a large amount of work will be thrown, should receive £1000 a-year. The power, privileges, and qualifications of all the Directors are to be alike.

I now come to the limitations of the exercise of patronage by the Directors. At present, the House is aware that all the appointments to the civil service in India, to the College at Addiscombe for the engineers and artillery, to the army, to assistant-surgeonships, and, in fact, all the appointments to India are made by the Court of Directors. Practically, they are divided among the several Directors, and a certain portion by courtesy is allowed to the President of the Board of Control. The number of vacancies is determined by the demand from India. The Governor-General reports how many persons are likely to be wanted in the 'course of each year, and the admissions to Haileybury and Addiscombe, and to the army, are regulated by that demand. I have already stated the objections which have been said to exist to the use of the Directors' patronage, but when we look at the persons whom the Indian service has produced, I think there can be no great fault to find. Several of the most distinguished men in the employment of the Crown have been taken from the Indian service. It would be invidious for me to mention names, but distinguished names there are in abundance; and it is a remarkable feature in the Government of India, as stated by Mr. Mill, that it is carried on chiefly by what are called the middle classes, as distinguished from the aristocracy.

Mr. Mill was asked by some member of the Committee in the House of Lords, if he thought it a fitting thing that the son of a horsedealer should be sent out to India; and he very properly answered, that if he were fitted for the situation, he did not see why he should not go as well as anybody else. I quite agree with Mr. Mill. Lord Ellenborough stated his wish that a greater number of the aristocracy should be introduced into the Indian service. I see no objection to that proposition; I should be glad to see members of the aristocracy taking their share in the Indian service: but they must be introduced into it by merit, and not by patronage. With regard, then, to appointments to Haileybury, we propose altogether to do away with nomination—that no person should be admitted by favour to the civil service of India. We propose that, under such regulations as may be framed by the Board of Control, subject to the approval of Parliament, the admission to Haileybury shall be thrown open to unlimited competition. If the aristocracy are able by their merits to introduce themselves to the Indian service I shall be exceedingly glad. If the son of a horsedealer can introduce himself in that way, I wish to see him also in that service. But there is to be no exclusion, and no favour. Merit, and merit alone, is to be the door of introduction to the civil service of India. We propose to take a similar course with regard to the scientific branch of the Indian army. That is to say, that the admission to the College of Addiscombe shall in like manner be thrown open to competition. The same course

we propose to take, also, with regard to the appointment of assistant-surgeons. These are the three branches of the civil and military service, which are of a scientific character, and to which the test of an examination can be applied. Various modes have been suggested in which this rule for admission should be framed ; some persons have proposed that a certain number of admissions should be reserved for competition among the sons of Indian officers ; and other schemes of different kinds have been suggested. I do not wish to bind myself as to the details of this or of any other plan, but what I mean is, that whatever mode of accomplishing the end, may be ultimately determined upon, admission shall be by open competition, and not by favour or nomination. This is, I admit, a great experiment, and by many able persons doubts have been expressed as to its success. This, at least, will be secured,—the experiment will be tried in the face of this House and of the country, in whose power it will be to reverse it if it should be found to fail. For myself, I fully believe that it will succeed. There are no doubt, many very necessary qualifications for employment in such important situations as those in India are, which cannot be tested by any examination. Nevertheless, those qualifications which are so requisite more often than otherwise accompany intellectual acquirements. We shall have at least as good a chance as we have now of obtaining those other qualifications in the candidates, and we shall secure intellectual superiority ; and I believe we shall find that by these means we

shall raise still higher the character both of the civil and military services, and obtain for the benefit of India such a service as the world has never yet seen. At any rate a field of employment will be opened to the people of this country such as never has yet been unreservedly open to merit and competition.

With regard to what are called the direct appointments to the army, I do not think that they are fit subjects for competition. Most of the qualities required in a soldier are of a very different character from what may be termed book learning, and I do not know how to apply any test to ascertain the existence of such qualities in a youth as may in maturer age render him a good soldier or great commander. The cadets will be subject to examinations of the same nature as those required of officers in the British army, which are as high as those of the best continental armies, and these appointments will continue in the hands of the Directors. The other point in which we interfere with the power of the Directors is that we subject to the approbation of the Crown their appointment of the members of Council in all the Presidencies in India.

I think that I have mentioned the material changes which we propose in the Government at home; and I will now advert to the changes which we propose in the Government in India.

I need not trouble the House with any lengthened remarks upon the subject of the position of the Governor-General, because according to the concurrent testimony of all the witnesses there is not

much change required. Lord Dalhousie is of opinion that no change is necessary. The questions that have arisen on more than one occasion as to the relative powers of the Governor-General and his Council have been settled by the opinions of the law officers here and the orders which have been sent from the Court of Directors, and it seems quite unnecessary to make any change in this respect. The only alteration in the position of the Governor-General which we propose to make is this. It appears from the whole of the evidence, that, entrusted as he is both with the government of India and the government of Bengal, he has more duties to attend to than he can fairly discharge. We propose, therefore, to relieve him of the administration of the province of Bengal. But we do not propose that any change should be made in the general control which he exercises over the whole of the Indian Government. Complaints have been made by some witnesses on behalf of the other Presidencies, of the unnecessary check on useful expenditure which they say is imposed upon them by the Governor-General. But this does not appear to be borne out by the facts. If the Governor-General was likely unfairly to favour one Presidency more than another, it would naturally be the one under his own immediate superintendence—that of Bengal. But the very reverse is the fact. It seems from a return which was prepared of the comparative expenditure for public works (and this was the question as to which the complaints were made) that the greatest expenditure for this purpose was in the North-

western Provinces, the next in Madras, the next in Bombay, and the least of all in Bengal. I do not think, however, that under any circumstances this is a matter for legislation, but is clearly a matter of discretion, which must be left to the Government in India to settle. Perhaps the existing limit on the expenditure to be incurred by the governors of the minor Presidencies might be somewhat extended ; but it should not be forgotten that the wasteful expenditure of these Presidencies before the act of 1833 was one of the main reasons stated by Lord Glenelg for the change in the Government of India, rendering absolutely necessary the control on the part of the Supreme Government.

Another point has been raised as to the absence of the Governor-General from Calcutta without his Council. That again, I think, is a matter for discretion, and not for legislation. There are cases where it is desirable that the Governor-General should leave Calcutta. When Lord Hardinge, for example, went up with the army, it was clearly for the benefit of India that he should do so ; and when Lord Dalhousie went up to the Punjaub, it was also clearly for the interest of India that he should be there and not at Calcutta, and there can be no doubt that his presence on the spot contributed essentially to the speedy and successful settlement of those districts. When the Governor-General goes away from Calcutta on such occasions, he generally takes with him, as it is called, the political and military powers, which enable him to direct the political movements in India, but he leaves with

his Council at Calcutta all the powers necessary for conducting the general administration of India. This portion of the duty of the Supreme Government they are perfectly competent to perform, and the inconvenience and interruption to business is avoided, which would inevitably result from moving the Council and all its attendant functionaries from the permanent seat of Government at Calcutta. No doubt it is desirable that the Governor-General should be as much at Calcutta as possible, but this is a matter, as I before said, which must be left to the discretion of the Governor-General and Council, for no fixed regulations can be laid down which might not subject both the Governor-General and the Empire to considerable inconvenience.

With regard to the Executive Council, we propose no change except that the members shall be named by the Court of Directors, with the check of the approbation of the Crown; and that the fourth ordinary member, or the "legislative councillor," as he is called, shall sit and vote upon all subjects brought under the consideration of the Council.

The evidence is uniformly in favour of the establishment of a permanent Lieutenant-Governor in Bengal. The interests of the Presidency are stated in many cases to have suffered from the want of a permanent officer superintending the various matters connected with its administration, and as it is desirable to relieve the Governor-General of the labour of this duty, and will clearly be to the advantage of the district, we propose that power should be taken to appoint a Lieutenant-Governor

of Bengal. The evidence is, I think, in favour of maintaining the other Presidencies as they are at present. I think there is considerable advantage in sending out to these governments statesmen from England. The position of the Governors there is very different from that of the Lieutenant-Governor in the Upper Provinces. There is a large European population both at Bombay and Madras, a separate civil service, distinct armies, separate courts of judicature, and it is essential, I think, that the Governors in these places should be in a somewhat higher position than that of a Lieutenant-Governor, and therefore we propose to leave these Presidencies with their Governors and their Councils as they stand, the appointment of Governor being open as now, either to Indian servants or to statesmen from this country. Lord W. Bentinck, one of the best of our Governors-General, had the advantage of having been at an earlier period Governor of Madras. We propose to continue the present power of having a Governor, or a Lieutenant-Governor in the North-western Provinces; and we propose also to take power of creating, if it should hereafter be found desirable, a new Presidency or Lieutenant-Governorship in India; and power also to regulate and alter from time to time the boundaries and limits of the respective Presidencies or Lieutenant-Governorships. In taking this power, I am looking, of course, to the large districts of the Punjab and the Provinces on the Indus, which have been added to our territories since 1833; but I wish

to leave it open to the Government to make any arrangement of the Provinces which may, after full consideration, be found most convenient for their due administration. I believe that this is all I need say about the Executive Government of India, except that the evidence, as far as it has been taken, is, that it would not be desirable to place natives in the Council.

I come now to matters of legislation and legal reforms. With respect to the Law Commission appointed in 1833, I have stated that no practical result followed from their labours, and that there are great defects in the law of India as it now stands. We think it very desirable that the mass of reports and partly framed acts which remain of the labours of that Commission should be put into a shape to be practically useful. We have the advantage of having in this country three or four gentlemen who took an active part in that Commission; and we propose, in the first place, from those gentlemen and two or three members of the English bar, with other gentlemen who have kindly volunteered their services, to appoint a temporary Commission, whose labours shall be limited to two, or at most to three years, to digest and put into shape the reports and drafts which have emanated from that Commission. Of course I do not propose to invest them with any legislative power. The legislation of India must take place in India, and for that purpose we propose to improve and to enlarge the Legislative Council. We think, however, that the greatest advantage will be derived from having this mass of

matter properly digested here by competent persons, put into the form of draft acts, and then sent out to be finally considered and passed by a competent Legislative Council in India.

Upon the manner of improving the Legislative Council the witnesses are unanimous. We propose to constitute a Legislative Council in this manner:— The Governor of each of the Presidencies, or the Lieutenant-Governor of each of the Lieutenant-Governorships, will select one member of the civil service of his own district. These gentlemen, and also the Chief Justice and one of the Judges of the Supreme Court, or of the Court which, as I shall by and bye explain, we propose to constitute, to be chosen by the Governor-General, will be members of the Legislative Council. These persons, in addition to the Executive Council as it is now constituted, will make a body of twelve, which we think will be sufficient for the purposes of legislation; but we propose to take a power of adding two Civil servants, to be selected from all India by the Governor-General, if it should be found desirable. It was stated by Lord Ellenborough in his evidence that great inconvenience frequently arose in consequence of there being no member of the Legislative Council at Calcutta who knew anything of the manners and customs of other parts of India. This inconvenience will be removed by the selection of members from the other Presidencies; and although it is not proposed that these members shall have seats in the Executive Council, there will be this further advantage, that they will

supply information to the Governor-General and his Council in their executive capacity as to all matters connected with those parts of the country from which they come. The members of the Civil Service will bring with them that intimate acquaintance with the manners and customs of the people of India which is so requisite towards promoting sound legislation. There will also be the advantage of having in the Council three persons of legal education from England, two of the Judges of the Supreme, or other Superior Court, and the Legislative Councillor. I hope that the result of this will be to introduce that improved spirit of legislation with which it is probable all those going from this country to India will be thoroughly imbued; and with this admixture of English legal knowledge and skill, and of the intimate acquaintance possessed by the Indian civil servants of the customs and manners and wants of the different parts of India, we trust that a Legislative body will be constructed fully equal to the discharge of its high and important duties. We propose to give the Governor-General a veto on their legislation, which he possesses indeed now when absent from his Council, but not when present.

I come now to another subject of great importance. I mean the improvement which we propose in the administration of justice in India. We propose, in the first place, a considerable change in the course of education at Haileybury, and in the examination to which the students are subjected before they proceed to India. At

present there is an examination by independent examiners on the admission of the student to Haileybury; but, with regard to persons leaving the college, for the purpose of proceeding to take up appointments in India, the examinations are conducted only by the Professors of the College. A great deal of time, it is believed, is needlessly occupied at that institution in the study of the Oriental languages, which it would appear, from all the evidence taken before the Committee, could be much more easily and speedily acquired in India. It is obvious that the time devoted to the acquisition of those languages is necessarily taken away from subjects which we believe to be of far greater importance for the education of persons intended for the civil service. We propose that the examinations at the entrance of students at Haileybury shall be such as to establish that, wherever they have been educated—whether at London, Dublin, or Edinburgh—they have received a good education such as is to be acquired wherever they may have been, and that they have shewn themselves capable of profiting by it. We propose, also, that there should be a considerable addition made to the legal education at present given at Haileybury. It was recommended by some of the witnesses that there should be a distinction made at the outset between the legal, and what I may call the revenue branch of the civil service, and that the education and career of the persons serving in the two branches should be altogether distinct. One witness, indeed, proposed that the Judges of India should be chosen

at once from the English bar; but all the other witnesses of Indian experience were unanimous in their opinion that this was impracticable. It clearly appears, from the evidence of the most competent witnesses that there is great advantage gained towards rendering a judge competent to perform his judicial functions, by his having commenced his service in the collector's department. He is there enabled to acquire that knowledge of the manners, and habits, and dispositions of the people of India, without which he would be unable adequately to discharge his duty as a judge. Indeed, the fact is, that no inconsiderable part of the duties even of a collector are of a judicial character. Most of the suits connected with land, for instance, are decided by the collectors, and they also exercise large magisterial functions. We propose, then, that at Haileybury the students shall all receive a sound legal education—I do not mean in the mere technicalities of the profession, but in the principles of jurisprudence—which will enable them to administer any law, whether English, Mahomedan, or Hindoo,—in the principles of the law of evidence, and in the more general branches of legal knowledge. We propose that an improved education of this kind should be conferred upon every person going to Haileybury. I am in hopes that the present term of two years will be found sufficient for this purpose—at least, such is the opinion of the heads of the college; but if upon experience that period should be found to be too short, it will be extended, so that no person going thence out to India shall

go without having had a thorough legal education. We propose to insure the utmost fairness in all the examinations—and that the examinations on coming out of Haileybury, as well as on going in, should be conducted by independent examiners. I do not mean to say that any undue favour has hitherto been shewn in the examinations on coming out of the College; but, at the same time, I think it far better that the examinations should be conducted by independent examiners rather than by members of the College. I may mention that there is at present a most severe examination of the civil servants in Bengal before they are appointed to important situations. This examination has only been recently introduced, and is of a very stringent character, as the following statement will show:—

“ After this apprenticeship of several years, the
 “ assistant to a collector and magistrate is regarded
 “ as a candidate for promotion. He is then sub-
 “ jected to a further examination, with the view of
 “ testing his knowledge of the languages and the
 “ laws of the country, and his promotion is made
 “ dependent on the success with which he passes
 “ the test. Of 20 civilians who came up in 1852,
 “ seven only were passed. A successful candidate
 “ is then deemed qualified for the office of collector
 “ or magistrate.”

I hope that the result of these examinations will be, that all future members of the civil and judicial services will be found duly qualified for the execution of their duties. We propose that, after a time, they shall be obliged to select which branch they

will follow; and that, if they select the judicial branch, they shall not afterwards be removed into the collector's department. We propose, also, an improvement in the constitution of the Superior Courts of India. At present there is the Queen's Court in each of the Presidency towns for the administration of justice to the English inhabitants; and there is also the highest of the Company's courts composed of Company's judges, selected from the civil service, called the "Sudder Adawlut," being substantially the same court for civil and criminal justice, under different names. We propose to consolidate these two Courts. We believe that the constitution of both will be improved by this amalgamation; we believe that the addition of the Queen's Judges will introduce the improved law and knowledge which they carry from this country into the Company's Courts, and that the addition of the Company's Judges sitting with lawyers from this country will give those English lawyers what they want,—an acquaintancè with the manners, and habits, and laws of India. We propose that this Court shall be the ultimate court of appeal in each of the Presidencies from all other Courts, and that minor Courts for the administration of English law, shall be instituted in each of the Presidency towns, subject to an appeal to the Superior Court which I have mentioned. We propose also that in certain cases this Superior Court shall have original jurisdiction, and that the judges shall be occasionally employed by special commission to try causes in any part of the coun-

try. We believe that these reforms will be the means of introducing an improved practice and tone into all the Courts of the country; and in every part of the country there will be the advantage of trials conducted on fitting occasions before Judges of the highest Court of Judicature. There must, under careful restrictions, be an appeal to the Privy Council. I was exceedingly anxious that this improvement should have been embodied in the bill which I mean to ask leave to introduce, but, after consulting with members of the late Law Commission of India, who are the persons most strongly in favour of this change, I found that in consequence of the necessary arrangements connected with the forms of procedure it is necessary to postpone any legislative measure till we shall have received a report of the Commission which we propose to institute, and whose first duty will be to prepare forms of procedure applicable to the new Court. With respect to the native judges, I do not know that much more can be done but to continue the practice already commenced. They are at present subjected to severe examination at every step of their promotion. We think, however, that the salaries of the lower class of judges should be raised. It appears from the evidence which we have received that in every rank above the lowest the salaries of the native judges are quite adequate. I really do not know that there is any other mode of removing the temptation to perpetuate the old practice of admitting undue influence into the administration of justice than by improving the

moral tone of the judges and by fairly and adequately increasing their salaries.

There are other topics of vast importance which I might refer to, and perhaps there is none of more importance than that of native education; but, as we have not entered upon any inquiry with respect to that subject yet, it would be premature to address many observations to the House upon it, and I am very sensible of the length of time for which I have trespassed on the patience of the House. But I may say that there has been a great improvement in this respect in the course of the last twenty years. We used to spend considerable sums and to take considerable trouble in educating a large body of the natives in Oriental literature, which was of little value to them; but chiefly owing, I believe, to the exertions of the Right Hon. Gentleman the Member for Edinburgh (Mr. Macaulay), European literature has been in great measure substituted for antiquated Sanscrit and Arabic, or other eastern studies, and if Hon. Members will take the trouble to refer to the Appendix of the Lords' Report, they will see abundant proofs of the proficiency to which the natives have attained in this respect. At a college founded at Roorkee, we are educating native youths to take their place as civil engineers in the great works which have hitherto been carried on exclusively by Europeans. The natives have also made great progress in the science and practice of medicine. They have been induced to forego their old national prejudice against touching a dead body; and the skill with

which they use the scalpel is equal to that of many Europeans. I will not at present say anything of the Government Schools for the education of the natives, which are hereafter to be the subject of inquiry. But I may mention that we have satisfactory accounts of the Missionary schools, in which the Bible is ordinarily used with the full knowledge of the Hindoos. I believe that no great number of the native children ultimately become Christians; but we have strong testimony in favour of the improved moral habits which have followed from their attendance at the schools, and from the education they receive there. There is strong testimony, moreover, to this fact, that the spread of Christianity among the more educated and enlightened class of natives is in many quarters sapping the foundations of their ancient faith. It is perfectly well known that the Government interfere in no respect with the religion of the natives, and carefully abstain, as a Government, from promoting conversions. No person is more convinced than I am that that is a wise and beneficial course, because I believe that if we attempted to do otherwise, we should unjustifiably shock the feelings of the people of India, and should only impede the progress of Christianity. It may not be uninteresting to the House to know that by the last mail we have accounts of the baptism of Dhuleep Singh, a descendant of Runjeet Singh, a prince of high rank, which ceremony, it appears, took place at his own request, not ostentatiously, but privately and without the slightest parade, at Benares. I

have said that we do not interfere, and I think rightly, in the propagation of our religion among the natives; but on the other hand I am bound to express my opinion that we have been perfectly right in taking care that those who profess Christianity shall incur no loss in consequence of doing so. Strong opinions have lately been expressed against the passing of the Act which prevents the forfeiture of the property of Hindoos on their becoming Christians; but I think that this Act is perfectly right, and that no change of faith to any religion professed in any part of the Queen's dominions should entail the forfeiture of property. I quite agree, therefore, in the propriety of passing that Act. I think the Government are perfectly right in abstaining from attempting to make proselytes among the Hindoos, though, at the same time, I think we ought not to allow them to be subjected to penalties, when they do embrace the Christian religion. I hope and trust that the education they are receiving will gradually lead to the reception of our own faith in India; but that result we must leave in the hands of Him who will, in His own good time, bring about that which He desires to come to pass. In so far as improved education enlightens and enlarges the mind, we are preparing the population of India for the reception of a purer faith. But I am anxious to say that I differ from the opinion which was expressed in his evidence by a Noble Lord, to the effect that we ought not in any way to promote the education of the natives, as

tending to diminish our hold on India. I should be sorry to think that such was the case. No doubt our empire of India is an anomalous empire. Englishmen seldom or ever permanently settle in India. There is no mixture of English population with the native population. We go, we govern, and we return. I do not believe, however, that we shall endanger that empire by educating the natives of India. I believe, on the contrary, that if the great body of the natives were educated and enlightened, and not only educated and enlightened, but still more if bound to us by the ties of a common faith, we should increase rather than relax our hold upon the Indian empire. But, be that as it may, it seems to me that the path of our duty is clear and plain,—to improve the condition and to increase the enlightenment of the people. I believe, as I have said, that by so doing we shall strengthen our empire there; but even if the reverse should be the case—even if the result should be the loss of that empire, it seems to me that this country will occupy a far better and prouder position in the history of the world, if, by our agency a civilized and Christian empire should be established in India, than if we continued to rule over a people debased by ignorance and degraded by superstition.

THE END.

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A PRESIDENT IN COUNCIL

THE BEST GOVERNMENT

FOR

INDIA.



LONDON:

WILLIAM PENNY, 57, LINCOLN'S-INN FIELDS.

1858.

A
~~W. PENNY~~

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A PRESIDENT IN COUNCIL

THE

BEST GOVERNMENT FOR INDIA.

THERE are two political functions devolving on the British nation. It has to provide for its own government; and for the government of the much more extensive and populous countries which are dependent on it.

The majority however of its dependencies it has, wisely and necessarily, divested itself of the duty of governing; having found, after long trial, that it was unable to govern them satisfactorily. The only great outlying possession of the British Crown which is not now left substantially to its own government, is India.

The question is, in what manner Great Britain can best provide for the government, not of three or four millions of English colonists, but of 150 millions of Asiatics, who cannot be trusted to govern themselves. This is evidently a far more difficult task, than the one which the British nation acknowledges itself to have failed in. It is not likely that the very plan which has failed everywhere else, should be perfectly sufficient and satisfactory in the case in which the difficulties are the greatest. One would say, even before the subject is considered, that if success can be attained in such a case, it must be by some arrangement much more carefully and nicely adapted to the purpose.

Consider in what way the government of England itself is conducted. The English people may be supposed to know something of their own affairs. It may also be reasonably presumed that they feel an interest in them. They have every possible means of making their necessities, their grievances, and their opinions, known. When they have any wish in regard to their own Government, they usually demonstrate the wish in a thousand channels, by the press, petitions, and public meetings, before the Government takes the first step on the subject. And if the Government adopts any measure which the people, or even any fraction of the people, consider injurious to their interest, the first announcement causes it to be at once questioned in the press and in the House of Commons, and if general opinion is unfavourable there is time for the measure to be stopped before it has come into practical effect. These securities, as we know and lament, do not always prevent bad measures; but they do, for the most part, suffice to prevent inconsiderate ones. No Government feels it safe, in the home affairs of England, to take any step likely to lead to serious consequences, without previous weighing and deliberation. The checks do not operate so quickly in foreign affairs, and therefore it is generally felt that foreign, much more than home affairs, are conducted according to the individual and private preferences of the Minister, and much less according to either the interests or the wishes of the nation.

But in the government of India by a Parliamentary Minister, none of the checks exist at all. The public are never likely to hear of what is meditated, until actually done. When done, they seldom hear of it until the mischief, if there be mischief, is in part accomplished, and its reversal may be attended with greater evils than that of allowing it to subsist. Even when they do hear of it, they scarcely ever

obtain, until long afterwards, the materials for judging whether the measure was right or wrong. There would be all these difficulties in controlling the Minister, even if the public and Parliament were deeply interested and intent on Indian affairs. But, on the contrary, all except a few are in general entirely without interest in the subject, because they have no knowledge of it, and because their time and attention are taken up by things nearer at hand. Among the few who do attend to the subject, neither the public nor Parliament have the means of distinguishing those who, from character and knowledge, have the best claim to be followed as guides. A Minister, probably very little acquainted with the questions which he is to decide, has nothing to compel him either to study them and deliberate on them in his own mind, or to attend to the suggestions of those who have already studied them, except a nominal responsibility to a body who have no means of accurate knowledge, and who are in general too indifferent to the subject to apply to it even such knowledge as they might obtain.

It is in circumstances like these that Parliament is asked to give over India to the sole government of a Minister, usually altogether ignorant of it when first appointed, and changed every two or three years. And it is gravely said that we need not fear to confide absolute power to absolute ignorance, in reliance that if the natural effects follow, Parliament will *punish* the Minister for his misconduct.

As it cannot be desired that the policy of the Indian Government should be a policy of ignorance, or that it should be changed every time a Minister is promoted or turned out; and as there is no public or Parliament to supply knowledge of Indian affairs, as knowledge of English affairs is in some measure supplied, the knowledge must be furnished to the Minister in his own office. There must be in the department itself a body which knows India, and is

the guardian and conservator of the principles of administration which experience has approved, or which knowledge sanctions. Those who object to a Council constituted for the purpose, must intend that the clerks in the office should be this body. But the proposal to confide the habitual Government of India to persons whom the public generally do not know even by name, and never know whether their advice is taken or not, is rather remarkable as coming from the zealots for responsibility. The real friends of responsibility are those who would have this function exercised by a Council, who can be made responsible.

But a Council which the Minister need not consult, will be little better, if not worse, than leaving him with no other competent advisers than the clerks in his office. He cannot shelter his own responsibility behind the clerks. They cannot serve him as a screen. The Council may. And if it is left to him to determine their functions, that is the chief use to which he will probably apply them. In no one of the three plans brought before the House of Commons by its accustomed leaders, is there any inducement given to the Minister for consulting the Council, if he has reason to expect that they will differ from him in opinion. Lord Ellenborough has very truly and laudably said, that the Minister will want their support, to protect India from the mistakes of Parliament and of English opinion. But India needs protection also against the Minister's own mistakes. Parliament, however misled, can only exert its power slowly, and after discussion: the Minister, in half an hour, may issue a despatch, the evil consequences of which years may not suffice to cure. If the Council is fit to support the Minister when he is right, it will be fit to check him when wrong. And its support is not likely to carry any weight when it agrees with him, if it is not allowed to differ, or is not asked its opinion unless willing to agree.

To make the Council a real security for good government, all business which requires deliberation, or admits of difference of opinion, ought to be transacted by the Minister *in* Council. It is on this principle that the British Government in India itself is constructed, and it works most effectively. The Governor-General, or the Governor of a Presidency, performs his manifold duties in conjunction with Councillors, not of his own nomination. They are appointed, theoretically, by the same authority which appoints himself; but practically by a different authority, the Governor-General or Governor being in fact selected by the Queen's Minister, the Members of Council by the Court of Directors. As an ordinary rule, all questions are decided in Council according to the opinion of the majority; but their opinion is not binding on the head of the government. When he pleases, he can, recording his reasons, set aside the opinion of the Council, and act on his own sole responsibility; but he must go through a particular form for that purpose, which gives a deliberate, and in some degree a solemn, character to the act. On this system the members of Council feel themselves a real and substantial element in the government; their best thoughts are given to every question which presents itself, their opinion is recorded and has its just weight, while they have no power of authoritatively opposing themselves to the deliberate opinions and purposes of the head of the government.

The same principle, applied to the home administration, would give probably the best organ of Government for India, which circumstances admit of. The authority should be that of the President, but of the President in Council. The deliberation should be as much that of the whole body, as if the body and not the head had the power of deciding in the last resort. The general practice in that case would probably be, to decide, (as at Calcutta,) according to the sense of the

majority, the President's vote only counting for one. But he would have the power, after he had consulted his Council, on declaring his intention in a prescribed form, and recording his reasons, to act on his own separate opinion in opposition to theirs. According to this plan, the ordinary conduct of business falls by the natural working of things, without any special provision for the purpose, into the hands of those who know most of the subject; and the minds which really determine what is done, are associated, as they ought to be, in the responsibility. Yet the Minister's responsibility, even for the ordinary business, would never be felt to be impaired, no more than the responsibility of Lord Wellesley or Lord Dalhousie was impaired by the advisers with whom they were associated; while the Minister would be subjected to an additional and special responsibility, when he chose to set aside his Council. And this is surely right. If there be any case whatever in which deliberation, and a sense of responsibility, are peculiarly necessary, it is when one man, often not qualified by special training, assumes to be a better judge of a subject, than a body of men expressly selected for their knowledge of it, and their competency to advise on it.

OBSERVATIONS

ON THE

PROPOSED COUNCIL OF INDIA.

LONDON:

WILLIAM PENNY, 57, LINCOLN'S-INN FIELDS.

1858.

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OBSERVATIONS

ON

THE PROPOSED COUNCIL OF INDIA.

THE House of Commons has virtually decided that the home administration of India shall be carried on by a Minister of the Crown with the assistance of a Council.

It is still to be determined in what manner the Council shall be composed.

The three principal leaders of sections in Parliament, have proposed as many different plans for the composition of the Council.

Lord Derby proposes that it should be partly nominated by the Minister, and partly elected by a constituency.

Lord Palmerston proposes that it should be wholly nominated by the Minister, and that each member should hold office for only six years, unless reappointed.

Lord John Russell proposes that it should be wholly nominated by the Minister, but that the members should hold office, like the judges, during good behaviour, that is, virtually for life.

Which of these is the preferable scheme?

The answer depends on whether it is intended that the

Council to be associated with the Minister, should be a check, or a screen. It will necessarily be either the one or the other.

If it is intended to be a screen, Lord Palmerston's plan deserves the preference. The Council should be selected by the Minister, and should be dependent on him for remaining in office.

But if it is to be anything else than a screen, independence must be secured to it. For this purpose it is best of all, that either every member of Council, or a preponderant majority, should be elected. But if nominated, then it ought not to be in the power of any Minister to remove them.

If any one thinks that it is a matter of small importance whether the Council is independent or not, he must think that it is of small consequence whether there is a Council or not. For it is better there should be no Council at all, than a sham Council.

But to suppose that the existence and the independence of the Council are of little importance, is to overlook all the essential circumstances of the case. The good government of India will entirely depend upon the Council. If India is well governed, it will be because the Council will be capable of well governing it: for the minister, as distinguished from the Council, usually will not.

All the requisites for the good government of India will be found in the Council, if rightly composed. None of the requisites are likely to be often found in the Minister to whom the tactics of party may transfer the Indian Department.

The members of Council may be, and are intended to be, chosen for their knowledge of India. The Minister is chosen because he has a Parliamentary position, either from his rank, or from his powers of speaking, which are more likely to have been exercised on any other subject whatever than on India.

The Minister, before he has had time to learn his business, is out of office. The Council may be, and ought to be, a permanent body.

Even while the Minister is in office, India will be one of the smallest of his concerns. The maintenance in power of the Ministry and the party to which he belongs, and the support of the general policy of the Ministry and of the party, will be at all times his principal objects. And these objects will not be much promoted by good government in India, nor much impeded by bad; because neither the English Parliament, nor the English public, will generally know anything either of the one or of the other.

There is one point in which the Minister's position is supposed to be more favourable to good government than the position of the Council; responsibility. But there cannot be a greater error. The sort of responsibility to which the Minister is subject, is no security at all for good government. The only way to make responsibility of any use, is to impose the responsibility on the Council.

The Council, in the first place, has nothing to do with the general business of the empire. It is concerned with India, and India only. All its thoughts must be given to India. All the credit it can hope for, must be derived from India only.

The Council, moreover, is or ought to be a permanent body. Its interest, then, is identified with the *permanent results* of the mode in which India is governed. Its estimation, its position in opinion, perhaps its tenure of office, depend on permanent results. This is not the case with the Minister. He will have ceased to be in office long before the permanent results of his policy can disclose themselves; and when they do disclose themselves, it will hardly be remembered, and perhaps will hardly be distinguishable, whether his acts, or those of his predecessors or successors, are accountable for them.

The responsibility of the Minister, therefore, will not depend on the general results of his policy. He will seldom have either the credit of them if they are good, or the discredit if bad. What is called his responsibility to Parliament, will not be of the kind which would maintain him in well-doing. It will operate in a totally different manner. Its principal tendency will be, to make him afraid of doing anything which any person who has the ear of the House of Commons, opposes; or of opposing anything which any such person demands. His responsibility will not be to Parliament, but to a few speakers in Parliament. It will mean, liability to a debate in the House of Commons. To get rid of a debate, by every sort of concession, will be the course to which his responsibility will prompt him; for he will have no reason to expect that he will be the person to answer for the ultimate consequences of the concession. And on these occasions, it is always the people of India who will be sacrificed. The people of India have no means of interesting any one in standing up for them; while all who prey upon the

people of India have. It may be said, the Minister may be a man of principle; he may disregard these considerations, and follow his own conviction of right. But if he does so, it will not be in consequence of his responsibility. It will be in spite of his responsibility. It will be because he cares less for his responsibility than for his duty.

It is believed that an examination of several recent instances in which the responsibility for measures has been transferred from a Board out of Parliament, to a Minister in it, would show, that the result has been not to accelerate, but on the contrary, to arrest improvement. The permanent Boards were identified with the general success of their administration. The Minister is only responsible for keeping on good terms with all individuals and all interests powerful enough to give him trouble.

SPEECH

LEGISLATION & POLICY FOR INDIA,

DELIVERED IN THE HOUSE OF COMMONS,

ON THE

SECOND READING OF THE INDIA BILL,

June 24th, 1858.

BY

JOHN BRIGHT, ESQ., M.P.

LONDON:

EDWARD STANFORD, 6, CHARING CROSS.

1858.

Price One Shilling.

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S P E E C H.

Mr. BRIGHT—I do not rise for the purpose of opposing the second reading of this Bill. On the contrary, if any hon. member thinks proper to divide the House upon it, I shall vote with the noble lord. I must say, however, that there are many clauses in the Bill to which I entertain serious objections. Some of them will, I hope, be amended as the Bill passes through Committee; but if that is not the case I can only hope that, as the Bill of 1853 is abandoned in 1858, within the next five years the House of Commons will take some further steps with regard to this question, with a view of simplifying the government of India as carried on in England. I wish to take this opportunity of making some observations upon the general question of Indian government, which it might have been out of place to have made during the discussion of the various resolutions which have been agreed to by the House. I think it must have struck every hon. member that, while two Governments have proposed great changes with regard to the government of India, no good case has really been made out for such changes in the speeches of the noble lord and the right hon. gentleman by whom the two India Bills have

been introduced. ("Hear, hear.") That opinion, I know, will meet with a response from two or three hon. gentlemen on this (the Opposition) side of the House. (Hear, hear.) It occurred to me when the noble lord at the head of the late Government introduced his Bill—and I made the observation when the present Chancellor of the Exchequer brought forward his measure—that if the House knew no more of the question than they learned from the speeches of the Ministers, they could not form any clear notion why it was proposed to overthrow the East India Company. The hon. member for Guildford (Mr. Mangles) has expressed a similar opinion several times during the progress of these discussions. The right hon. member for Carlisle has also said that the East India Company was being dealt with in the manner in which animals intended for sacrifice were treated in Eastern countries, and in ancient times,—they were decked with garlands when they were led out for immolation. That is true; but it does not therefore follow that the House is not quite right in the course it is taking. It must be clear that the moment the House of Commons met this session, there was only one course which the then Government could adopt with reference to this question. A feeling existed throughout the country—I believe I may say it was universal—that for a long time past the government of India had not been a good government; that grave errors—if not grievous crimes—had been committed in that country. (Hear, hear.) I think the conscience of the nation had been touched on this question, and they came

by a leap, as it were—by an irrepressible instinct—to the conclusion that the East India Company must be abolished, and that another and, as the nation hoped, a better government should be established for that country. There was a general impression, arising from past discussion in Parliament, that the industry of the people of India had been grievously neglected; that there was great reason for complaint with respect to the administration of justice; and that, with regard to the wars entered into by the Indian Government, there was much of which the people of England had reason to be ashamed. (Hear, hear.) It has been said by some that these faults are to be attributed to the Board of Control; but I have never defended the Board of Control. I believe everything the East India Company has said of the Board of Control—to its discredit (a laugh), and I believe that everything the Board of Control has said to the discredit of the East India Company is perfectly true. (Cheers and laughter.) There was also a general impression that the expenditure of the East India Government was excessive, and that it had been proved before more than one Committee that the taxes imposed upon the people of India were onerous to the last degree. These subjects were discussed in 1853, at which time, in my opinion, the change now proposed ought to have been effected. Subsequently, the calamitous events of 1857 and 1858 occurred, and the nation came at once to the conclusion—a conclusion which I think no disinterested person could resist—that it was impossible that India and its vast population could any longer be retained under the form of government

which has existed up to this period. If then, a change was inevitable, the question was, how it should be accomplished, and what should be done. I think it is quite clear that the course the noble lord has pursued is right—namely, that of insisting that during this present session, and without delay, the foundation of all reform in the government of India should be commenced at home; because we cannot take a single step with regard to any real and permanent improvement in the Indian government, until we have reformed what I may call the basis of that government, by changes to be effected in this country. What, then, is the change which is proposed, and which ought to be made? For my own part, in considering these questions, I cannot altogether approve the Bill now before the House. What we want with regard to the government of India is that which in common conversation is called “a little more daylight.” We want more simplicity and more responsibility. (Hear, hear.) I objected to the scheme originally proposed by the Chancellor of the Exchequer, because it did not provide these requisites. That scheme so closely resembled the system we were about to overthrow that I could not bring myself to regard it favourably. In considering the subject before Parliament met, I asked myself this question:—“Suppose there had never been an East India Company or any such corporation,—suppose India had been conquered by the forces of the Crown, commanded by Generals acting under the authority of the Crown,—how should we then have proposed to govern distant dominions of vast extent, and

with a population that could scarcely be counted?" I believe such a system of government as has hitherto existed would never have been established; and if such a system had not existed, I am convinced that no Ministry would have proposed the plan now submitted to the House. I think the government would have been placed in the hands of a Secretary of State, with his secretaries, clerks, and staff of officers, or of a small Board, so small as to prevent responsibility from being diffused and divided, if not actually destroyed. I suspect that the only reason why the country or Parliament can be disposed to approve the large Council now proposed is that they have seen something like a Council heretofore—formerly of 24, and subsequently of 18 members; and I believe there is something like timidity on the part of the House, and probably on the part of the Government, which hinders them from making so great a change as I have suggested to the simple plan which would probably have existed had no such body as the East India Company ever been established. I am willing to admit candidly, that if the government of India at home should be so greatly simplified, it will be necessary that very important changes should be made in the government in India. (Hear, hear.) I agree with the noble lord (Stanley) that the representatives of the Crown in India must have power as well as responsibility; that they should be enabled to deal with emergencies (hear, hear), and to settle the hundred or the thousand questions that must arise among 100,000,000 of people, without sending 10,000 miles to this country

to ask questions which ought to be settled at once by some competent authority on the spot. (Hear, hear.) There are two modes of governing India, and the hon. member for Leominster (Mr. Willoughby), who has been a very distinguished servant of the East India Company, has publicly expressed his views upon this question. I have been very much struck with a note attached to the published report of his speech, referring to the multifarious duties discharged by the Directors of the East India Company. That note states that

“A despatch may be received containing 60, or 100, or 200 cases; and the despatch, in itself voluminous, is rendered more so by collections attached to it, containing copies of all former correspondence on the subject or subjects, and of all letters written thereon by various local officers, and all papers relating thereto. There has, not long since, been in the Revenue Department a despatch with 16,263 pages of collections. In 1845 there was one in the same department with 46,000 pages, and it was stated that Mr. Canning some years since in the House of Commons mentioned a military despatch to which were attached 13,511 pages of collections.”

The hon. gentleman did not say in his speech that anybody at the India House ever read all these things. (Hear.) It is quite clear that if the Directors were to pretend to go through a waggon-load of documents coming to Leadenhall Street every year it must be only a pretence, and if they want to persuade the House that they give attention to only one-tenth part of these papers they must think the House more credulous than it is

in matters of this kind. (Cheers.) That is one mode of governing India. It is the mode which has been adopted, and the mode which has failed. If we are to have the details settled here, I am perfectly certain we can have no good government in India. (Hear, hear.) I have alluded on a former occasion to a matter which occurred in a committee upstairs. A gentleman, who was examined, stated that he had undertaken to brew a wholesome beer and quite as good as that exported for the supply of the troops, somewhere in the Presidency of Madras, for one-sixth of the price paid by Government for that exported to India from England; that the experiment was completely successful; that the memorandum or record with regard to it was sent home, no doubt forming part of the thousands of pages to which reference has been made; and that it was buried in the heap in which it came; because for years nothing was heard of a proposition which would have saved the Government a very large amount annually, and opened a new industry to the population and capital of India. (Hear, hear.) I believe this system of government is one of delay and disappointment—one, actually, of impossibility—one which can by no means form a complete theory of government as held by any persons in the House (hear); and that the other, the simpler system, which I wish the House to undertake, would be one of action, progress, and results, with regard to India, such as we have never yet seen, and never can see, until there is a complete simplification of the Indian government in this country. (Hear, hear.) I come now to the question—

and it is for this question that I have wished principally to address the House—if at any time we obtain the simplicity which I contend for with regard to the government at home, what changes will it be desirable to make in the government in India? And I would make one observation at this point, that in all the statements and arguments which I hope to use, I beg the House to believe that I use them with the greatest possible deference, with the feeling that this is a question upon which no man is at all entitled to dogmatize, that it is a vast question which we all look at as one we are scarcely capable of handling and determining. (Cheers.) I submit my views to the House because I have considered the subject more or less for many years, and I believe I am actuated by the simple and honest desire of contributing something to the information and knowledge of Parliament with regard to its duty upon this great question. (Cheers.) What is it we have to complain of in India? What is it that the people of India, if they spoke by my mouth, have to complain of? They would tell the House that, as a rule, throughout almost all the presidencies, and throughout those presidencies most which had been longest under British rule, the cultivators of the soil, the great body of the population of India, are in a condition of great impoverishment, of great dejection, and of great suffering. (Hear, hear.) I have, on former occasions, quoted to the House the report of a committee which I obtained 10 years ago, upon which sat several members of the Court of Directors, and they all agreed to report as much as I

have now stated to the House—the report being confined chiefly to the presidencies of Bombay and Madras. If I were now submitting the case of the population of India, I would say that the taxes of India are more onerous and oppressive than the taxes of any other country in the world. I think I could demonstrate that proposition to the House. I would show that industry is neglected by the Government to a greater extent probably than is the case in any other country in the world which has been for any length of time under what is termed a civilized and Christian Government. (Hear, hear.) I should be able to show from the notes and memoranda of eminent men in India, of the Governor of Bengal, Mr. Halliday, for example, that there is not and never has been in any country pretending to be civilized, a condition of things to be compared with that which exists under the police administration of the province of Bengal. (Hear, hear.) With regard to the courts of justice, I may say the same thing. I could quote passages from books, written in favour of the Company with all the bias which the strongest friends of the Company could have, in which the writers declare that precisely in proportion as English courts of justice have extended, have perjury and all the evils which perjury introduced into the administration of justice prevailed throughout the presidencies of India. (Hear.) With regard to public works, if I were speaking for the natives of India, I would state this fact, that in a single English county, there are more roads—more travelable roads—than are to be found in the whole of

India; and I would say also that the single city of Manchester, in the supply of its inhabitants with the single article of water, has spent a larger sum of money than the East India Company had spent in the 14 years from 1834 to 1848 in public works of every kind throughout the whole of its vast dominions. (Cheers.) I would say that the real activity of the Indian Government has been an activity of conquest and annexation (hear)—of conquest and annexation which, after a time, has led to a fearful catastrophe which has enforced on the House an attention to the question of India, which but for that catastrophe I fear the House would not have given it. (Cheers.) If there were another charge to be made against the past Government of India it would be with regard to the state of its finances. Where was there a bad Government whose finances were in good order? Where was there a really good Government whose finances were in bad order? Is there a better test in the long run of the condition of a people and the merits of a Government than the state of the finances? And yet not in our own time, but going back through all the pages of *Mill* or of any other history of India, we find the normal condition of the finances of India has been that of deficit and bankruptcy. I maintain that if that be so, the Government is a bad Government. It has cost more to govern India than the Government has been able to extract from the population of India. The Government has not been scrupulous as to the amount of taxes or the mode in which they have been levied; but still, to carry on the government of India according

to the system which has heretofore prevailed, more has been required than the Government has been able to extract by any system of taxation known to them from the population over which they have ruled. It has cost more than £30,000,000 a-year to govern India, and the gross revenue being somewhere about £30,000,000, and there being a deficit, the deficit has had to be made up by loans. The Government has obtained all they could from the population. It is not enough, and they have had to borrow from the population and from Europeans at a high rate of interest, to make up the sum which has been found to be necessary. They have a debt of £60,000,000, and it is continually increasing. They always have a loan open, and while their debt is increasing their credit has been falling, because they have not treated their creditors very honourably on one or two occasions, and chiefly, of course, on account of the calamities which have recently happened in India. There is one point with regard to taxation which I wish to explain to the House, and I hope that, in the reforms to which the noble lord is looking forward, it will not be overlooked. I have said that the gross revenue is £30,000,000. Exclusive of the opium revenue, which is not, strictly speaking, and hardly at all, a tax upon the people, I set down the taxation of the country at something like £25,000,000. Hon. gentlemen must not compare £25,000,000 taxation in India with £60,000,000 taxation in England. They must bear in mind that in India they could have 12 days' labour of a man for the same sum in silver or gold which they had

to pay for one day's labour of a man in England; that if, for example, these £25,000,000 were expended in purchasing labour, that sum would purchase 12 times as much in India as in England—that is to say, that the £25,000,000 would purchase as many days' labour in India as £300,000,000 would purchase in England. [An Hon. Member.—How much is the labour worth?] That is precisely what I am coming to. If the labour of a man is only worth 2*d.* a-day, they could not expect as much revenue from him as if it were 2*s.* a-day. That is just the point to which I wish the hon. gentleman would turn his attention. We have in England a population which, for the sake of argument, I will call 30,000,000. We have in India a population of 150,000,000. Therefore, the population of India is five times as great as the population of England. We raise £60,000,000 taxation in England. We raise in India, arguing by the value of labour, taxation equivalent to £300,000,000 which is five times the English revenue. Some one may probably say therefore, that the taxation in India and in England appears to be about the same, and no great injury is done. But it must be borne in mind that in England we have an incalculable power of steam, of machinery, of modes of transit, roads, canals, railways, and everything which capital and human invention can bring to help the industry of the people, while in India there is nothing of the kind. (Hear, hear.) In India there is scarcely a decent road, the rivers are not bridged, there are comparatively no steam engines, and none of those aids

to industry that meet us at every step in Great Britain and Ireland. Suppose steam engines, machinery, and modes of transit abolished in England, how much revenue would the Chancellor of the Exchequer obtain from the people of England? Instead of £60,000,000 a-year, would he get £10,000,000? I doubt it very much. If the House will follow out the argument, they will come to the conclusion that the taxes of the people of India are oppressive to the last degree, and that the Government which has thus taxed them, can be tolerated no longer, and must be put an end to at once and for ever. I wish to say something about the manner in which these great expenses are incurred. The extravagance of the East India Government is notorious to all. I believe there never was any other service under the sun paid at so high a rate as the exclusive civil service of the East India Company. Clergymen and missionaries can be got to go out to India for a moderate sum—private soldiers and officers of the army go out for a moderate remuneration—merchants are content to live in the cities of India for a percentage or profit not greatly exceeding the ordinary profits of commerce. But the civil service, because it is bound up with those who were raised by it, and who dispense the patronage of India, receive a rate of payment which would be incredible, if we did not know it to be true, and which, knowing it to be true, we must admit to be monstrous. The East Indian Government scatters salaries about at Bombay, Calcutta, Madras, Agra, Lahore, and half a dozen other cities, which are up to the mark of those

of the Prime Minister and Secretaries of State in this country. These salaries are framed upon the theory that India is a mine of inexhaustible wealth, although no one has found it to be so but the members of the civil service of the East India Company. (Hear, hear.) The policy of the Government is at the bottom of the constant deficit. The Chancellor of the Exchequer has twice recently declared that expenditure depends upon policy. That is as true in India as in England, and it is the policy that has been pursued there which renders the revenue liable to this constantly recurring deficit. I have come to the conclusion, which many hon. members probably share with me, that the edifice we have reared in India is too vast. There are few men now, and least of all those connected with the East India Company, who, looking back to the policy that has been pursued, will not be willing to admit that it has not been judicious but hazardous—that territories have been annexed that had better have been left independent, and that wars have been undertaken which were as needless as they were altogether unjustifiable. (Hear.) The immense empire that has been conquered, is too vast for management, its base is in decay, and during the last 12 months it has appeared to be tottering to its fall. Who or what is the instrument—the Cabinet, the Government, or the person—by whom this evil policy is carried on? The greatest officer in India is the Governor-General. He is the ruler of about one-fifth, certainly more than one-sixth, of the human race. The Emperors of France and Russia are but the governors of provinces compared with the power, the dignity, and the

high estate of the Governor-General of India. Now, over this officer almost no real control is exercised. If I were to appeal to the two hon. gentlemen who have frequently addressed the House during these debates (Colonel Sykes and Mr. Willoughby), they would probably admit that the Governor-General of India is an officer of such high position that scarcely any control can be exercised over him, either in India or in England. Take the case of the Marquis of Dalhousie for example. I am not about to make an attack upon him, for the occasion is too solemn for personal controversies. But the annexation of Sattara, of the Punjab, of Nagpore, and of Oude, occurred under his rule. (Hear.) I will not go into the case of Sattara, but one of its princes, and one of the most magnanimous princes that India ever produced, suffered and died most unjustly in exile, either through the mistakes or the crimes of the Government of India. This, however, was not done under the government of Lord Dalhousie. As to the annexation of Nagpore, the House has never heard anything about it to this hour. There has been no message from the Crown, or statement of the Government relative to that annexation. Hon. members have indeed heard from India that the dresses and wardrobes of the ladies of its Court have been exposed to sale, like a bankrupt's stock, in the haberdashers' shops of Calcutta—a thing likely to incense and horrify the people of India who witnessed it. Take, again, the case of the Burmese war. The Governor-General entered into it, and annexed the province of Pegue, and to this day there has been no treaty with the

King of Burmah. If that case had been brought before the House, it is impossible that the war with Burmah could have been entered upon. I do not believe that there is one man in England who, knowing the facts, would say that this war was just or necessary in any sense. (Hear, hear.) The Governor-General has an army of 300,000 men under his command; he is a long way from home; he is highly connected with the governing classes at home. There are certain reasons that make war palatable to large classes in India, and he is so powerful that he enters into these great military operations almost uncontrolled by the opinion of the Parliament and people of England. He may commit any amount of blunders, or crimes against the moral law, and he will still come home loaded with dignities and in the enjoyment of pensions. Does it not become the power and character of this House to examine narrowly the origin of the misfortunes and disgraces of the grave catastrophe which has just occurred? The place of the Governor-General is too high—his power is too great—and I believe that this particular office and officer are very much responsible—of course under the Government at home—for the misfortunes that have taken place. Only think of a Governor-General of India writing to an Indian prince, the ruler over many millions of men in the heart of India—“Remember, you are but as the dust under my feet.” Passages like these are left out of despatches when laid on the table of the House of Commons. It would not do for the Parliament, or the Crown, or the people of England to know that their officer addressed language

like this to a native prince. (Hear, hear.) The fact is, that a Governor-General of India, unless he be such a man as is not found more than once in a century, is very liable to have his head turned, and to form ambitious views, which are mainly to be gratified by successful wars, and the annexation of province after province during the period of his rule. The services are always ready to help him in these plans. I am not sure that the President of the Board of Control could not give evidence on this subject, for I have heard something of what happened when the noble lord was in India. When the Burmese war broke out, the noble lord could no doubt tell the House that, without inquiring into the quarrel or its causes, the press of India, which was devoted to the services, and the services themselves, united in universal approbation of the course taken by the Governor-General. Justice to Pegue and Burmah, and the taxes to be raised for the support of the war, were forgotten, and nothing but visions of more territory and more patronage floated before the eyes of the official English in India. I contend that the power of the Governor-General is too great, and the office too high to be held by the subject of any Power whatsoever, and especially by any subject of the Queen of England. I should propose, if I were in a position to offer a scheme in the shape of a Bill to the House, as an indispensable preliminary to the sound government of India in future, such as would be creditable to Parliament and advantageous to the people of India, that the office of Governor-General should be abolished. (Hear, hear.) Perhaps some gentlemen

may think this a very unreasonable proposition. Many people thought it unreasonable in 1853 when it was proposed to abolish the East India Company; but now Parliament and the country believe it to be highly reasonable and proper (hear, hear); and I am not sure that I could not bring before the House reasons to convince them that the abolition of the office of Governor-General is one of the most sensible and one of the most Conservative proposals ever brought forward in connexion with the government of India. (Hear, hear.) I believe the duties of the Governor-General are far greater than any human being can adequately fulfil. He has a power omnipotent to crush anything that is good. If he so wish, he can overbear and overrule whatever is proposed for the welfare of India; while, as to doing anything that is good, I could show that with regard to the vast countries over which he rules, he is really almost powerless to effect anything that those countries require. (Hear, hear.) The hon. gentleman behind me (Colonel Sykes) has told us there are 20 nations in India, and that there are 20 languages. Has it ever happened before that any one man governed 20 nations, speaking 20 different languages, and bound them up together in one great and compact empire. [An hon. member here made an observation.] My hon. friend mentions a great Parthian monarch. No doubt, there have been men strong in arm and in head, and of stern resolution, who have kept great empires together during their lives; but as soon as they went the way of all flesh, and descended, like the meanest of their subjects, to the tomb, the provinces they had

ruled were divided into several States, and their great empires vanished. (Hear, hear.) I might ask the noble lord below me (Lord J. Russell), and the noble lord the member for Tiverton (the noble lord the member for King's Lynn has not as yet experience on this point), whether, when they came to appoint a Governor-General of India, they did not find it one of the most serious and difficult duties they could be called on to perform? (Hear, hear.) I do not know at this moment, and I never have known, a man competent to govern India (hear, hear); and if any man says he is competent, he sets himself up at a much higher value than those who are acquainted with him are likely to do. (A laugh.) Let the House look at the making of the laws for 20 nations, speaking 20 languages. Look at the regulations of the police for 20 nations, speaking 20 languages. (Hear, hear.) Look at the question of public works as it affects 20 nations, speaking 20 languages, where there is no municipal power and no combinations of any kind, such as facilitate the construction of public works in this country. (Hear, hear.) Inevitably all those duties that devolve on every good Government must be neglected by the Governor-General of India, however wise, capable, and honest he may be in the performance of his duties, because the duties laid upon him are such as no man now living, or who ever lived, can or could properly sustain, (Hear, hear.) It may be asked, what I would substitute for the Governor-Generalship of India. Now, I do not propose to abolish the office of Governor-General of India this session. I am not proposing any clause in the

Bill, and if I were to propose one to carry out the idea I have expressed, I might be answered by the argument that a great part of the population of India was in a state of anarchy, and that it would be most inconvenient, if not dangerous, to abolish the office of Governor-General at such a time. (Hear, hear.) I do not mean to propose such a thing now, but I take this opportunity of stating my views, in the hope that when we come to 1863, we may perhaps be able to consider the question more in the light in which I am endeavouring to present it to the House. (Hear, hear.) I would propose that, instead of having a Governor-General and an Indian empire, we should have neither the one nor the other. (Hear, hear.) I would propose that we should have presidencies, and not an empire. (Hear, hear.) If I were a Minister—which the House will admit is a bold figure of speech (a laugh)—and if the House were to agree with me—which is also an essential point—I would propose to have at least five presidencies in India, and I would have the governments of those presidencies perfectly equal in rank and in salary. The capitals of those presidencies would probably be Calcutta, Madras, Bombay, Agra, and Lahore. I will take the presidency of Madras as an illustration. Madras has a population of some 20,000,000. We all know its position on the map, and that it has the advantage of being more compact, geographically speaking, than the other presidencies. It has a Governor and a Council. I would give to it a Governor and a Council still, but would confine all their duties to the Presidency of Madras, and I would treat it

just as if Madras was the only portion of India connected with this country. I would have its finance, its taxation, its justice, and its police departments, as well as its public works and military departments, precisely the same as if it were a State having no connexion with any other part of India, and recognized only as a dependency of this country. (Hear.) I would propose that the government of every presidency should correspond with the Secretary for India in England, and that there should be telegraphic communication between all the presidencies in India, as I hope before long to see a telegraphic communication between the office of the noble lord (Lord Stanley) and every presidency over which he presides. (Hear, hear.) I shall no doubt be told that there are insuperable difficulties in the way of such an arrangement, and I shall be sure to hear of the military difficulty. Now, I do not profess to be an authority on military affairs, but I know that military men have often made great mistakes. I would have the army divided, each presidency having its own army, just as now, care being taken to have them kept distinct; and I see no danger of any confusion or misunderstanding, when an emergency arose, in having them all brought together to carry out the views of the Government. There is one question which it is important to bear in mind, and that is with regard to the Councils in India. I think every Governor of a presidency should have an assistant council, but differently constituted from what they now are. I would have an open council. The noble lord, the member for

London, used some expressions the other night which I interpreted to mean that it was necessary to maintain in all its exclusiveness the system of the civil service in India. In that I entirely differ from the noble lord. [Lord J. Russell here indicated dissent.] The noble lord corrects me in that statement, and therefore I must have been mistaken. What we want is to make the Governments of the Presidencies Governments for the people of the Presidencies; not Governments for the civil servants of the Crown, but for the non-official mercantile classes from England who settle there, and for the 20,000,000 or 30,000,000 of natives in each presidency. (Hear, hear.) I should propose to do that which has been done with great advantage in Ceylon. I have received a letter from an officer who has been in the service of the East India Company, and who told me a fact which has gratified me very much. He says:—

“At a public dinner at Colombo, in 1835, to the Governor, Sir Wilmot Horton, at which I was present, the best speech of the evening was made by a native nobleman of Candy, and a member of Council. It was remarkable for its appropriate expression, its sound sense, and the deliberation and ease that marked the utterance of his feelings. There was no repetition or useless phraseology or flattery, and it was admitted by all who heard him to be the soundest and neatest speech of the night.”

This was at Ceylon. It is not, of course, always the best man who can make the best speech; but if what I have read could be said of a native of Ceylon, it could

be said of thousands in India. We need not go beyond the walls of this house, to find a head bronzed by an Indian sun, equal to the ablest heads of those who adorn its benches. (Hear, hear.) And in every part of India we all know that it would be an insult to the people of India to say that it is not the same. . There are thousands of persons in India who are competent to take any position to which the Government may choose to advance them. (Hear, hear.) If the governor of each presidency were to have in his council some of the officials of his Government, some of the non-official Europeans resident in the presidency, and two or three at least of the intelligent natives of the presidency in whom the people would have some confidence, you would have begun that which will be of inestimable value hereafter—you would have begun to unite the government with the governed; and unless you do that, no government will be safe, and any hurricane may overturn it or throw it into confusion. (Hear.) Now, suppose the Governor-General gone, the Presidencies established, the Governors equal in rank and dignity, and their Councils constituted in the manner I have indicated, is it not reasonable to suppose that the delay which has hitherto been one of the greatest curses of your Indian government would be almost altogether avoided? Instead of a Governor-General living in Calcutta or at Simla, never travelling over the whole of the country, and knowing very little about it, and that little only through other official eyes, is it not reasonable to suppose that the action of the Government would be more direct in, all its duties, and

in every department of its service, than has been the case under the system which has existed until now? Your administration of the law, marked by so much disgrace, could never have lasted so long as it has done, if the governors of your presidencies had been independent governors. So with regard to matters of police, education, public works, and everything that can stimulate industry, and so with regard to your system of taxation. You would have in every presidency a constant rivalry for good. (Cheers.) The Governor of Madras, when his term of office expired, would be delighted to show that the people of that presidency were contented, that the whole presidency was advancing in civilization; that roads and all manner of useful public works were extending, that industry was becoming more and more a habit of the people, and that the exports and imports were constantly increasing. The Governors of Bombay and the rest of the presidencies would be animated by the same spirit, and so you would have all over India, as I have said, a rivalry for good; you would have placed a check on that malignant spirit of ambition which has worked so much evil (hear, hear)—you would have no governor so great that you could not control him, or who might make war when he pleased; war and annexation would be greatly checked, if not entirely prevented; and I do in my conscience believe you would have laid the foundation for a better and more permanent form of government for India than has ever obtained since it came under the rule of England. (Cheers.) But how

long does England propose to govern India? (Hear, hear.) Nobody answers that question, and nobody can answer it. Be it 50, or 100 years, or 500 years, does any man with the smallest glimmering of common sense believe that that great country, with its 20 different nations, and its 20 languages, can ever be bound up and consolidated into one compact and enduring empire? I believe such a thing to be utterly impossible. We must fail in the attempt if ever we make it, and we are bound to look into the future with reference to that point. The presidency of Madras, for instance, having its own government, would, in 50 years, become one compact State, and every part of the presidency would look to the city of Madras as its capital, and to the Government of Madras as its ruling power. If that were to go on for a century or more, they would have their five or six Presidencies of India built up into so many compact States; and if at any future period the sovereignty of England should be withdrawn, we should leave so many presidencies built up and firmly compacted together, each able to support its own independence and its own government, and we should be able to say we had not left the country a prey to that anarchy and discord which I believe to be inevitable if we insist on holding those vast territories with the idea of building them up into one great empire. But I am obliged to admit that mere machinery is not sufficient in this case, either with respect to my own scheme, or to that of the noble lord (Lord Stanley). We want something else than mere clerks, stationery, despatches, and so forth. We want, what I

shall designate as a new feeling in England, and an entirely new policy in India. (Cheers.) We must in future have India governed, not for a handful of Englishmen (cheers), not for that civil service whose praises are so constantly sounded in this House. You may govern India, if you like, for the good of England, but the good of England must come through the channel of the good of India. (Hear, hear.) There are but two modes of gaining anything by our connexion with India. The one is by plundering the people of India, and the other by trading with them. I prefer to do it by trading with them; but in order that England may become rich by trading with India, India itself must become rich (hear, hear), and India can only become rich through the honest administration of justice, and through entire security for life and property. Now, as to this new policy, I will tell the House what I think the Prime Minister should do. He ought, I think, always to choose for his President of the Board of Control, or his Secretary of State for India, a man who cannot be excelled by any other man in his Cabinet, or in his party, for capacity, for honesty, for attention to his duties, and for knowledge adapted to the particular office to which he is appointed. If any Prime Minister appoint an inefficient man to such an office he will be a traitor to the Throne of England. (Cheers.) That officer, appointed for the qualities I have just indicated, should, with equal scrupulousness and conscientiousness make the appointments, whether of the Governor-General, or, should that office be abolished, of the Governors of the Presidencies of India. Those

appointments should not be rewards for old men simply because such men have done good service when in their prime, nor should they be rewards for mere party service (hear, hear), but they should be appointments given under a feeling that interests of the very highest moment, connected with this country, depend on those great offices in India being properly filled up. The same principles should run throughout the whole system of government, for unless there be a very high degree of virtue in all these appointments, and unless our great object be to govern India well, and to exalt the name of England in the eyes of the whole native population, all that we have recourse to in the way of machinery will be of very little use indeed. I admit that this is a great work; I admit also that the further I go into the consideration of this question the more I feel that it is too large for me to grapple with, and that every step we take in it should be taken as if we were men walking in the dark. We have, however, certain great principles to guide us, and by their light we may make steps in advance, if not fast, at any rate, sure. But we start from an unfortunate position. We start from a platform of conquest by force of arms extending over a hundred years. There is nothing in the world worse than the sort of foundation from which we start. The greatest genius who has shed lustre on the literature of this country has said, "There is no sure foundation set on blood;" and it may be our unhappy fate, in regard to India, to demonstrate the truth of that saying. We are always subjugators, and we must be viewed with hatred and suspicion. I say we must

look at the thing as it is if we are to see our exact position, what our duty is, and what chance there is of our retaining India and of governing it for the advantage of its people. Our difficulties have been enormously increased by the revolt. The people of India have only seen England in its worst form in that country. They have seen it in its military power, its exclusive civil service, and in the supremacy of a handful of foreigners. When natives of India come to this country they are delighted with England and Englishmen. They find themselves treated with a kindness, a consideration, a respect, to which they are wholly strangers in their own country, and they cannot understand how it is that men who are so just, so attentive to them here, sometimes, indeed too often, appear to them in a different character in India. (Hear, hear.) I remember that the Hon. F. Shaw, who wrote some 30 years since, stated, in his able and instructive book, that even in his time the conduct of the English in India towards the natives was less agreeable, less kindly, less just than it had been in former years; and in 1853, before the committee, presided over by the hon. member for Huntingdon, evidence was given that the feeling between the rulers and the ruled in India was becoming every year less like what could be desired. It was only the other day there appeared in a letter of *The Times* correspondent an anecdote which illustrates what I am saying, and which I feel it necessary to read to the House. Mr. Russell, of *The Times*, says,—

“I went off to breakfast in a small mosque, which

has been turned into a *salle à manger* by some officers stationed here, and I confess I should have eaten with more satisfaction had I not seen as I entered the enclosure of the mosque a native badly wounded, on a charpoy, by which was sitting a woman in deep affliction. The explanation given of this scene was, that ‘—— [the name of the Englishman was left blank (hear),] had been licking two of his bearers (or servants), and had nearly murdered them.’ This was one of the servants, and, without knowing or caring to know the causes of such chastisement, I cannot but express my disgust at the severity—to call it by no harsher name—of some of our fellow-countrymen towards their domestics.” The reading of that paragraph gave me extreme pain. People may fancy that this does not matter much, but I say it matters very much. (Hear, hear.) Under any system of government you will have Englishmen scattered all over India, and conduct like that I have just read, in any district, must create ill-feeling towards England, to your rule, to your supremacy; and when that feeling has become sufficiently extensive any little accident may give fire to the train, and you may have calamities more or less serious, such as we have had during the last twelve months. (Hear, hear.) You must change all this if you mean to keep India. (Hear, hear.) I do not now make any comment upon the mode in which this country has been put into possession of India. I accept that possession as a fact. There we are; we do not know how to leave it, and therefore let us see if we know how to govern it. (Hear, hear.) It is a problem such as;

perhaps, no other nation has had to solve. Let us see whether there is enough of intelligence and virtue in England to solve the difficulty. In the first place, then, I say, let us abandon all that system of calumny against the natives of India which has lately prevailed. (Hear, hear.) Had that people not been docile, the most governable race in the world, how could you have maintained your power for 100 years? (Hear, hear.) Are they not industrious, are they not intelligent, are they not—upon the evidence of the most distinguished men the Indian service ever produced—endowed with many qualities which make them respected by all Englishmen who mix with them? I have heard that from many men of the widest experience, and have read the same in the works of some of the best writers upon India. Then, let us not have these constant calumnies against such a people. Even now, there are men who go about the country speaking as if such things had never been contradicted, and talking of mutilations and atrocities committed in India. (Hear, hear.) The less we say about atrocities the better. (Hear, hear.) Great political tumults are, I fear, never brought about or carried on without grievous acts on both sides deeply to be regretted. At least, we are in the position of invaders and conquerors—they are in the position of the invaded and the conquered. Whether I were a native of India, or of England, or of any other country, I would not the less assert the great distinction between their position and ours in that country; and I would not permit any man in my presence, without rebuke, to indulge in the calumnies and expressions of

contempt which I have recently heard poured forth without measure upon the whole population of India. (Hear, hear.) There is one other point to which I wish to address myself before I sit down, and in touching upon it I address myself especially to the noble lord and his colleagues in the Government. If I had the responsibility of administering the affairs of India there are certain things I would do. I would immediately after this Bill passes issue a proclamation in India which should reach every subject of the British Crown in that country, and be heard of in the territories of every Indian Prince or Rajah. I would offer a general amnesty. (Hear, hear.) It is all very well to talk of issuing an amnesty to all who have done nothing; but who is there that has done nothing in such a state of affairs as has prevailed during the past twelve months? If you pursue your vengeance until you have rooted out and destroyed every one of those soldiers who have revolted, when will your labour cease? (Hear, hear.) If you are to punish every non-military native of India who has given a piece of bread or a cup of water to a revolted trooper, how many natives will escape your punishment and your vengeance? I would have a general amnesty, which should be put forth as the first great act done directly by the Queen of England in the exercise of sovereign power over the territories of India. In this proclamation I would promise to the natives of India a security for their property as complete as we have here at home, and I would put an end to all those mischievous and irritating inquiries which have been going on for years in many parts of India as to the title to landed

estates (hear, hear), by which you tell the people of that country that unless each man can show an unimpeachable title to his property for 90 years you will dispossess him. What would be the state of things here if such a regulation were adopted? (Hear, hear.) I would also proclaim to the people of India that we would hold sacred that right of adoption which has prevailed for centuries in that country. (Hear, hear.) It was only the other day that I had laid before me the case of a native prince who has been most faithful to England during these latter trials. When he came to the throne at ten years of age he was made to sign a document, by which he agreed that, if he had no children, his territories should be at the disposal of the British Government, or what is called the paramount power. He has been married; he has had one son and two or three daughters, but within the last few weeks his only son has died. There is grief in the palace, and there is consternation among the people, for the fact of this agreement, entered into by the boy of ten years old, is well known to all the inhabitants of the country. Representations have already been made to this country in the hope that the Government will cancel that agreement, and allow the people of that State to know that the right of adoption would not be taken from their prince in case he should have no other son. Let the Government do that, and there is not a corner of India into which that intelligence would not penetrate with the rapidity of lightning. (Hear, hear.) And would not that calm the anxieties of many of those independent princes and rajahs who are only afraid that when these troubles

are over the English Government will re-commence that system of annexation out of which I believe all these troubles have arisen? (Hear, hear.) I would tell them also in that proclamation that, while the people of England hold that their own, the Christian, religion is true and the best for mankind, yet that it is consistent with that religion that they who profess it should hold inviolable the rights of conscience and the rights of religion in others. (Hear, hear.) I would show that, whatever violent, over zealous, and fanatical men may have said in this country, the Parliament of England, the Ministers of the Queen, and the Queen herself are resolved that upon this point no kind of wrong shall be done to the millions who profess the religions held to be true in India. (Hear, hear.) I would do another thing. I would establish a Court of Appeal, the judges of which should be judges of the highest character in India, for the settlement of those many disputes which have arisen between the Government of India and its subjects, some native and some European. I would not suffer these questions to come upon the floor of this House. I would not forbid them by statute, but I would establish a court which should render it unnecessary for any man in India to cross the ocean to seek for that justice which he would then be able to get in his own country without corruption or secret bargain. (Hear.) Then I would carry out the proposition which the noble lord has made to-night, and which the right hon. gentleman (the Chancellor of the Exchequer) made when he introduced his Bill, that a commission should be issued to enquire

into the question of finance. I would have other commissions, one for each presidency, and I would tell the people of India that there should be a searching inquiry into their grievances, and that it was the interest and the will of the Queen of England that those grievances should be redressed. Now, perhaps I may be told that I am proposing strange things, quite out of the ordinary routine of Government. I admit it. We are in a position that necessitates something out of the ordinary routine. (Hear, hear.) There are positions and times in the history of every country, as in the lives of individuals, when courage and action are absolute salvation; and now, the Crown of England, acting by the advice of the responsible Ministers, must, in my opinion, have recourse to a great and unusual measure, in order to allay the anxieties which prevail throughout the whole of India. The people of India do not like us, but they scarcely know where to turn if we left them. They are sheep literally without a shepherd. They are people whom you have subdued, and who have the highest and strongest claims upon you—claims which you cannot forget—claims which, if you do not act upon, you may rely upon it that,—if there be a judgment for nations, as I believe there is, as for individuals,—our children at no distant generation must pay the penalty which we have purchased by neglecting our duty to the populations of India. (Hear, hear.) I have now stated my views and opinions on this question, not at all in a manner, I feel, equal to the question itself. I have felt the difficulty in thinking of it, I feel the difficulty in speaking of it (hear, hear), for

there is far more in it and about it than any man, however much he may be accustomed to think upon political questions, and to discuss them, can comprise at all within the compass of a speech of ordinary length. I have described the measures which I would at once adopt for the purpose of soothing the agitation which now disturbs and menaces every part of India, and of inviting the submission of those who are now in arms against you. Now I believe—I speak in the most perfect honesty—I believe that the announcement of these measures would avail more in restoring tranquillity than the presence of an additional army (cheers), and I believe that their full and honest adoption would enable you to retain your power in India. I have sketched the form of government which I would establish in India and at home, with the view of securing perfect responsibility and an enlightened administration. I admit that these things can only be obtained in degree, but I believe that a government such as that which I have sketched would be free from most of the errors and the vices that have marked and marred your past career in India. I have given much study to this great and solemn question. I entreat the House to study it, not only now, during the passing of this Bill, but after the session is over, and till we meet again next year, when in all probability there must be further legislation upon this great subject (hear); for I believe that upon this question depends very much, for good or for evil, the future of this country of which we are citizens, and which we all regard and love so much. You have had enough of

military reputation on Eastern fields; you have gathered large harvests of that commodity, be it valuable or be it worthless. I invite you to something better, and higher, and holier than that; I invite you to a glory not "fanned by conquest's crimson wing," but based upon the solid and lasting benefits which I believe the Parliament of England can, if it will, confer upon the countless populations of India. (Loud cheers.)

THE END.

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AN

APPEAL

The Inhabitants of Great Britain

ON BEHALF OF

THE NATIVE POPULATION OF INDIA:

IN A

LETTER

TO

SIR CHARLES FORBES, BART.



LONDON:

THOMAS BUMPUS, HOLBORN BARS.

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TO
SIR CHARLES FORBES, BART.

&c. &c.

SIR,

AT a period when Societies and Associations are being formed for every conceivable object, and when it seems acknowledged that great increased efficacy is attained by the union of individuals for the accomplishment of their wishes, whether for the advancement of commercial pursuits, or to further the more elevated views of charity, morality, and religion,—I have long felt that one subject remains unheeded, which has a special claim on the sympathy of the British nation in general, and more particularly on a numerous and affluent set of individuals, who from their local connexion and recollection may confidently be appealed to. When I mention that the subject to which I allude is *the amelioration of India*, more especially that portion of it under the government of this country, I am aware that I am proposing to grapple with a difficulty which, for successive generations, has been thought insurmountable. This consideration might be sufficient to deter me from the attempt; but if on mature reflection it appears that a proper system can be modified, which, when established in this country, may be carried into detail by the assistance of benevolent individuals residing in the countries where it appears desirable the effects should be felt, it does not exceed the bounds of a well-founded hope that advantages may be conferred on that interesting and numerous population, beyond what could at first have been expected.

On the best consideration which I can give, it appears to me that the most eligible mode will be to submit the subject to some gentlemen, who, from their talents and extensive knowledge, would be most competent to determine whether such a plan promises suc-

cess, and to obtain their opinion and assistance in attaining this great and desirable object. Among the numerous individuals whom I have the pleasure of knowing, who possess an extensive knowledge of India, I am not aware of any one who is at heart a warmer friend to the Natives of that country than yourself: this persuasion will, I hope, be admitted as an apology for trespassing upon you with the following brief observations.

It appears unnecessary to make any remarks in illustration of the interest which India must excite in liberal and reflecting minds, by the splendour of her ancient history.

The accounts of the earliest classical writers, although bearing valuable testimony to the truth of the Native historians, fall far behind the importance of those discoveries which have been brought to light within the last few years, when the peaceful condition of the country, and the encouragement of a few learned individuals, have stimulated our countrymen to exertions which are every year unfolding fresh treasures of the literature, the arts, and the history of Ancient India. What the result may be of the active researches of our countrymen in India, or of the extended acquaintance now forming with ancient Indian literature by the Asiatic and Translation Societies established in this country, and the corresponding Associations in the different provinces of India, almost exceeds conception.

At the first dawning of history, India was found in an advanced state of society, which evinced a long continuance of progressive civilization: and the most stupendous works of art, the greater part now remaining, present monuments which have been objects of wonder through successive centuries, and which must have existed before the period of any known record. The progress, too, of the Indians in the more speculative sciences had been carried to a height, which, after the period of many intervening ages, has only again been lately attained; while their systems of morality and religion, darkened as they were by superstition and idolatry of the grossest description, still shadowed faint beams, showing that, however debased by man, they had been borrowed originally from the revealed Word of Truth.

The magnitude of the Colonial and Transmarine possessions of the British empire is beyond all precedent in history. By a late calculation the population of the whole world has been estimated at 806,000,000, and the number of British subjects at 121,829,500, of

which England, Wales, and Scotland, contain 16,255,600, while the inhabitants of Bengal are calculated at .. 72,000,000

Madras 14,700,000

Bombay 7,000,000

Ceylon 1,200,000

————— 94,900,000,

which I believe to be considerably under the real number, without reckoning the numerous nations over which Great Britain exercises a control nearly equivalent to dominion. By an account rendered to Parliament by the East India Company, dated 14th September, 1831, the British territory in India comprised 514,190 square miles, of which 422,990 contained 89,577,206 inhabitants, no census having been taken of the remaining 91,200 square miles. The Allied States (which had been by various treaties placed under the *protection* of the East India Company) were estimated to contain the further quantity of 614,610, forming an aggregate extent of 1,128,800 square miles. Some calculations carry the estimate of persons under British influence to the great extent of 200,000,000 persons; and if we extend the idea to China, and the other nations of the East, to and with whom we have access and intercourse, we must acknowledge that the means of doing good placed at the disposal of this country is unprecedented, and almost boundless.

The tenure by which we hold this vast expanse of influence and dominion, is as extraordinary as its extent. It has been calculated that there are in India about 6000 Hindoos and Mahomedans for a single European; about three-fourths of the latter are soldiers, and of the small portion remaining, by far the larger part are confined to the large towns, leaving the remoter parts of the country with scarcely an European among the Natives, and these few quite separate in habits, manners, and language, from those by whom they are surrounded. It has latterly become proverbial, that this country exercises over India an empire of opinion; but I believe it might, with greater truth, be averred, that no opinion of a political nature has ever existed among the bulk of the population of India. In the establishment of our own empire over this immense territory, there has never been any want of a supply of Native troops, to whom it was a matter of perfect indifference, whether they supported or deposed their own princes. An insurmountable passive resistance was opposed against all the attempts of their conquerors to change

their habits and customs; even the Mahomedan invaders failed of making converts in India; and the English found them subject to the same laws and idolatrous superstitions which were marked and left on record by the earliest writers.

After shining with splendour in early ages, under her Native princes, after having undergone the shock of successive invasions and conquests, and again resuming her station in the world under the illustrious princes of the Mogul dynasty, India has been rescued from the anarchy and divisions which succeeded the downfall of the race of Timour; by the wonderful progress of that commercial empire which has been established by this country. Of this empire it must be said, that whatever human courage, talents, and exertions, may have been exercised for its rise, the hand of Providence has evidently been displayed, in placing (for wise purposes) such a large and rich country under a comparatively small nation: peace and security have succeeded to war and rapine, and probably the time was scarcely ever known, when Asia enjoyed a state of tranquillity equal to that which now exists. But however favourable this state of peace and good order may be towards advancing the happiness of India, still I apprehend that the country requires assistance to promote its prosperity.

Whatever benefits the British empire may have conferred on India, it must be acknowledged that in one important point it has placed her in an essentially different state; to whatever exactions and oppression the population of India might have been exposed under its Native princes, the riches circulated within it, the splendour of the Mogul monarchs and their courtiers, encouraged the Native manufacturer to exertion, and to attain perfection in his art; and until within a very few years past, the muslins, the cotton fabrics, and the silks of India, were prized throughout the world. It was at that period, and when she had from the earliest ages drawn a continual influx of the precious metals into her territory, that she is described, by an eminent historian of the last century (Dr. Robertson), as having invariably enriched every country that had successively enjoyed the advantage of her commerce. But no question can now arise of a reversed state of things having succeeded.

The great improvements in machinery and the spirit of commercial enterprize, which have lately been called into existence in this country, have completely altered the former channels of commerce. Europe now only looks to India for the raw articles of manufacture;

and the produce of the soil and climate with which this country can never dispense, is alone supplied, in lieu of those beautiful manufactures which were formerly the staple imports. A combination, too, of circumstances exists to cause a drain of capital from India to Britain; namely, the remittance of the accumulation of private property to this country; the payment for the immense quantity of military and other stores, which are annually sent out; and the great increased value of the exports from Europe. India is now in the situation of a conquered nation, sending a large yearly tribute to this country, the effect of which must be to exhaust her more and more every year.

I lately heard it remarked by an able and experienced individual, that the elder Natives in India, who have some remembrance of the insecurity and oppression of their Native princes; are duly sensible of the advantages which they derive from the protection of the British laws and government; but that another generation is rapidly replacing them; who, never having known any dominion except the British, do not possess the same feeling, but allege that their relation with this country is one which lowers them every year. Now these are the persons with whom we have to do; who will be exposed to witness the continued impoverishment of their country: and whether we consider this in a political point of view, as likely with increasing knowledge to hazard the peace of the country, and the stability of our government, or look upon it as connected with feelings of humanity, you will (I respectfully express my earnest hope) agree with me; that it is of the greatest importance to consider, whether some plan may not be devised towards averting, as far as possible, the danger, and alleviating the misery, which appear to be so rapidly on the advance. "We have no retreat (says Sir John Malcolm, in his Memoir on Central India), whenever our authority is called in question. *En avant!* must be our motto."

I have already referred to a large portion of India which has been impoverished by the destruction of its manufacturing establishments, and to other effects of the change which has taken place under the British dominion, but there are other portions of the Indian empire which have come into our hands in so low and depressed a state, that the English nation would be false to its own character if it were (on a knowledge of the facts) to withhold that assistance which it has never refused to any of its subjects. It is scarcely known in England to what an extent *Slavery*, in its most bitter form, has existed from the earliest times in some tracts of India: it is true; the guilt and

disgrace of this blot on humanity do not, in this instance, attach to Great Britain; but when these countries are placed by Providence under our sway, shall we, can we, as Englishmen and as Christians, refuse to extend to them that aid which, as a nation, we have liberally dispensed in the other hemisphere? Shortly after the conquest of the Mysore by the British arms, Dr. F. Buchanan traversed that country, and he describes a species of feudal Slavery of the hardest kind which was general throughout that country, documents illustrative of which fact have since been laid before Parliament. The indefatigable and persevering exertions during several years of Mr. Thomas Baber, of the East India Company's Civil Service, while he procured, for a large portion of this unhappy race, a considerable alleviation of their condition, have unveiled their wretched state. He describes them as slaves to "*the remotest posterity*; that their service was of one unmitigated severity; that by the ancient laws of Malabar, a master might punish his slave with death, without being accountable to any person; that they were frequently subjected to most rigorous punishment; that the nearest ties of relationship were disregarded and torn asunder; the kidnapping of free children was carried on to a frightful extent, and the average selling price of the men of the agrestic classes did not exceed 24s.; a woman, 18s.; a boy, 10s.; and a girl, 7s. 6d.; scarcely any clothing, and the smallest possible portion of the coarsest food, were allowed them." After the recent Act of Parliament, abolishing Slavery in the British dominions, this state of affairs cannot surely continue; but we ought not to forget the claims which these poor creatures have upon us: they have literally to be raised from the dust, and the Giver of all good may render them capable when so raised of returning abundantly what may have been done on their behalf.

But it is needless to enlarge further, either on the necessity or the magnitude of the work proposed: the question is, how can a remedy be applied? Indisputably the accomplishment is difficult, but by rightly dividing the subject, it may not appear impossible to lay a foundation, upon which a superstructure can, with God's blessing, be raised, which may work extensive good through this vast and densely-populated region.

The invincible prejudices of the Hindoos, hitherto regarded as an insuperable obstacle to any change in their system or their manners, have remained unaltered to the present time; and during the comparatively short space of sixty or seventy years that the

British have had a dominion, which, from the smallest beginning, has gradually extended over the whole country, the utmost vigilance has been necessary not to invade, or even to alarm, in the slightest degree, the veneration which the Natives profess towards their old laws and superstitions, however unjust, ridiculous, and idolatrous, they may appear to Europeans. Within the last few years, however, the blessing of God has been manifested on the exertions of certain individuals who pointed out the way, and on certain Associations which have followed the path of charity, benevolence, and religion: the morally ice-bound rock of Hindoo prejudice has evinced signs of melting into humanity, and hence a season presents itself, which has never before been offered, to those whose dispositions might induce them to seek the good of others.

About thirty-eight years ago, certain pious individuals formed a plan for the religious instruction of the benighted inhabitants of the world: their progress at first was slow, and they had many obstacles of different kinds to encounter; their funds, originally very limited, shewed by the last Annual Report (the Thirty-sixth) to have amounted in the preceding year to the large sum of upwards of £68,000, surpassing any former year. They called themselves the "Society for Missions to Africa and the East;" the design of the Society was subsequently enlarged, and it assumed the appellation of the "Church Missionary Society," which has, however, always made the East its important care. By the last Annual Report it appears that 445 persons in their employ are engaged in spreading the Gospel through India; of these, by far the larger part are Natives of the country, educated and instructed by this Society, and before whose exertions, jointly with other Societies, the mass of superstition, even the temple of Juggernaut, evinces signs of trembling. During this last year they have expended the sum of £21,298. 17s. 7d. on the conversion of British India: and the welcome reception of their Missionaries, wherever they present themselves, shews that their cause is advancing, and that preparation is making for a change which must declare itself, but how soon, or in what manner, is necessarily concealed from human knowledge.

Soon after the formation of the foregoing Society, another Association was formed under the appellation of "The British and Foreign Bible Society," which, with rapid steps, soon surpassed in respect of funds, its older relative. By the last Annual Report (the 32d) their receipts for the year amount to £86,819. 8s. 7d. From the ex-

tended nature of this Society, which contemplates carrying the Gospel into every "clime and every tongue," so large a proportion of its funds is not devoted to India, as is the case with the Church Missionary Society; but the supply which it grants is noble and extensive, and it has the peculiarity of being assisted more than the Missionary Society by local Societies. Of all places in the world none are crying out more loudly than India for an assuaging of their thirst by the waters of life: the limit of the funds forms the only boundary to the good which is done; the progress of knowledge cannot be arrested; and we may live in hope, that many, even of this generation, may survive to witness the precious fruit of the seed now sown, in the expectation of present and future usefulness.

I might refer to the labours of the Incorporated Society for the Propagation of the Gospel in foreign parts, those of the Church of Scotland, the London, the Baptist, and Wesleyan Missionary Societies, to that useful Association, called "The Religious Tract Society," and to others, which are working much good in India; but I will confine myself to a short observation on "The Society for promoting Female Education in China, India, and the East," which has been formed within the last two years by the efforts of some pious ladies of this metropolis, and which, even in its infancy, promises great success, its progress being materially assisted by the preparation of the Natives of India by the Societies already mentioned, and from some benevolent ladies in India having succeeded in establishing Female Schools to a limited extent, with consent of the parents. It is impossible to conceive the wretched state of the females of India: education was so utterly unknown, that it was doubted whether a Hindoo female could be found who could even read,—they are forbidden the performance of any religious rite apart from their husbands: degradation is their condition, and ill-usage their portion. In such a state of moral and personal slavery, what hope can be entertained for their children. But if the pious labours of these excellent women prove as successful as there is every reason to hope; if the agents they have sent out to carry the light of life and of civilization into the dark places of cruelty and superstition, should introduce a higher standard of morality and education into a few thousand Hindoo families, the leaven will work through the whole mass, and we may hope to find in this Association a help meet for the more extended sphere of the Societies before referred to.

These Societies, joined to the countenance of the British residents

in India for promoting Christian knowledge, and particularly for promoting Native schools of a higher-description than were formerly known, have made a visible change in many of the principal towns in India. A report from Ceylon states that the Bishop of Calcutta had spent nearly two hours in examining the "Institution Boys" in the Bible, in geography, trigonometry, geometry, Latin, the Greek Testament, and the Hebrew Bible. I have no reason to believe (in the absence of precise information) that the Upper School of Calcutta is behind this Institution, and a well-founded hope may be entertained that the young persons so brought up, and perceiving every year less objection on the part of their countrymen to receive instruction and to be instructed in the Christian religion, will free themselves from the superstitions of idolatry, and leave their country to a generation by whom Jesus Christ will be honored and worshipped.

Notwithstanding all these favorable promises, much remains to be done. The Societies, which I have referred to, are endeavouring to bring the Natives of India to the knowledge of the Gospel; and the schools attached to them, with those maintained by the benevolent Europeans in India, are now beginning (I am happy to observe) to receive the support and assistance of the rich Natives of Bengal; but a third branch of assistance appears to be wanting, and if that be withheld, I fear that the exertions for the improvement of the minds of the Natives of India will be very greatly limited, and the usefulness of the attempts now making for their benefit much impaired. I mean that the friends of India might render incalculable benefit to that country, by calling forth and directing the ability and energy of the Natives to more productive industry, and procuring for them the means of an honorable and comfortable maintenance, instead of the precarious and wretched subsistence on which they now support life; for whatever account we may have of Calcutta as the city of palaces, or whatever glowing descriptions writers may give, or artists may paint, of the great cities, which still attest the magnificence of the Mogul empire, certain it is that, even in those cities, there is an immense population reduced to the lowest poverty; and throughout the agricultural districts and smaller towns, which naturally contain the far larger proportion of the inhabitants, I fear that poverty is almost unmixed with comfort, and that wretchedness has but a slight alleviation of the good of this present life. No better illustration can be offered than by pointing to the dreadful

effects of the famines which are of such frequent occurrence in India. When a dry season, or the overflowing of the great rivers, disappoint the hopes of the inhabitants, thousands and tens of thousands sink unheeded and unnoticed under the calamitous visitation, and myriads of poor children are abandoned to their fate, and perish miserably. One lady, whose pious exertions have apparently been the principal means of founding the Society for female education in India, collected, under a late calamity of that nature, 150 female children, and about 50 women. Many were so far reduced that they soon died: of the children she had still 110 with her when she wrote, and of the women 40 had obtained employment, which, considering they had lost caste by eating "how and where they could get it," (I quote her own words) speaks in itself a volume to those who personally knew India a quarter of a century past, and shews how unlimited and encouraging are the present means of doing good to that country.

The only elements of production and industry possessed by the Natives are an immense surface of productive soil, and their personal labour; for it would be useless to attach much importance to their rude instruments of husbandry, their looms, or the small number of their wretched cattle; on these British Christian beneficence must raise, in my opinion, any superstructure by which India is to derive advantage, and to be brought back to her place in the scale of Nations.

No observation appears necessary respecting the present labour of the inhabitants further than to observe that employment is scarce; and remuneration more scanty than could be believed in England: the bounty of the earth, and the warmth of their climate, render them greatly independent of those supports of life which are required in colder countries; but cheap and scanty as are the articles of food and clothing which they require, they are often destitute, and as to a provision against an unpropitious season, it is quite out of the question with the bulk of the population of India.

The question of the ownership of land in India is involved in much obscurity, but the following points may, I believe, be considered as settled:—That the property of the soil resided in the early conquerors of the country, to whom the rents belonged, and by whom the cultivated portion was granted to the Ryots, or cultivators, generally in allotments of forty or fifty acres, by tenures which were irrevocable on payment of the rent: this almost

invariably consisted of a large portion of the produce, varying with the soil and situation, but scarcely leaving the cultivator a subsistence. That a superior officer or lord, termed Zemindar, was set over separate districts, and either farmed the revenue, or collected it for the government; for the duties of these officers varied, and appear scarcely to be understood. And that the villages are as distinct corporate bodies, forming each a society in itself, and wholly unconnected beyond the precincts of its boundary.

In this state, and in the total absence of capital on the part of the cultivator, all that he has to offer are labour and land, hardly productive in themselves without assistance, and the natural consequence is, that for the production of any crop, they are obliged to borrow for the seed, and for their own maintenance during the progress of the cultivation, under peculiarly disadvantageous circumstances. The Report of a Committee of the House of Commons, in 1810, made after receiving the evidence of many able and experienced Civil servants of the East India Company, declared that the Ryots, or cultivators, were frequently under the necessity of borrowing from money-lenders, at a heavy interest of 3, 4, and 5 per cent. per month, to pay their rent, (when such was not taken in kind,) or for other causes; and I believe that to this time not less than $1\frac{1}{2}$ per cent. per month, is often paid by these poor people for advances. Whenever the cultivators undertake to supply Indigo plant to the factories, they are obliged to stipulate for probably four-fifths of the value to be paid in advance by instalments, according to the progress made in the culture: the same proceeding takes place in every branch of commerce, which must necessarily be greatly burthened by these disadvantageous terms of obtaining capital. If an unfavourable season injure their crop, the cultivator and his connexions, who have given security for him, are utterly ruined; and under the most propitious circumstances the crop seldom does justice to the soil or the labour.

With this overpowering weight on the main-spring of the resources of the country, how can it be hoped that the Native population of India will ever be capable of freeing itself, and become enabled to do justice to itself, or its country, while the circumstances attending its connexion with Britain and with British-born subjects, are so peculiar and unexampled, that in the ordinary course of their communication, India does not appear likely in a temporal and worldly point of view to derive benefit from the alliance?

British India is placed in a peculiar relation to this country. The

connexion has been formed, and solely maintained, by individuals who have left their native land in their youth, with the expectation of returning in middle or mature age to enjoy in this country the fruits of their labours, and of the privations and hazard to which they have exposed themselves during the best portion of their lives. Instances are very rarely to be found of individuals, natives of Britain, who contemplate ending their days in India; and when they return, they close all concern with it, unless it happens that they are tempted by a higher rate of interest to leave some of their realized property behind them for a limited period. The recollection indeed of friends who yet remain there, and who maintain a place in their regard, may perhaps induce them to look back occasionally on the scenes of former days, but the tie of interest upholds no kindly affection, and that of friendship weakens almost every month. Their friends who were left behind gradually follow to England, if they escape the effects of the climate. It is extraordinary how fleeting society is in India, and how a few years will efface from a person's memory the impressions of a country from which almost all his acquaintances had so soon vanished. To a certain degree this remark may apply to the West Indies, where people go out with the hope of returning to England; but there the land belongs to the individuals, and when they return to this country their capital remains invested in the estate which they received from their parents, and which they as much purpose to transmit to their children, as any freeholder in England intends to bequeath his estate. This common interest maintains throughout the whole body a strong feeling in favour of these colonies, and produces a unity of action totally unknown among those who have been East India residents, who, by the laws of the country, and the regulations of the East India Company, have never been able to hold an acre of ground there, and who, in consequence, can have comparatively but little interest in a country which they are never again likely to visit.

On a review of all these circumstances, I do not see any method of aiding India so effectually as by assisting the Natives to obtain the means of bringing their land and their labour into extensive and useful activity; and though much would have to be done in other respects, yet certainly the first and most important object is to place capital at their disposal on fair and equitable terms, nor does the magnitude or difficulty of the trial alarm me. Although different means of attempting this may present themselves, yet the success which has attended

two trials, which are the only instances of the kind in the United Kingdom of which I have the particulars, induces me to believe, that no method would be found so simple or so effectual as making small loans, on interest, with due discretion, and upon security, to humble individuals of good character. I will briefly adduce my examples:—

In the year 1822 a very large sum was raised in this country for “The Relief of the severe Distress for Food in the Southern and Western Provinces of Ireland.” After effecting incalculable benefit, the Committee found, when the object contemplated by the subscription was accomplished, that they had a considerable surplus: they therefore determined, after mature deliberation, to devote the large sum of £55,107 to the use of the impoverished inhabitants of that part of Ireland, by way of loan; and in 1824 it was placed (divided into sums proportioned to the wants and extent of the different districts) in the hands of gentlemen who formed local committees in ten counties of Ireland, viz. Clare, Cork, Kerry, Sligo, Leitrim, Galway, Mayo, Roscommon, Tipperary, and Limerick. Although in the first two years a heavy arrear was incurred in some of the counties, in consequence of the working of the system not being well understood, and casualties not being properly guarded against, yet a profit of several thousand pounds has accrued, after defraying all contingent expenses. Although allowance is here made for some doubtful debts, it is expected that a considerable portion even of these will be recovered. The amount is, in most places, insufficient to satisfy the claims of the numerous applicants who crowd the periodical meetings of the committees.

In the county of Mayo it was estimated a few months past that the money then advanced amounted to £6886, which was circulated among 2849 persons, making an average of £2. 3s. 4d. to each person: of this number 1472 were small farmers, borrowing £4035, and the remainder almost exclusively to small tradesmen. It was calculated that not less than 20,000 persons, comprising the families of the recipients, were deriving benefit from that local fund, and that not less than about 1,000,000 of persons had been benefited by the whole sum lent.

The success which attended this “Irish Reproductive Loan Fund” has been the means of establishing a Society in London, supported by most influential individuals, for a similar purpose. So far as the experience of a single year can illustrate its utility, it promises great

and extended benefit. Security, which is deemed satisfactory, is obtained in every case where a loan is made, the extent of which seldom exceeds £5, and cannot be more than £15. A grateful feeling appears to actuate the borrowers; and it is evident that the sums so advanced are in many instances the means of obtaining to whole families a permanent and comfortable livelihood. It is absolutely wonderful what a small sum will often set the industrious father of a family to profitable work. And what would not this accomplish in India, where there are no intermediate classes, tradesmen, with scarcely any exception, working on their own account, on however small a scale that may be.

His Majesty's Government are so fully aware of the benefits which have arisen from these Loan Funds, that a Bill has been granted for facilitating the operation of these Loan Societies in England, and a similar Bill for Ireland has passed the House of Commons. It would be highly desirable that the benefit should be extended to India, and indeed throughout the whole British dominions.

Such a system, directed by intelligent, judicious, and benevolent men,—and such are never wanting in number, nor failing in duty, in British India,—would carry happiness, comfort, and thankfulness, into the bamboo and mud cottages of myriads of poor Natives, and would not fail to crown our exertions for their religious and moral improvement. Applicable, indeed, in this case, are the words of the Apostle, "If a brother or sister be naked, and destitute of daily food, and one of you say unto them, 'Depart in peace, be ye warmed and filled'; notwithstanding ye give them not those things which are needful to the body, what doth it profit?" I feel justified from experience, in giving my unqualified opinion, that while sympathy is shewn towards the poorer classes, it very seldom fails to produce a respondent feeling of thankfulness. To care for a poor person in his distress usually produces gratitude; and the Natives of India, though bound and debased by superstition and prejudice, have yet their feelings. The excellent Bishop Heber says, the national character of the Hindoos is decidedly good, mild, and affectionate. Sir Thomas Munro observes of the Hindoo character: many are selfish, others, especially among the agricultural classes, are generous and kind to their neighbours and inferiors. Mr. Baber, in his pamphlet, remarks strongly on the tenderness and affection existing in the families of the unfortunate slaves in Mysore and

Malabar. How well known are the successful exertions of that excellent individual who accomplished the abolition of the horrid and unnatural crime of Female Infanticide, so extensively practised in the Guzzerat country, where the parents afterwards presented to him their children, "in whose preservation," to use his own words, "they now gloried, and doated on with fondness;" and who was afterwards hailed with thankfulness, by the children whom he had saved being taught to exclaim, "I am Colonel Walker's child; Colonel Walker saved me!" How many hundred widows were burned as Suttees within the last few years! Even in the immediate division of Calcutta, the number in 1818, either burned or buried alive publicly, was 553. It was not uncommon to propose going to witness the immolation, as an indifferent sight; and even the suffering of the young widow was often forgotten in the screaming and convulsive agony with which her own child was forced to set fire to the pile which destroyed his remaining beloved parent. But these abominations are at an end; at an earlier period of our dominion in India an interference with these enormities might (humanly speaking) have caused the loss of the empire, but in God's good time it has been accomplished; and I am fully persuaded that the Natives themselves are thankful for the prevention.

In the preceding remarks I have appeared to throw the task of raising the labouring population of India solely upon our countrymen, and I have alluded to extreme poverty as the lot of the Natives; whereas, there are many very wealthy Native inhabitants in the towns who may be made not only very useful, but even the principal supporters of the system which I propose; yet not in the first instance. The English came into possession of this country when many years of intestine feuds and civil warfare, and the dominion of predatory tribes, had succeeded to the downfall of the despotism of the Mogul empire. In this state of oppression and misery, (as in famine and shipwreck,) no one cared for his fellow, but suspicion, jealousy, and selfishness; were alone predominant, and appear (so far as we can judge) to have greatly facilitated the progress of the English. "Civil society," says an author, "then resembled a troop of beasts of prey on the one hand, and of timid defenceless animals on the other, which inhabited the same wilderness." So deeply did the fear of these predatory attacks exist, that even in the year 1819, under the governorship of the late Marquess of Hastings, no

less than 9000 females destroyed themselves on an incursion of the Pindarree tribes for insults either received or feared; and in the years immediately preceding the establishment of British influence, there were repeated instances of females destroying themselves by hundreds on the approach of an enemy: immured by custom from social intercourse, and dreading outrage, these sacrifices were perpetrated at total variance with every wholesome state of religion or society, and fire and water received their numerous victims.

Every person who has resided in India must be sensible what a higher degree of confidence is placed by the Natives in Europeans, than in their own countrymen. A young subaltern who has just received his commission, on first arriving from England, will command a degree of confidence from Native soldiers greater than which they will give to the most deserving of the veteran Native officers. It is equally so in the commercial world. If a young European obtain a good character for intelligence and integrity, he can command any support from the wealthy Native merchants, and I consider myself justified in the inference, that if these latter individuals see that the funds applicable to the uses which I have endeavoured to recommend are to be made available under the direction of Committees of Europeans, their confidence will be obtained, and when once they feel that the plan is in operation, will cheerfully bring forward all the funds that might be required, at half the rate of interest which poor cultivators would gladly pay. At the present time the rate of interest in India is very low, where good security can be offered; consequently, the time is most favourable for attempting such an undertaking; and the good effects which have been shewn within the last few years from the partial introduction of the Natives into juries and courts of justice, (tending as it has done to raise the Natives in their own opinion more than any other measure ever introduced,) makes it likely that respectable Natives may with *advantage* be partially introduced into committees of this description: but that question would have to be decided by Indian residents, and by local circumstances.

Assuming the formation of a society for the purposes which I have mentioned, its objects are clear and plain; detail might be supplied with the greatest facility, but at present these few remarks may suffice.

Besides this plan for Loan Societies, I might allude to the great advantage which the Savings-Banks have been to the poorer classes in

this country. I am satisfied that they might be introduced into India with great benefit, not so much among the impoverished Ryots, as the other classes of society, and their establishment would strengthen the plan I have before proposed. Again, the Labourer's Friend Society in England, having within the last six years imparted comfort and feelings of independence to upwards of 70,000 families, at no expence except that of agents to explain and furnish details, are now beginning their operations with great promise of success in Ireland; although circumstances differ, yet the experience of this Society would be highly valuable in India.

In the culture of Indigo, Bengal stands pre-*eminent*, though the Deccan has lately made great progress: the whole supply of Europe is drawn from our possessions. Excellent, however, as the quality may be, and abundant the quantity, yet, even in this staple commodity, improvement could, I believe, be made, and machinery introduced with good effect. Unless alterations have lately taken place, of which I have not heard, it has been the custom for the Natives to walk about in the vats of fermenting liquid from which the deposit is made, to promote the progress of the manufacture, although the liquid was of so deleterious a nature, that from 80 to 100 men were often consequently laid up in fevers at a single factory, and occasional death, and frequent permanent injury, was not uncommon. I am not aware of any parallel case, except in getting the harvests off the Pontine Marshes in Italy.

For the article of Cotton, this country may be said to look entirely to the Southern Slave States of America, but it has long been acknowledged that the cotton of India is capable of the greatest increase and improvement. A few years past the East India Company sent out an English gentleman who had had many years' experience in the cotton trade in America, and who assured me that he saw no reason why India should not supply England, in the course of a few years, with cotton, nearly, if not quite equal to that of America; but death prematurely cut short his useful labours. The advantage of this immense trade to the shipping interest of this country, and consequently to persons going to and from India as passengers, would be incalculable, and it would render us independent of a foreign and rival nation, by a political difference with whom our immense manufacturing interests might, at a week's-notice, be plunged into distress and ruin.

With respect to the cultivation of Sugar, it may be said that India

can supply any quantity at a low price, and with the *liberal* encouragement promised to this important article of India growth by His Majesty's government, it will doubtless greatly improve, and the prices be equalized with those of the West India colonies. Larger sums, however, are necessary for the construction of these works than might come within the sphere of operation of the present proposed plan, but as the cane would principally be supplied, like indigo plant, by the Ryots, they would be equally benefited; as this article, however, enters greatly into competition with the production of other British possessions, I do not look at it with equal interest as others.

For our supply of Silk we look principally to foreigners. Now India is capable of supplying any quantity; and the nurture of the silk-worm, and the subsequent preparation of the article for export, appear peculiarly adapted to the employment of East India females. It has always been allowed that the cultivation of the mulberry plant, and the winding of the silk, was capable of great improvement; but when, as has lately been the case, Bengal silk, with all its disadvantages, has been sold for 28s. 2d. per lb. at a time when the fine Italian (*Novi*) silk has brought 31s. to 32s. no further comment on its quality is required.

The supply of Saltpetre, Drugs, Spices, Oils, and other articles, too numerous to mention, might be increased to any extent, and the advantage would be reciprocal between the countries.

The tide of commerce has lately turned, and India is now ready to receive from this country as many manufactures as she can pay for. If the situation, therefore, of the Natives be improved, their consumption will naturally be greatly increased, not only for their own productions, but also for those of England. As, however, in many places the present wages of men when employed do not exceed 2 rupees per month, (4s. 6d.) without any allowance for food, clothing, or lodging, what circulation of money, what trade, or what comfort can exist?

The advantage which India possesses in the superiority of her harbours, roadsteads, and rivers, has always given her great facilities in the extension of her foreign commerce. The noble Ganges at the time that it fertilizes the immense district through which it passes, affords the means of inland navigation, by which that district alone pours out vast supplies for the whole world. The commerce of Calcutta (with its million of inhabitants) is prodigious.

Hitherto, indeed, the trade of the remainder of India has comparatively been limited, but, as if Providence had at this time promised for good in store for India, the insuperable sand-bar at the entrance of the immense Indus, was in the year 1813 removed by an earthquake, particularly described in its effects, by Professor Lyall, in his most able work on the principles of Geology, as deepening the water from 6 to 22 feet. The East India Company caused the river to be explored with great success, even to Lahore, by a political and scientific mission, under Lieutenant Burnes, and a prospectus is now before me for a measure countenanced by some of the leading commercial men of this country, to open a regular and active communication, by the means of steam navigation up this river, for the space of 800 miles into the very heart of the country. Whether this proposed Company prosecutes its designs or not, the rich, extensive, and almost unexplored field for commercial enterprize of the remote northern and civilized provinces of India, which have by this means been opened to the view of this country, cannot fail of being soon brought into desired activity.

Concurrent with this promised increase of commerce is the proposed extension to India of Joint-Stock Banks, on the principle of the Scotch Banks, now becoming so general throughout the United Kingdom: I do not consider myself competent to pass any opinion on this subject, but will merely observe, that, if it be introduced into India, it will, by a free circulation of capital, greatly benefit the country, and assist the views I here advocate.

I have now, Sir, made to a real friend of that country an appeal on behalf of the Native population of India to Great Britain for the assistance which the state of their country requires. I sincerely hope the subject will be taken up by an abler pen; yet I trust I shall receive credit from you for sympathy with this interesting people, and for sincerity in my object. Though India is now removed from that state of advancement which her friends could desire, yet we know that a day is coming, when "*a great multitude, which no man could number, of all nations, and kindreds, and people, and tongues, will stand before the throne, and before the Lamb, clothed with white robes, and palms in their hands, and cry with a loud voice, SALVATION TO OUR GOD.*" India will not be unrepresented: her sons and her daughters will then be present; and if, which I am fully persuaded will be the case, *the pleasure of the Lord*

should prosper in the hand of those who assist in promoting their happiness, temporal and eternal, (whether in the way I propose, or in any other mode), they may be assured that on that day they will not have cause to regret their labour or their beneficence.

I have the honour to subscribe myself,

Sir,

Your very obedient servant,

HENRY BLANSHARD.

No. 37, Great Ormond Street, London,
 5th July, 1886.

India under The British Parliament.

(Reprinted from the Diplomatic Fly-Sheet, 24 April, 1888.)

CHAPTER I.

THE ACT OF 1858.

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The "Act for the Better Government of India"—(21 and 22 Victoria Cap. CVI.) the legislative result of the great revolt which, in its recoil, left the Honourable Company at the mercy of Parliament and the Executive, is now nigh on thirty years old. So great have been the changes, both in India and in England, since the passing of that statute, that we must consider the case as if much more than a generation had elapsed since its provisions were settled. True, these provisions are, some of them, overlaid and reticulated by three or four amending Acts, yet few of the provisions of these are important; except certain of them that extend and formulate the sinister contrivances embodied—though for the most part deftly disguised—in the great Statute of 1858, which, while making the people of the United Kingdom ultimately responsible for every penny of Indian expenditure, and for the policy dominating that expenditure, carefully left that policy to be determined and guided by an irresponsible Executive, working in secrecy, discouraging and even setting aside all independent counsel, so that such counsel may be powerless for preventing action already secretly determined on by the Executive.

This adverse estimate of the quality of the Act and of its evil tendency, may be taken as applying only to acute political crises, to periods of financial exigency, or to occasions of severe contention between the India Office and the Indian Government, or between the military and the financial or other powerful departments. Yet it is these exigencies, and such turning points of policy, that dominate all other polity of the State and make or mar the Commonwealth. Hence this Act CVI. of 1858 has to be judged by a few of its less obvious, but essential provisions, the hinges, so to speak, on which turn its real effect and abiding action.

Though our disposal does not admit of our describing these in detail, briefly to characterize the evil tendencies of the Act which we have indicated in denouncing them, it may be said that they come under three heads:—

1. Autocracy: Her Majesty's Secretary of State, though he dare not act without consent of at least the "Inner Cabinet," can act without asking the advice of his Indian Council, or he can refuse to follow that advice when given (see Sec. 27);

2. Secrecy: (a). Any records of these critical and dominating personal decisions given by the Secretary of State are very difficult to be obtained; the Executive concerned in any particular instance flatly refuses to produce such papers, and is supported by its party majority; and when the Opposition goes across the House it is precluded, by executive etiquette, from causing serious inconvenience to its predecessors. (b). The ordinary proceedings of the Indian Council, comprising minutes and notes which often throw clear light on current Indian topics, are not published; only excerpts being given of particular documents which support the policy taken, and these generally long after the circumstances have passed with which such papers deal.

3. Irresponsibility: this follows from the above; neither the

ordinary nor the extraordinary action of the Secretary of State for India is subject to any specific check; even the "dissents" of the members of his Council are now seldom if ever heard of; and, if such exist, it is almost impossible to obtain their publication until long after they have ceased to have any bearing on current policy.

Such being the aspect of the working of the Indian Government Act of 1858, it is manifest that the time has come for that statute to be overhauled, revised, and reformed. Hence there is a peculiar fitness in the way being opened for that Imperial task by a skilful writer who, it is understood, has had the best possible opportunities of tracing the working of the machine. We allude to a series of essays which appeared in the *Times* during November and December entitled "India of the Queen." We proceed, therefore, to reproduce here the principal portion of one of those essays, which appeared in the *Times* of 10 November, and to this we add such comments as appear appropriate, derived from information at our disposal—such information being necessarily limited by the statutory provisions for secrecy just described :

CHAPTER II.

"INDIA OF THE QUEEN."

(From the *Times*, 10th November, 1857.)

1. The Act for the better government of India, in 1858 did not bring India for the first time under the control of the House of Commons. It provided that instead of that control being enforced by a great inquest every twenty years on the renewal of the Company's charter, or on very special occasions between, it should be daily exercised by Her Majesty's Ministers, responsible for their acts, each evening in Parliament.

2. A corresponding change was introduced into the administrative mechanism for giving effect to Parliamentary supervision. To the outward world the Secretary of State appeared to step into the place of the President of the Board of Control, and the Secretary of State's Council seemed the natural successor of the Court of Directors.

3. But beneath this show of continuity a fundamental difference lay hid. The Court of Directors supervised, on their own initiative, the whole ordinary administration of India. They drew up the despatches to the Governor-General, and their special knowledge of India rendered it difficult for the President of the Board of Control to exercise his undoubted right to criticize or alter what they had written.

4. His interference was chiefly confined to his own allotted departments, the regulation of treaties, and the declaration of war or peace.

5. Even in these departments his decisions were usually forced upon him by the previous action of the Governor-General in India, or were powerfully influenced by the Indian experts in the Court of Directors. It often only remained for the President of the Board of Control to sanction what the Company or its servants had done.

6. The power of initiative in the control of all Indian questions, alike of internal administration and of external policy, now rests, not with the Secretary of State's Council, but with the Secretary of State himself. The despatches to India issue under his single signature and in his name. "I have considered in Council," he says, the facts of the cases, and then proceeds to give his decision thereon.

7. He may not only overrule his Council,

8. but he and the permanent officials under him can to some extent regulate what individual questions shall be submitted to his councillors.

9. The Council is still strong in Indian experience, but it has not the power of initiative possessed by the Court of Directors. Personal Indian experience, moreover, is now supplemented (it can never be superseded)

by carefully compiled and published information regarding each district and province; and, so far, the Council has lacked that representative character which gave to the Court of Directors their abiding strength.

10. Nor can the Viceroy by previous action force the hand of the Secretary of State, as the Governor-General could confront with the *fait accompli* the President of the Board of Control.

11. The old despatches from the Company's servants in India solicit approval for what they have done; the present despatches from the Indian Government request sanction for what it proposes to do.

12. The telegraph informs the Secretary of State, day by day, of every important intention of the Government of India, and enables him in each case to stay action if he sees fit.

13. While the control of India has thus been consolidated in the hands of the Secretary of State, the Government of India has been firmly gathered up into the hands of the Viceroy.

Apart from cases of emergency or high importance, in which the Viceroy may by law act independently of his colleagues, modern practice has rendered the Governor-General in Council a more compact and automatic body than it was under the Company. The open opposition of the Council, which for a time crippled Warren Hastings, had long ceased to be possible. But down to the last year of the Company, the system of work tended to keep the Governor-General and his Council asunder. The discussion of every case was done in writing. The members of Council recorded elaborate minutes, which travelled in locked mahogany boxes from the house of one member to another, varied by Ulysses-like wanderings after the camp of the Governor-General, perhaps 500 miles off. He governed most who wrote most, and the personal influence of the Governor-General, except on questions of policy which he pleased to make his own, was apt to be lost in the mass of manuscript.

14. Lord Canning remodelled his Council into a Cabinet with himself as President. Each member of Council has now become a Minister in charge of a separate department, and responsible directly to the Viceroy for its work. Matters of routine seldom go beyond the member in charge; questions of more importance are generally settled between the member and the Viceroy. Only when they differ, or when points of special interest or of public policy are involved, does the Viceroy circulate the papers to his colleagues. Lord Lawrence further developed this reform.

15. A great deal more is now done by personal discussion. The Secretary of each department has a day a week with the Viceroy, lays before him the facts of every important case, and receives his orders upon it. Another day a week is given to the oral discussion of the most important cases by the Viceroy and his Council. Under the Company, an indolent Governor-General might leave all but the most capital questions to be fought out by his members of Council in writing.

16. A masterful Viceroy might treat the lucubrations of his Councillors as of merely academic interest, and amid the multiplicity of minutes take his own course. But, unless he had the tact and the iron will of Dalhousie, he quickly found his relations grow strained with his Council, and his position was sooner or later made uncomfortable by their friends in the Court of Directors. A masterful Viceroy would now find it more difficult to pursue his own way without fair discussion, and an indolent Viceroy, unless bereft of the sense of humour, would feel his appearances in Council ridiculous. But the daily personal influence of a Viceroy who gives his mind to his work has immensely increased under the Cabinet system of transacting business.

CHAPTER III. COMMENTARY.

I proceed to consider the above description :

"1. The Act for the better government of India in 1858. provided that control should be daily exercised by Her Majesty's Ministers responsible for their acts each evening in Parliament."

There is something in this incidentally granted privilege; much more than is made of it by half informed Members of Parliament: systematic interpellation might do much more to exercise indirect control than is now done; but the Executive who, under the statutory secretive powers can refuse documents, must always have the whip hand.

"3. But beneath this show of continuity a fundamental difference lay hid. The Court of Directors supervised, on their own initiative, the whole ordinary administration of India."

Just so; the Members of Council have no *initiative*, at the best only barren protest remains to them, and that at their peril—of the Secretary of State's displeasure and their removal from Council at the earliest opportunity.

"4. His interference, (that of the President of the Board of Control) was chiefly confined to his own allotted departments, the regulations of treaties, and the declaration of war or peace."

"Allotted." Some say deliberately and purposely usurped. In fact those supreme and overruling powers were deliberately authorized and extended by repeated Acts of Parliament. (See more particularly Sections 25 to 28 of the Act of 1858).

"5. Even in these departments his decisions were usually forced upon him by the previous action of the Governor-General in India, or were powerfully influenced by the Indian experts in the Court of Directors."

This is scarcely true history; or, rather, it applies mainly to the earliest period of the Company, and, subsequently, only to details of military and territorial policy. In far the greater number and more important instances, the President of the Board of Control forced his designing policy on the Governor-General, and roughly overruled the "experts"—that is the wise and conservative Directors.

"He (the Secretary of State) may not only overrule his Council," "8. but he and the permanent officials under him can to some extent regulate what individual questions shall be submitted to his Councillors."

7. Nearly always he overrules his Council when he is bent on a perverse course; as in Afghan, Burmah, and other trans-frontier affairs, unless he has already beguiled or pressed the few partly independent Councillors into his own factious course.

8. No, not so much the permanent officials under him at the India Office as those of (a) the War Office, who are always willing to increase the employment of British Officers at the expense of the revenues of India; or (b) those of the Foreign Office who are ready to support the Minister of the day in any schemes by which he can turn to diplomatic account aggressive expeditions beyond the Indian frontier.

"9. Personal Indian experience, moreover, is now supplemented (it can never be superseded) by carefully compiled and published information regarding each district and province; and so far the Council has lacked that representative character which gave to the Court of Directors their abiding strength."

At this moment the Council is more nearly representative than usual, save that it has no Native Members; but all Councillors, by reason of the repressive influence and the unlimited power of the Secretary of State, become subdued into a routine which is equal to subserviency. As to the stores of information of every kind regarding India now arranged in the *Imperial Gazetteer*, and kept up to date at the India Office, no terms of praise can overvalue those resources in respect of all non-political subjects.

"12. The telegraph informs the Secretary of State, day by day, of every important intention of the Government of India, and enables him in each case to stay action if he sees fit."

Just so; everything is done by order of the Secretary of State by telegraph, enforced afterwards by written decrees styled "despatches." Hence, again, the entire responsibility rests here with the Minister of the day.

"13. While the control of India has thus been consolidated in the hands of the Secretary of State, the Government of India has been firmly gathered up into the hands of the Viceroy."

That is, Centralisation is now paramount.

"15. A great deal more is now done by personal discussions. The Secretary of each department has a day a week with the Viceroy, lays before him the facts of every important case, and receives his orders upon it. Another day a week is given to the oral discussion of the most important cases by the Viceroy and his Council."

This is so far good: but the deliberations are secret and the Minutes confidential, so that it takes parliamentary wild horses to drag these records out, months or years after mischief may have been done: e. g. the Central Asia Minutes of 1866-9. It is not too much to say that if these Minutes had been published and popularised in this country soon after they were written, it would have been impossible even for the Beaconsfield-Salisbury Government of 1878 to have rushed the Indian Government into the disastrous Afghan invasion of that year: but those invaluable State papers were not seen until *after* the mischief was irrevocable.

"16. A masterful Viceroy would now find it more difficult to pursue his own way without fair discussion, and an indolent Viceroy, unless bereft of the sense of humour, would feel his appearance in Council ridiculous. But the daily personal influence of a Viceroy who gives his mind to his work has immensely increased under the Cabinet system of transacting business."

As a general description and a concise statement of the Government of India's method of ordinary work, these passages 15 and 16 are very good; but little light is hereby thrown on its strictly political action. The Governor-General is understood to keep the portfolio of Foreign Affairs (which concerns all the native States of India) under his personal control as the Member of Council in charge thereof; while the Secretary for the Department is usually a pushing young Civilian who hopes to rise in due course into the Executive Council. When a Viceroy, specially charged with the carrying out of some scheme devised under the secret method already described—as was Lord Lytton in 1876, and as the Marquis of Lansdowne may now be—comes armed with all the prestige of a powerful party at home, the Executive is then no stronger than its weakest Members. Even at Simla the order of tuft-hunter has been found to flourish under such benign influence; and a whilom strong Finance Minister has been known to slide into the coterie of the subservient and to father a "bogus budget" backing up a reactionary and disastrous policy. Thus it is true that "the daily personal influence of a Viceroy" being "immensely increased" may be turned to very different account than that of honest work—but, when so, it is mainly because of the taint of secrecy and irresponsibility which enshroud all the essential conditions of his appointment.

There is another vital provision of the Statute of 1858 to which

attention must be called. It is one that has been contemptuously disregarded and evaded by the Executive authorities whom it was intended to control; and neglected, or, we may say weakly surrendered by those whom it was intended to protect, that is, the people of India and their few advocates in this country—these last including, at the time, the surviving independent Directors of the old Company.

This is the provision, embodied in section 55 and 56, whereby it was intended to prevent the Military and Naval Forces, "charged upon the revenues" of India, from being liable to serve "beyond the external Frontiers" of India "except for preventing or repelling actual invasion." As to the condition of liability "to serve within the territorial limits *only*," there was no exception; though if the officers and troops, knowing this, chose to serve beyond the Frontier, as hundreds of them have been ordered to do, it does not lie with them to make any personal complaint of such trans-frontier service. As to the political inexpediency and possible uncontrollable mischief of sending Indian Military Forces beyond the natural frontiers of the peninsula, these considerations—albeit scornfully disregarded—remain as weighty as when the restriction within Indian boundaries was suggested or devised by the wise men—probably certain of the old Directors—who had a hand in drafting that portion of the Act.

As to Section 55 intended to safeguard the revenues of India from being squandered in ambitious or fantastic expeditions beyond her frontiers, there is one exception, but from its terms there is a notable omission that has had disastrous consequences to India. The exception runs—"the revenues of India shall not, without the consent of both Houses of Parliament, be applicable to defray the expenses of any Military Operation carried on beyond the external Frontiers of such Possessions," &c. The omission is that of the vital word "*previous*."

In all probability that essential proviso was comprised in the original draft, but afterwards eliminated by the same mischievous hand which contrived in Sections 26, 27, 28, to secure the entire immunity, irresponsibility, and personal autocracy of the Secretary of State. That there can be no doubt that Section 55 was honestly intended to defend and conserve the revenues of India, may be obviously inferred from what we know of the Lord Stanley of that period, who had much to do with the framing of the Statute. More direct evidence to the effect will be found on reference to *Hansard* of that date, for it is there recorded how the Earl of Derby, then Premier, pointed out that the object of the clause was to maintain the service of Indian forces within "their own territory;" and he expressly instanced the first Afghan war (1838-40) as a case that would not have been covered by the words "preventing or repelling actual invasion."

Mr. Gladstone once expressed his opinion on this Section 55 as follows:—

"In my view it was the purpose of this clause to require the preliminary consent of Parliament to the issue of Indian money for the purpose of operations carried on by the forces charged upon India beyond the Indian frontier, except in certain special cases, which were very carefully defined. It was, in fact, to prevent the use of Indian money for military operations. I remember this; for I myself was the author of the clause, and the present Lord Derby, who was Secretary of State for India at the time, concurred with me as to its object."

There are few, if any causes, that have brought more disaster and financial damage to "India of the Queen" than has the utter disregard of the safeguards ostensibly ordained under these despised and neglected provisions of the Act. We are well aware that, even had the saving word "previous" been included in the Section, the clamour on behalf of *pseudo*-Imperial interests, or the exigencies of party schemes, might have sufficed to over-ride the claims and rights of the Indian people. But that word would, at least, have secured an invaluable respite, during which the voice of reason might have been heard. As it is, for lack of that proviso, the few men who would have been inclined to resist the squandering of Indian blood and treasure on filibustering expeditions and ruthless invasion of our neighbours' barren and unprofitable territory, have neglected even to appeal to the dignified restraints and noble conservative policy indicated in the two Sections cited. Hence the selfish scheming and lawless elements, which shelter themselves behind the august procedure of Her Majesty's Executive, have had their evil way unchecked in the disastrous policy of thrusting our military occupation beyond the natural boundaries of India. The Afghan invasion of 1878, was rushed into even before all the members of the Cabinet itself knew to what they were committed; while the invasion of Burmah, and that insane measure the destruction of its native dynasty, were carried through by Lord Randolph Churchill alone, under cover of those unconstitutional Sections 25, 26, 27. And in Earl Dufferin he appears to have found a willing instrument in adopting a policy of spoliation and revolution, the effects of which will burden the Indian people and cast a shadow on the British name long after the two irresponsible actors in the conspiracy shall have been forgotten.

It has been our duty to bring into relief, perhaps as has never before been done, defects and facilities for evil embodied in the Statute of 1858, and now it remains for those who love to be styled practical long-headed politicians to set about the thorough revision of that "Act for the Better Government of India."

ANGLO-INDIAN.

POSTSCRIPT.

As bearing on the constitutional questions, treated above, regarding invasion and annexation of territory beyond the boundaries of India, it may be well to refer back to certain notes in our last December issue (No. 249-52 p. 205) headed "What is meant by British Beluchistan?" Since then, certain official answers have been given in Parliament that purport to throw light on that question: but, it will be observed, the light itself is hazy and is not projected direct on to the juridical essence of the subject:

THE TREATY OF GANDAMAK.

House of Commons, 13 March, 1888

Mr. HUNTER asked whether any and what alteration had been made in the relations of the Indian Government to the districts of Kurram, Pishin, and Sibi, as fixed by the Treaty of Gandamak.

Sir J. FERGUSSON.—By the Treaty of Gandamak, entered into with the Ameer Yakooob Khan on May 26, 1879, the districts of Pishin and Sibi were assigned to the British Government, and their revenues, after deducting the charges of the civil administration, were to be paid over to the Ameer. But in consequence of the massacre of the English mission at Cabul on September 3, 1879, followed by the abdication of Yakooob Khan, the districts in question remained in British occupation, and in 1887 it was found necessary for administrative purposes that they should be formally incorporated into the Indian Empire. They are included under the administration of the Chief Commissioner of British Beloochistan. When the Kurram Valley was evacuated by the British troops in 1880 the district was handed over to the independent control of the Turri tribes.

ARTICLE IX.

The British Government restores to Ameer of Kabul the towns of Kandahar and Jelalabad, with all the territory now in possession of the British army, except the districts of Kurram, Pisheen, and Sibi. Ameer of Kabul agrees on his part that the districts of Kurram, Pisheen, and Sibi, according to the limits defined in the schedule annexed, shall remain under protection and administration of British Government, that is to say, the aforesaid districts shall be treated as assigned districts, and shall not be considered as permanently severed from the limits of the Afghan Kingdom. The revenues of these districts, after deduction of civil charges, shall be paid to the Indian Government. The British Government will retain in its own hands the complete control of the Khyber and Michnee passes, lying between the Peshawur and Kaaba districts and of our relations with the independent tribes inhabiting the territory directly connected with these passes.

Sir John Gorst on the same occasion cited the treaty of Gandamak as our title to this territory :

“The common opinion seemed to be that the frontier of India was identical with the frontier of Afghanistan; but that was not the case, for all down the frontier of India, with the exception of a very small space, the dominions of the Ameer of Cabul were separated from British India by a fringe of independent tribes, with whom generally we were now on the most cordial relations. That was not the case some years ago. When we first took possession of the country, the Sikh mismanagement of the Trans-Indus districts left us a legacy of constant wars in a country which was studied all over with robber chiefs and forts, and where the assassination of the infidel was considered to be the surest passport to heaven. Now, thanks to a long course of pacific frontier policy, all that had been changed. The Afridis, who were the terror of all who passed through the Khyber Pass, had now made arrangements with the British Government by which they undertook the safety of the Pass, and the tolls were levied by the British. There was the Khyber Pass Militia, which rendered the Pass much safer than it was formerly. Under the Treaty of Gandamak with Yakooob in 1879 they had the control of all these passes and the right to enter into relations with all the tribes, of which they had largely availed themselves.”

It will be observed that these answers entirely evade the question as to how, when, and by whom the rights of the Khan of Kelat, the sovereign of Beluchistan have been superseded or extinguished. As to the Treaty of Gandamak, this, it appears, is good against the Ameer but not against the English, just as the Treaty of Berlin is valid against Turkey but not against Russia. If the Ameer of Cabul had been a Christian Sovereign the ordinary usage would have required either the observance on our side of the Treaty of Gandamak, or a new treaty absolving us from its obligations.

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SPEECH

J. B. BLACKETT, ESQ.,

M.P. FOR NEWCASTLE-UPON-TYNE,

THE INDIAN QUESTION,

DELIVERED IN THE

HOUSE OF COMMONS,

ON THURSDAY, JUNE 9TH, 1851

PRINTED FOR THE INDIAN REFORM SOCIETY,
AT THE NEWCASTLE CHRONICLE OFFICE, BY M. & M. W. LAMBERT.

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SPEECH OF MR. BLACKETT.

Mr. BLACKETT said, that the hon. baronet who had closed the debate on Monday night in a speech of great power and ability accurately described the position of several hon. members (on the Government side of the house, below the gangway) when he said they sorted out among themselves the various counts of the indictment against the East India Company, but he must express his deep conviction that the hon. baronet had failed in making out his case. He commenced his speech with one expression in which he (Mr. Blackett) fully concurred, when he desired that all publicity should be given to all the documents in connexion with the affairs of India. He hoped the hon. baronet would join him in his complaint of the very meagre information afforded by the Government. The 114th clause of the Charter Act provided that the Indian accounts should be laid on the table of the House within fourteen days after the first sitting of Parliament in May, and the honourable Secretary of the Treasury said it had been found impossible to do so. Therefore the East India Company had been guilty of violating their charter. [Sir J. W. Hogg.—“On the contrary, the clause has been complied with.”] Then he had great fault to find with the hon. member, who made out that it was impossible to comply with it. He disclaimed, indeed, any wish to keep back documents, but where was the finance letter of 1852? It was laid before Parliament in 1851; Mr. Kaye had had access to it for the purposes of his book, and the House of Commons certainly had a right to the same information as was given to the defenders of the East India Company. Judging, however, from the documents which had been given to members, the honourable member for Manchester had not had much encouragement to proceed with his inquiries. It required much charity to suppose that the obscurity and confusion of the voluminous appendix to the second report was quite unintentional. At page 320, appendix 2, of the Commons' Report of 1852, they had what purported to be the cost of the Indian home establishment. There were eight columns of figures, not one of them added up; the reason for which omission became very plain when they found that the total was 189,477*l.* 7*s.* 3*d.* From page 320 they must go back to page 294 to find the contingent expenses, law charges, and salaries of directors. Then they must go forwards to page 344 for the expenses of the India Board, and to 431 for the

item of 4,039*l.* for house-dinners and entertainments. He was not surprised to find this item in such well-chosen obscurity. At page 343 they were promised, according to the index, a statement of natives as distinguished from the Indo-Britons in the company's service, but no statement at all of Indo-Britons was given. At page 376 they had what purported to be a classified statement of local officers, covenanted and uncovenanted, in the north-west provinces; they had three tables, and only in the first of them was any distinction attempted; and, as to their salaries, the matter was kept secret by the ingenious device of giving no initial letters significant of the coin to which the numeral referred, till the mention of rupees at the foot of the page let them see that this highly satisfactory account had been kept in two separate currencies. No statement was anywhere given of the number and pay of the covenanted service. The House would admit that was not very satisfactory. Now, his main objection to the bill was, that the East India Company would be retained as the organ for administering the government of India, and nothing short of such a very strong objection could justify the House in debating the question at that stage. He had listened attentively to the speeches of the right hon. baronet and of the hon. baronet, in order to see whether they could show what extraordinary knowledge of India was possessed by the present Parliament over those which preceded it that they thought it right to exclude from it all the information which the latter considered necessary. When the charter was renewed in 1813, a committee had been appointed on Indian affairs in 1808, and when it was renewed in 1833 a committee sat as early as February, 1830, but, now, the members of the select committee were only nominated so recently as May of last year, and he confessed he did not know what resources they possessed to perform a task for which preceding Parliaments thought five years' and three years' previous inquiry not too much. He was aware of the difficulties of the Government on account of the expiration of the charter in April next, but he could not help reminding them on whose shoulders the blame of that all rested. If Sir J. Hobhouse had accepted the recommendations of the noble member for King's Lynn in 1851, when he asked whether the hon. baronet intended to nominate the usual committee, which he refused to do, stating as his reason, that he did not propose to make any change, all these difficulties would have been avoided. The political changes which had since occurred might have taught him all changes did not depend on his volition. A point pressed by the noble lord the member for London, and repeated by the President of the Board of Control and by the hon. baronet, was, that great danger would arise from leaving this question open for agitation, as tending to shake the company in the eyes of the natives. He could not see how greater opportunities for agitation would arise if the Government passed a continuance bill for two or three years than if they passed this bill, which Parliament, if it pleased, might alter and remodel next session. The right hon. baronet said, indeed, it would shake what he called the "superstitious reverence" the natives entertained for the permanence of the English Government in India. After the answer of the right hon. baronet, the President of the Board of Control, last night,

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that he would not lay on the table the information given to him by Lord Dalhousie, it was impossible for the House to calculate the extent of that danger, but he could refer to such authorities as they had, and he asked the right hon. baronet if much longer deliberations had not taken place on Indian subjects under circumstances of greater danger to our power without in the least degree shaking the security of our government in India (*hear*)? If the right hon. baronet would turn to the renewal of the charter in 1793, and take the years preceding, he would find they had had a committee on the subject in 1781, Dundas's bill in 1782, Fox's bill in 1783, Pitt's bill in 1784, a bill to amend Pitt's bill in 1786, the Declaratory Act in 1788, till the charter was renewed, with, he was proud to say, the opposition of the whole Whig party, in 1793. We then occupied barely one-sixth of the territory now under our controul; the whole strength of the Mahratta empire was watching us; the Nizam, with a well-officered and well-equipped army, was on one side of us; and Tippoo Saib, with all the power inherited from his father Hyder Ali, was waiting on the other; and yet there was not the least feeling of fear for our Indian empire. On the next occasion when the subject was under discussion they had had stormy debates for no less a period than three years in a time of no ordinary moment. The French were seeking to recover their supremacy in the government. We were about to engage in war with the Mahrattas, the Pindarees, and the Nepaulesc, and yet not a finger was raised against our empire in consequence of these debates. In 1833 they undertook changes greater than any made before—they threw open the trade to China and transformed the entire character of the East India Company—in fact, it was impossible to do anything more likely to excite suspicion in India that they were going to overthrow the company. They had also the Russian intrigue, which, whatever they might think of it now, was then considered sufficient to justify the war with Afghanistan; yet no convulsion took place. Only let the House contrast these periods with the circumstances with which the House had now to deal. It was the first and only occasion in which they had not an enemy in India (*hear, hear*). From the Himalayas to the sea, India was inclosed in the ring fence of our power, and the magnificent hyperbole of Burke was realized, when he said, "There is not a peasant who eats his rice without the leave of the East India Company." The chieftains of Poonah, who once would have leaped into the saddle at the head of their bands of freebooters to avenge any imaginary insult we might have offered to them, have now fallen into the practices of constitutional governments, and were absolutely presenting their humble petitions to this House. Well, the greater the security and peace which existed throughout India, the greater the responsibility which rested upon this Government for approaching the consideration of the future government of India with due calmness and after due deliberation. He fully agreed with the hon. baronet, the member for Honiton (Sir J. W. Hogge), as to some of the happy results of British rule in India, which he had portrayed with such force; all he would say was that those results were not due to the East India Company, but to the East India Government. He differed from the hon.

baronet when he said that the system of double government was on its trial at the present moment. The East India Company, however, was, he thought, now put upon its trial, and whether the future system of government were a single or a double one, that company, in his opinion, was not fit to form a part of it (*hear*). The only manner in which its efficiency could be tested was by looking at the results in that department which was especially its own—namely, that of patronage. The hon. baronet (Sir J. Hogg), in his statement with respect to Indian revenue, in which he must admit he had produced a picture which told powerfully upon the House, had spoken of the great increase in our territory since the last Charter Act. Now, at page 330 in the Appendix to the Report of the House of Commons' Committee of 1852, there was a statement of the revenue and civil charges of the territories and tributaries acquired since the 1st of May, 1834. From this it appeared that the revenue of the Punjab was 1,200,000*l.*, and the civil charges of that territory 900,000*l.*; while in Scinde the revenue was 260,000*l.*, and the civil charges 460,000*l.* (*hear, hear*). Then came the state of Sattara, which had been obtained, he thought, by most iniquitous means, and there the revenue amounted to 195,000*l.*, while the civil charges—and he thought it served us quite right that they were so high—amounted to 210,000*l.* (*hear, hear*). The total revenue of these three conquered territories was, thus, 1,655,000*l.*, while the civil charges amounted to 1,570,000*l.*, leaving a balance of 85,000*l.* to set off against the cost of conquest and permanent military charges (*hear, hear*). As to the salt duties, which had been alluded to by the hon. baronet as a proof of the progress of the people, so far from increasing, he believed that if a comparative average of two periods of four years each were taken, they would be found to be on the decline. Taking the average of the four years ending 1847-48, these duties amounted to 1,587,845*l.*, while the average revenue derived from them in the four years ending 1852-53, was only 1,366,312*l.*; showing a falling off of 221,533*l.* (*hear, hear*). Next he came to the statement of the honourable baronet respecting the great increase which he alleged had taken place in the exports and imports of India. As to the exports, he had not a word to say in contradiction of his statement, but, with regard to the imports, taking the last two periods of four years each, he found that in the four years ending 1845-6 the average imports into India from the United Kingdom and elsewhere amounted to 12,637,000*l.*, while in the four years ending 1849-50 they only averaged 12,163,000*l.*, showing a decline of 463,000*l.* a year (*hear*). Taking the two terms of 1833-34 and 1849-50, the accounts of the latter term being more convenient for reference, and more intelligibly and fully given, than those of 1850-51, he found that the total net produce of the revenues of India in the first case was 13,765,425*l.*, and in the second case 19,576,089*l.*, showing very nearly an increase of 6,000,000*l.*, or, in exact numbers, of 5,811,664*l.* This increase was made up of 2,581,000*l.* from opium; of 710,000*l.* upon salt; of 101,846*l.* upon tribute money, which could not be calculated upon as an ordinary branch of revenue; of 100,000*l.* upon stamp duties; and of 2,445,000*l.* upon land revenue. From this there must be

deducted a falling-off in the Customs duties amounting to 120,000*l.* Would the House believe that the cost of collecting the 19,576,089*l.* amounted to the enormous sum of 5,810,664*l.*, being 25 per cent. on the net total? The hon. baronet (Sir J. Hogg) admitted the unsatisfactory state of the opium question; and, with regard to the small increase on stamps, what did Mr. Prinsep say on the subject of this tax? He stated that it was a tax on exhibits, petitions, and witnesses—a tax on law proceedings—and that it was wholly of European origin, nothing of the kind having existed under any native Government (*hear*). After opium the main article of increase was that of land revenue, and was that the result of improved management, or did it arise merely from confiscations and an increase of territory—an extension in the area of taxation? Upon the answer to that question the whole merit of such an increase depended, as showing the excellence of the present system of Indian administration. Mr. Prinsep stated that not less than 1,500,000*l.* of that sum arose from fresh territory, and that 500,000*l.* more was the result of resumptions or confiscations in Bengal alone (*hear*). Then, looking into the accounts, they found 211,367*l.* under the head of tribute—from Nagpore, 60,000*l.*; from Rajpootana, 127,999*l.*; and from Cutch, 23,363*l.*—in addition to the 101,000*l.* he had just quoted under this head; and the result of all this stood thus:—Total increase in land revenue 2,445,720*l.*; of which new states contributed 1,500,000*l.*, resumptions in Bengal made up another 500,000*l.*, and tribute money from the states he had mentioned 211,367*l.*; making altogether a total of 2,211,000*l.* This left little more than 200,000*l.* out of the 5,000,000*l.* or 6,000,000*l.* increased revenue which could be set down as the results of good management and improvements, including the unexplained and indefinite items for resumptions elsewhere than in Bengal, and without, as the hon. member for Manchester (Mr. Bright) suggested, making any allowance for the enormous increase of population (*hear, hear*). He noticed among the statistics given in the appendix a statement of the arrears of land tax, from which it appeared that in the 16 years from 1834 to 1849 inclusive (the account not being completely made up for 1850), these arrears amounted to no less than 60,191,167*l.* Surely this must be some tremendous blunder, and yet, although it had been noticed by the hon. member for Leominster (Mr. J. G. Phillimore), the hon. baronet had given no reply upon this point. He came now to another subject to which he wished to call the attention of the House, because it had been alluded to by the right hon. gentleman the President of the Board of Control as showing the excellent administration of the East India Company,—he meant the transit duties. He (Mr. Blackett) confessed he was astonished at the tranquillity (to use no stronger term) with which the right hon. gentleman had permitted himself to quote this as an instance of the company's wise and beneficent administration, because if there was anything more than another which showed how the government of the bureaucracy in Leadenhall Street had been the means of paralyzing and preventing the execution of the liberal intentions of the Board of Control, it was the history of these transit duties (*hear, hear*). The right hon. gentleman told the House that the transit duties had been abolished by the

East India Company, but quite forgot to state that first of all they had been imposed by that company. The Indian transit duties were probably the most detestable arrangements that ever disgraced the dominions of what called itself a civilized Government. Under the native princes tolls were levied on every act of transport, and the country was consequently studded with these tollhouses. In 1783 they were abolished by Lord Cornwallis, but the company re-established them in 1801. In 1808 a committee was appointed to revise the duties, and they recommended their "consolidation"—that is to say, supposing that an article would have been chargeable with 1*l.* duty when it got to the end of 100 miles, it was now to be charged with 1*l.* at starting, no matter how small a distance it was to be conveyed. With inconceivable perversity, the committee retained the main grievance, and provided that the various tollhouses should still be kept up, and a search instituted at each to see if the goods corresponded with the rowannah or certificate given by the Custom-house at starting. In 1825 this system was brought before the Court of Directors by Mr. Holt Mackenzie, who expressed a strong condemnation of these duties, and urged their abolition at once. The directors condemned the system very decidedly, but still nothing was done. In 1833 Sir Charles Trevelyan issued his celebrated report on this subject, in which he declared that it was impossible to conceive the extortion, pillage, and misery consequent on this system, the terror inspired by the Custom-house officers, the insults offered to merchants and women by them, and the general corruption consequent on the necessity of bribing these miscreants. To show the then existing state of things, he alluded to the fact that in a circuit of 20 miles around Calcutta there were no fewer than 60 tollbars, and the mere direct outlay Sir Charles Trevelyan estimated at from 600,000*l.* to 800,000*l.* For a year, however, in spite of all this, nothing was done. In March, 1835, Lord Ellenborough was most fortunately at the Board of Control, and his lordship wrote a masterly letter, urging the directors to take steps for carrying out the recommendations contained in Sir Chas. Trevelyan's report. The directors sent back word that they preferred leaving the matter to the Governor-General of India, and this drew forth a short and sharp missive, with the signature of Mr. Sidney Herbert, now Secretary at War, peremptorily desiring the board to direct the Governor-General to take measures for abolishing these duties. In the meantime Mr. Ross, a well-known civil servant of the company, who happened to be Lieutenant-Governor of the north-west provinces, had taken upon himself, of his own mere motion, to abolish these tolls in his own government. Sir Charles Metcalfe, then acting Governor-General before the arrival of Lord Auckland, very strongly rebuked Mr. Ross, but said he had no alternative but to follow his example. The Court of Directors were very angry, but the work was done, and there was no help for it. In spite of all this, however, he found that the transit duties were not abolished in Bengal till 1841, nor in Madras till 1825, yet the right honourable gentleman at the head of the Board of Control could quote this as a signal example of good government on the part of the company (*hear, hear*). He asked how the House could sufficiently condemn the ma-

chinery of a Government which did not abolish so frightful a nuisance till twenty years after it had been pointed out by Mr. Mackenzie, and then took four additional years to abolish it in Bombay and ten additional years in Madras (*hear, hear*). The evil was greater than any which Turgot had to deal with in France, and which tasked the genius of Alberoni in Spain, and yet the Court of Directors succeeded for that length of time by mere *vis inertiae* in thwarting a reform dictated by the statesman-like liberality of Lord Ellenborough and Mr. Sidney Herbert, and it was very doubtful if it would have been achieved to this day but for the fortunate insubordination of a self-willed and refractory official (*hear, hear, hear*). His great ground of objection to the East India Company was, that the direction of our Indian empire was vested in the hands of a private corporation, which had no more interest in the affairs of that empire than the Great Western Railway Company had. The right hon. gentleman declared that our Indian empire was an anomaly, but he (Mr. Blackett) denied that it was so unprecedented a case as to be removed from the ordinary rule of political experience. He feared the confession that the present system was an anomaly was only a confession of cowardice in refusing to grapple thoroughly with the subject, and the right hon. gentleman, when he made this avowal, only showed, not his incompetence, but his indisposition to deal with the subject as boldly as it required. If there was an anomaly anywhere it lay at our own doors, and consisted in our persisting to administer the affairs of a great empire by a joint-stock company; and the greatest anomaly of all was displayed by the right hon. gentleman, who could discourse for five hours on a theme that was calculated to swell the heart with the strongest emotions, and coolly tell them at the close that they were going on as well there as they could possibly wish (*hear*). The speech of the right hon. baronet was filled with details respecting the good administration of the company, and with lavish praises of the directors; but the directors would prefer a little solid pudding to all this empty praise (*hear*). The right hon. baronet had failed to discover any signs of the love and affection which he professed for the Indian government. He said the government was working, but still he proposed to introduce six nominees in that government (*hear*). He expressed his approval of the directors, yet he asked them to suppress one-half of their number (*hear*). If there was a statesman who entertained a great dislike for the East India Company, but was restrained by salutary fears from openly attacking it—

“Willing to wound, but yet afraid to strike”—
 he could not introduce a measure that was more calculated to unsettle the foundation of that government (*hear*). If he had the felicity to agree with the President of the Board of Control in the opinion he entertained respecting the company, he had also the felicity to agree with the company in its opinion of the Board of Control (*hear*). They had heard the speech of the hon. member for Honiton, and they had never heard a fuller or more able statement; but he did not say one word in praise of any single alteration that had been recommended by the President of the Board of Control (*hear*). He did not express any

very hearty welcome for the six Government gentlemen who were to be invited to join them, or for the change that would take all the civil patronage from them; he did not express his intention to share in the great sum which the President of the Board of Control had invited the directors to celebrate in Leadenhall Street (*laughter*), or offer his thanks for the four pounds a week which the right honourable baronet coolly offered him in return for his patronage (*hear, hear*). Taking the measure of the President of the Board of Control and the speech of the honourable baronet the member of Honiton, he could not think the two parts of the double government would go on happily together (*hear*). He agreed with the President of the Board of Control, that the Company had too much power, and he said so from the way they had exercised their absolute and undivided power in the department of patronage (*hear*); and on this point he would remark, first, as to the constitution of the Board of Directors, who exercised this patronage. If four gentlemen could be pointed out who, by their eminent services in India, and their high character, were qualified to fill the post of East India directors with honour, they would be Mr. Willoughby, member of the Council of Bombay; Sir H. Maddock, Deputy-Governor of Bengal and President of Council; Mr. Millett, member of the Law Commission and of the Supreme Council; and Mr. Wilberforce Bird, member of Supreme Council, five times Deputy-Governor of Bengal, and once Governor-General. These gentlemen stated before the select committee, that they would gladly have placed their services at the disposal of the Company, but that they were deterred from soliciting seats in the direction by the intolerable humiliation of canvassing such a body as the proprietors (*cheers*). And in favour of whom had such men been rejected? At the last election, a few weeks ago, Mr. Carnac Morris, an East Indian servant of 30 years' standing, was rejected in favour of an hon. friend of his (Mr. Blackett's), of whom he would be the last person to say anything insulting or disrespectful, but whose election showed that official services were not a great recommendation to the favour of the proprietors (*hear, hear*). Great expectations were held out when the last charter was granted as to the mode in which the Indian civil service would be administered. Mr. Macaulay, in 1833, said:—

“One word as to the new arrangement which we propose with respect to patronage. It is intended to introduce the principle of competition in the disposal of writerships, and from this change I cannot but anticipate the happiest results. . . . It is proposed that for every vacancy in the civil service four candidates shall be named, and the best candidate be selected by examination. We conceive that under this system the young men that will be sent out will be young men above par—young men superior either in talents or in diligence to the mass.”

Did the House know how this clause had been carried out? In not a single instance had it been acted upon. For four years it was deliberately violated. In 1837 a short bill was smuggled through Parliament permanently to suspend this provision, and the Court of Directors never found it convenient to act upon it in a single instance. And it was rumoured, in reference to this important provision and its

repeal—one which had mainly obtained for the company their last lease of power—that not one single scrap of correspondence existed between the Board of Control and the India House, and it was said that the matter was arranged by private conversation between the Chairmen of the East India Company and the President of the Board of Control. Then, as to the appointment of native Indians, Mr. Macaulay said in 1833:—

“There is one part of the bill on which I feel myself irresistibly impelled to say a few words. I allude to that wise, that beneficent, that noble clause, which enacts that no native of our Indian empire shall, by reason of his colour, his descent, or his religion, be incapable of holding office. At the risk of being called by that nickname which is regarded as the most opprobrious of all nicknames by men of selfish hearts and contracted minds—at the risk of being called a philosopher—I must say that to the last day of my life I shall be proud of having been one of those who have assisted in the framing of the bill which contains that clause. We are told that the time can never come when the natives of India can be admitted to high civil and military office. We are told that we are bound to confer on our subjects—every benefit which they are capable of enjoying? no—which it is in our power to confer upon them? no—but which we can confer upon them without hazard to our own domination. Against that proposition I solemnly protest as inconsistent with sound policy and sound morality . . . Are we to keep the people of India ignorant in order that we may keep them submissive? or do we think that we can give them knowledge without awakening ambition? or do we mean to awaken ambition and to provide it with no legitimate vent? Who will answer any of these questions in the affirmative? Yet one of them must be answered in the affirmative by every one who thinks that we ought permanently to exclude the natives of India from high office.”

He believed that Lord Glenelg, in answer to a question put to him, stated that there was nothing in the clause alluded to by Mr. Macaulay to prevent a native of India from being made a member of the Supreme Council. No doubt the natives were made judges, but what kind of judges? Look at the difference between the covenanted judges and the native judges who did their work. Col. Sykes had drawn up a paper on the administration of justice by English and natives, from which it appeared that in the presidency of Bombay, from 1845 to 1848, the total number of cases decided were 866,968, of which $6\frac{1}{2}$ per cent. were decided by European judges and $93\frac{1}{2}$ by native judges. Of these no less than 66·3 per cent. of the decisions of the European judges were reversed on appeal, and only 5·4 per cent. of those of the native judges. In the north-western provinces the total number of cases were 431,679. The European judges did $5\frac{1}{2}$ per cent. of the work, and the natives 94·14; of these there were reversed on appeal from the European judges 79 per cent. of the cases appealed against, and from the native judges 27·2 per cent. With regard to the remuneration of the covenanted and uncovenanted service, he found in the appendix to a report of the House of Commons a statement that in all India only 216 natives held office of a value exceeding 360*l.* a-year, while in Bengal, it was stated by Mr. Sullivan, that 327 Europeans held offices varying in value from 600*l.* to 25,000*l.* a-year. Mr. Cameron, in his great work, speaking of clause 87 of the Charter Act, said.—

“The present Charter Act has now been in force for 16

years, or four-fifths of its term, and no single native of India has been appointed to any of the covenanted services; the consequence is that the promise of the Charter Act is regarded by the natives of India as a mockery. It was not so intended by those who framed the act."

That was no Young Indian declamation, but the opinion of a man who knew India well, and had known it long. He would say nothing of the exclusion of the natives from the military service, although he believed that the Duke of Wellington and Sir C. Napier held a contrary opinion to that of the directors, and Sir C. Napier liberally promoted Beloochee gentlemen to the command of native corps of cavalry. But the civil and military services were not the only branches of the covenanted services of India to which the natives wished to obtain access. In 1844 Dwarkanauth Tagore sent over some native young men of ability to be educated in England, so that they might be competent to hold office in India. One of them, Mr., afterwards Dr. Chuckerbutty, attained the highest distinction as a medical student in this country, and Mr. Cameron and Sir E. Ryan addressed a letter to the Court of Directors requesting them to nominate him to a situation in the covenanted medical service. One might have supposed, remembering the liberal views of Parliament on this subject, that the directors would have gladly availed themselves of this loophole to show the natives of India that they were not permanently excluded from office. The Court of Directors evaded giving a reply to the application to appoint Dr. Chuckerbutty to the covenanted service; but they sent back word that they had appointed him to a situation of equal, if not superior value, in the uncovenanted service. No doubt the poorer class of Hindoos enjoyed the blessing of equal justice in the English courts, and it was fortunate for them that they escaped the barbarous mutilations of the Mahomedan law. It had been said that the natives of India enjoyed the blessing of being under the protection of English law, but was it no drawback that that law was administered by people differing from them in feeling and in custom? There was more similarity of habit between the Frenchman and the Englishman than between the Englishman and the Hindoo, and the Code Napoleon was in many respects more simple than the English law, but enjoyment of the blessing of that law would scarcely reconcile Englishmen to a Frenchman's rule. The natives of India had been led to consider themselves excluded from any practical share in the government of the country, and instead of having been trained up to emulate and compete with the Europeans, they were naturally induced to regard them with some degree of jealousy. He would read to the House a statement which was made to the Court of Proprietors by Colonel Sykes on the 25th of April, 1849, which would explain partly how such a feeling on the part of the natives had originated. Colonel Sykes said:—

"I state honestly and sincerely my conviction that it is most dangerous, with reference to our power and even financial prosperity in India, by our constant appropriations and resurreptions of enams and rent-free lands, to lead the people at large to fear that we are really only anxious to make a government of officials on the one hand and a nation of serfs on the other."

Another eminent authority Sir Thomas Munro, had ex-

pressed a similar opinion, and in a letter bearing date Aug. 12th, 1807, he stated that—

“The strength of the British Government enables it to give to its subjects a degree of protection which those of no native power enjoy. Its laws and institutions also afford them a security from domestic oppression unknown in those States; but these advantages are dearly bought. They are purchased by the sacrifice of independence, of national character, and of whatever renders a people respectable. The natives of the British provinces may without fear pursue their different occupations and enjoy the fruits of their labour in tranquillity; but none of them can aspire to anything beyond this mere animal state of thriving in peace; none of them can look forward to any share in the legislation or civil or military government of their country. The effect of this state of things is observable in all the British provinces, the inhabitants of which are certainly the most abject race in India. There is, perhaps, no example of any conquest in which the natives have been so completely excluded from all share of the government of their country as in British India.”

The point to which he particularly wished to call the attention of the House was the manner in which the East India Company had distributed its patronage, because it had in that respect used its own discretion without any limit or control, and it was upon that alone that it could found any claim for a renewal of the confidence which had been reposed in it. He had, he believed, shown that this prerogative had been exercised by the directors in a manner most calculated to benefit their own family connexions, and least calculated to economize the resources of this country, or to strengthen the attachment of the natives to the English rule—first, by their abolition of the clause in the charter requiring competition for writerships; and, secondly, by excluding the natives from covenanted offices, and that thus the company had betrayed the trust bestowed upon them by the Parliament of 1833, and broken the engagement upon which they had permitted the hon. member for Edinburgh to ask for a renewal of their last lease of power (*hear, hear*). He was told the privileges of the directors were limited by this bill; but surely it was not enough to withdraw the mere possession of the patronage which they had shown themselves so grossly to have misapplied. Surely it would be intolerable that the administration of the humblest native village should be left to the discretion of men who had shown themselves incapable of distributing a few writerships a year without yielding to such melancholy and humiliating temptations (*hear*). Those were the main grounds on which he objected to the bill. He objected to it because it combined the contradictory disadvantages of precipitancy and delay, and because it continued the system of double government, which multiplied checks and neutralized responsibility; but most of all did he object to it because it continued the East India Company as the prominent organ of the government of India (*hear*). And he would say, in conclusion, be the share of influence which that company might be permitted to retain great or small, he was convinced that its continuance could only tend to retard progress, to foster nepotism, and to impede the elevation of the Indian race into a community of which England and Englishmen could have any reason to be proud (*cheers*).

NEWCASTLE: PRINTED AT THE CHRONICLE OFFICE, GREY STREET

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REPLY

A PAMPHLET,

ENTITLED

“INDIA & LORD ELLENBOROUGH.”

BY ZETA.

LONDON:

JOHN OLLIVIER, 59, PALL MALL.

MDCCCXLV.

Price Two Shillings.

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WALTON AND MITCHELL, PRINTERS, WARDOUR STREET, SOHO.

R E P L Y,

§c. §c.

THE attention of the political world has latterly been excited to a degree somewhat unusual at this dull period of the year, by the appearance of a Whig pamphlet, with the taking title of "INDIA *and* LORD ELLENBOROUGH;" in which the conduct of the late Governor-General is handled with much bitterness, and, as is usual with the party from which this *brochure* emanates, with gross and palpable injustice.

Having formerly undertaken the defence of Lord Ellenborough in the columns of the *Morning Post* (at a time when I was the favored correspondent of that journal), I feel to a certain extent personally interested in the vindication of his Lordship's Indian policy; and I have therefore imposed upon myself the task of replying to the several arguments—good, bad, and indifferent—which are advanced by this new champion of the Whig faction. Under ordinary circum-

stances, I should have craved permission, as usual, to convey my sentiments to the world through the medium of the *Morning Herald*; but the question to be discussed is so complicated, and the arguments to be advanced so voluminous, that, had I adopted my customary channel of communication, I should have been compelled to solicit from the Editor an amount of space much larger than he could conveniently spare or I reasonably expect. Such being the case, I have resolved to charter a vessel of my own, and, in imitation of my Whig antagonist, to appear before the public in the character of a pamphleteer. I am free to confess, that I do not greatly admire this mode of publication. The age of political pamphlets has long passed away in company with full-bottomed wigs and three-cornered cocked hats. In former times, the political pamphleteer was a personage of immense importance;—Ministers stood in awe of him,—party leaders were guided and governed by him,—and the general public listened to his revelations with profound respect. This point is curiously illustrated in Hawkesworth's *Life of DEAN SWIFT*. "On the 27th of November, 1711," says the biographer, "just ten days before Parliament met, SWIFT published his pamphlet, entitled '*The Conduct of the Allies*;' and before the 28th of January, above eleven thousand were sold, seven editions having been printed

in England and three in Ireland. The Tory members, who spoke in both Houses, drew all their arguments from it; and the resolutions, which were printed in the Votes, and which would never have passed but for '*The Conduct of the Allies,*' were little more than quotations from it."* These were the glorious days of pamphleteering,—departed never to return! In this age of railway rapidity, the communication of knowledge must be regulated by the universal desire to "push along;" and hence the daily press has now become the great engine of political controversy,—superseding the old political pamphlet, just as the rattling railway carriage has superseded the old slow and steady stage coach. As I said before, I am no great admirer of the ancient mode of communicating with the public through the pages of a pamphlet; but, as the Whig writer has thought proper to adopt it, I have deemed it my best plan to follow in the same track.

The object which the assailants of the late Governor-General of India have in view by the publication of their contemptible pamphlet at this juncture, cannot for a moment be mistaken. The Earl of Ellenborough, having been recalled by the Court of Directors without the assignment of any specific ground of recall, and in defiance

* Some Account of the Life of Dr. SWIFT, p. 67.

of the repeated remonstrances of Her Majesty's Ministers, who are alone empowered to instruct the Governor-General of India, and who are responsible for his proceedings,—the Earl of Ellenborough, I say, has now returned to England,—prepared to meet his accusers face to face, and to defend the whole course of his Indian policy from the moment of his arrival at Calcutta in February, 1842, to the moment of his departure in June, 1844. Of this fact the Whigs are fully aware,—they know the Earl of Ellenborough too well to suppose for an instant that he will remain silent under the load of calumny which has been heaped upon him in his absence; and hence, fearful of the effect which will be produced by the Noble Earl's anticipated defence, they have hastily brought out their coarse and scandalous pamphlet, in order to prejudice the public mind against him. The Whigs were ever a mean set of pettifogging politicians; but this attempt to condemn a man unheard, is a specimen of meanness which is without a parallel even in the fruitful annals of Whig trickery.

A variety of ingenious conjectures have been hazarded respecting the authorship of the pamphlet, "India and Lord Ellenborough." By one party it is strenuously urged, that the author *must* be a member of the Court of Directors, because the said Directors cannot fail to see the necessity of furnishing the public with some ex-

planation of their abrupt and arbitrary measure of recall. Others again argue not less strenuously, that Lord Auckland has madly rushed into print,—jealous, as it is hinted, of the Conservative Governor-General who so triumphantly repaired the blunders of his Whig predecessor. By a third party, the pamphlet is attributed to Mr. T. B. Macaulay, merely because the right hon. gentleman has been in India, and on that account considers himself a very great authority in all discussions respecting Indian affairs. For my own part, I am not disposed to adopt either of these ingenious conjectures, but incline rather to the opinion of a fourth and more numerous class of persons, who insist that the author is neither more nor less than *a penny-a-liner* connected with “*the Times!*” The character of the Whig pamphlet is certainly such as to bear out this latter opinion; for it is a tedious wire-drawn long-winded affair, and in fact just the sort of trashy production which might be expected to emanate from the pen of one, who, being accustomed to scribble by measure, is thence naturally more anxious about the quantity than the quality of his composition.

The author of “*India and Lord Ellenborough*” has extended his remarks to the length of 123 closely-printed pages, of which the first 24 pages are devoted to a history of British India. The discovery of this fact excited in me a mingled

feeling of surprise and apprehension. I had invested *half-a-crown* in the purchase of this Whig pamphlet, and I began to tremble for the safety of my investment. Surely, I exclaimed, I have not been bamboozled into paying *two shillings and sixpence*, good and lawful coin, for a stale description of British India, filched from guide-books and gazetteers! The anticipation of such a dead take-in was truly dreadful; and yet what else could I reasonably anticipate from the writer's ominous exordium? I open the pamphlet in the expectation of beholding a smart attack upon Lord Ellenborough's Indian policy; and to my utter amazement I find myself involved in a tedious and twaddling description of our Indian possessions! "India," says this learned Theban at the outset of his remarks, "is no longer the land of enchantment and romance;—it has been transferred from the realms of fancy to that of fact;"—a piece of information for which we are bound to feel grateful, although we are cruelly left in the dark as to the precise period when the said "transfer from the realms of fancy to that of fact" was happily effected. In the second paragraph of his remarks, the writer intimates, that "opinions differ as to the extent of country properly comprehended under the name of India," and then proceeds to favour the world with his own opinion upon the subject,—adding, by way of augmenting the reader's stock of knowledge,

that "the soil and climate are peculiarly suited to the production of various commodities." At page 4, the writer startles his readers with the novel announcement, that "India gives to Great Britain a vast accession of political power;" and in the succeeding page, this tremendous quidnunc hazards a conjecture, that "were India lost," the possessors of East-India stock might possibly have to whistle for their dividends! Arriving at page 6 of this interesting publication, we there learn, that "politically, commercially, and financially, the safety of India is an object of paramount importance to Great Britain;" a piece of information which is quickly followed by another equally new and surprising, to wit, that "great empires have arisen from small beginnings!" After proceeding with this sort of twaddle through more than a dozen dreary pages, the Whig writer condescends at length to throw some light upon his motives in giving publicity to the pamphlet before us. He says, p. 24:

"It will be evident from the above sketch, that "the policy adopted by successive Parliaments, "from the year 1784 downwards, has been to "secure to the Court of Directors of the East "India Company a large and responsible share in "the Government of that country, and that to "that end very extensive powers have been re- "served to the Court. Among the most import- "ant of these is *the power of recall.*"

Here then we perceive the Whig writer's real object in assailing the Earl of Ellenborough, which is neither more nor less than to justify the abrupt recall of that Nobleman, in opposition to the urgent and repeated remonstrances of Her Majesty's Government. In furtherance of this object, and as a preliminary to his attack upon Lord Ellenborough, the writer devotes fourteen pages of his pamphlet to the needless task of proving what no one denies, namely, that "from the year 1784 downwards," the Court of Directors have possessed the power of recalling the Governor-General of India. The question at issue, and which the Directors have themselves placed at issue by their arbitrary removal of Lord Ellenborough, is, not the legal existence of the power of recall, but *the propriety of its continuance*. Is it fitting, is it just, is it consistent with common sense, that the Court of Directors, who are not responsible for the conduct of the Governor-General of India, should possess the power of recalling that officer in defiance of the wishes of the Ministers of the Crown, who are alone responsible for his conduct? This, I repeat, is the real question at issue; and with every feeling of respect for the Court of Directors, with every desire to give them full credit for prudence and sagacity, I must say, that, in my humble opinion, their possession of the power of recalling the Governor-General of India is an anomaly, which

ought to be got rid of as soon as possible. In the hands of the Directors, this power of recall is an *irresponsible* power, and, as such, it is utterly repugnant to the spirit of the British Constitution. The Whig writer argues, that the Court of Directors is *not* free from responsibility; but his argument upon this point amounts to mere assertion, unsupported by a shadow of proof. To whom are the Directors responsible? An answer to this question is fortunately furnished by the Whig writer himself. "If," he says, p. 37, "any quality were selected as peculiarly characteristic of the Court of Directors of the East India Company, it would be caution; for *every member of the Court has a pecuniary stake in India.*" This is unquestionably true; and herein consists the sole responsibility of the East India Director,—*he is responsible to his own breeches' pocket!* Upon the whole, after a careful and deliberate examination of the subject in all its bearings, I am strongly inclined to agree with Lord Brougham in thinking, that the possession of the power of recall, now for the first time exercised, invests the Court of Directors with "a most anomalous and extraordinary jurisdiction."

Having thus stated my opinion, briefly and plainly, upon the new and delicate question of diminishing the political power of the Court of Directors of the East India Company, I will now apply myself to the main object of my present

writing, namely, the vindication of Lord Ellenborough's policy and conduct during the brief term of his government. The Whig pamphleteer directs his attention to three leading points in the policy of the late Governor-General, which may be thus classed: 1. The operations in **AFFGHANISTAN**,—2. The conquest of **SINDE**,—3. The military brush under the walls of **GWALIOR**. "Affghanistan and Sinde," says the writer, "furnish the field upon which Lord Ellenborough's reputation is to be established, if established it can be. On his policy in minor matters there is not room to dwell, but his conduct in regard to the Mahratta state, subject to the House of Scindia, is too extraordinary to be altogether passed over." I accept the challenge here given;—I undertake to establish Lord Ellenborough's reputation as Governor-General of India, and utterly to demolish the whole fabric of calumnious charges, which has been so carefully prepared by the Whig pamphleteer.

And, first in point of time as also of importance, let us turn our attention to the operations in **AFFGHANISTAN**, subsequently to the arrival of Lord Ellenborough at Calcutta on the 28th February, 1842.

The bill of indictment, which the Whig writer has prepared under this head, is amazingly voluminous,—extending over forty pages of his pamphlet; but he who peruses these forty pages in

the expectation of finding either fair or rational argument, will perform as bootless a task as the fabled quidnunc, who hunted for a grain of wheat in a bushel of chaff! In the course of my political experience, I have had occasion to wade through divers dull and heavy controversial effusions; but I do not recollect ever to have met with so trashy an affair as that now under consideration. This remark applies generally to the whole of the pamphlet entitled "India and Lord Ellenborough," but more especially to that portion of it which has reference to the military movements in AFFGHANISTAN. Garbled extracts from official documents, ingeniously patched and dovetailed so as grossly to pervert their real meaning,—assertions, unsupported by a tittle of corroborative evidence, boldly advanced in one paragraph and disproved in the next,—petty quibbling and hair-splitting, which would disgrace a tenth-rate pleader in the Westminster Court of Requests,—coarse and unmeaning invectives against the late Governor-General, coupled with praises, equally unmeaning, of every other official personage, high and low, from Sir Jasper Nicolls, the Commander-in-Chief, down to Mr. Clerk, the Political Agent,—these are the leading characteristics of that portion of the Whig pamphlet which treats of Lord Ellenborough's Affghan policy. I had some idea, in the first instance, of quoting and replying to the writer's remarks paragraph by pa-

ragraph; but it would really be a sheer waste of time to attempt anything of the kind with such a mass of verbiage as that now before me. One might as well attempt to make a decent garment out of the ragged remnant of a mendicant's shirt! Under all circumstances, my best plan will be to give, in his own words, the substance of the writer's charge against the late Governor-General, and then proceed to refute it,—not by special pleading, not by a garbled and distorted representation of the progress of events,—but by a plain straightforward reference to notorious facts, and by the aid of official documents of unquestioned authenticity.

After stating, that “it must be admitted, in ordinary candour, that on the arrival of Lord Ellenborough in India, his situation was neither enviable nor easy,” and furthermore, that “the earliest impressions and earliest declarations of his Lordship were such as became a British Governor-General;” the writer opens his attack upon Lord Ellenborough (p. 40), after the following fashion:—

“Thus much was well; but how did his Lordship fulfil the expectation which he had thus excited? He found that *considerable preparations had been made for re-commencing operations in Affghanistan*, and he proceeded to complete and to add to them. He left Calcutta and his Council, in order that he might be

“ nearer to the seat of war, and give the weight
 “ of his personal influence and the advantage of
 “ his personal superintendence to the affairs in
 “ progress on the frontier. This seemed to indi-
 “ cate not only great energy, but great determi-
 “ nation of purpose ; and those who observed
 “ the conduct of the Governor-General,—who
 “ knew the character of the officers and men at
 “ his disposal,—and who thought, moreover, of
 “ the great objects before him,—the military re-
 “ putation of Great Britain to be re-established,
 “ —the terror of its name to be restored,—treach-
 “ ery to be punished,—and its surviving victims,
 “ comprising women and children as well as men,
 “ to be rescued ; those who felt the importance
 “ of these objects, and who witnessed or heard
 “ of the restless vivacity of the Governor-General,
 “ never doubted that all would be well,—never
 “ supposed for a moment, that any check would
 “ be put upon the ardour of the military com-
 “ manders,—that any obstacle would be inter-
 “ posed between their desire for action and the
 “ gratification of it; or that he, who had thought
 “ the prosecution of the war a matter of so much
 “ importance, as for the sake or aiding it, to
 “ separate himself from his Council and make a
 “ journey of several hundred miles, was prepared
 “ to acquiesce in so pitiful a termination of the
 “ labours of himself and his predecessor, as that
 “ of merely getting the troops in Affghanistan

“ back again to India. Yet thus it was. Some
 “ ill success befel the British cause,—Ghuznee
 “ was surrendered to the enemy ; General Eng-
 “ land failed in his attempt to join General Nott
 “ at Candahar; and further, a bad spirit was un-
 “ derstood to prevail in a part of the force under
 “ General Pollock. The new Governor-General,
 “ it became apparent, in spite of his high pur-
 “ posings, was not a man to encounter difficul-
 “ ties or persevere under discouragements,—his
 “ moral courage oozed away as he approached
 “ the scene of action, and the ‘ re-establishment
 “ of our military reputation—the decisive blow
 “ at the Affghans’—and the safety of our pri-
 “ soners—were all cast to the winds. On the
 “ 19th April, General Nott was ordered to destroy
 “ Kelat-i-Ghilzie, to evacuate Candahar, and to
 “ fall back to Quetta.”

We have here, in his own words, the sum and
 substance of the Whig pamphleteer’s charge
 against the late Governor-General of India,
 which amounts in effect to this,—that Lord
 Ellenborough enunciated his Indian policy with
 all the bluster of a bully, and carried it out with
 all the pusillanimity of a poltroon. In support
 of this monstrous charge, the writer flounders
 through a lengthy elaborate argument, which I
 do not hesitate to characterize as the most con-
 temptible specimen of controversial imbecility
 that I ever remember to have met with,—being

frivolous in its character, atrociously unfair towards the nobleman against whom it is directed, utterly destitute of coherence and consistency, and in many parts so muddled and confused as to be altogether incomprehensible. As a sample of the manner in which the Whig writer conducts his case, let me beg the reader to refer, *en passant*, to page 44 of the pamphlet. "The burden of Lord Ellenborough's instructions," says the writer, "was *retire* — fall back — get towards India as fast as you can — leave the Affghans to themselves, and by consequence leave the British prisoners to be maltreated and murdered by those, whom our pusillanimity will thus relieve from the restraint hitherto imposed by their fears." This, we are told by the Whig pamphleteer, was "the unvarying tenor" of Lord Ellenborough's language, — "the burden of his instructions;" and yet we are informed by this same writer in the very same page of his pamphlet, that "on the 28th of April, the Noble Lord caused no less than three letters to be written to General Pollock, — one intimating his belief in the reports of the death of Shah Shoojah; a second giving permission to treat with a *de facto* government for the exchange of prisoners; and a third, the crowning letter of all, announcing that the aspect of affairs in Upper Affghanistan appeared to be such, that his Lordship could not but contemplate the possi-

bility of General Pollock having been led to advance upon and occupy the city of Cabool!" This is a specimen of our author's consistency. In the following page, the worthy gentleman (who, like *Jagā*, is "nothing if not critical"), quarrels with the mode of expression which Lord Ellenborough adopted in alluding to the possibility of an advance to Cabool. "The Noble Lord," he says, "speaks of marching to Cabool as boldly as maids of thirteen do of puppy dogs!" At one time, to advance is treated almost as much beyond rational contemplation as a journey to the moon; at another, the march of an army from Jellalabad to Cabool is spoken of as lightly as a walk from London to Highgate." This passage will enable the reader to judge of the general style of remark which the Whig writer has thought proper to adopt in discussing the grave and important question of Lord Ellenborough's Indian policy. I give the passage merely as "a sample of the sack;"—the same sort of frivolous absurdity of argument is to be found in every page of the pamphlet.

To return, however, to the main charge of the Whig writer, as set forth in the paragraph which I have quoted above. If any person were to read this paragraph without possessing a previous knowledge of the facts of the case, he would naturally enough conclude, that Lord Ellenborough, having been suddenly sent out to India,

to supersede Lord Auckland, for no other purpose than that of reversing his policy, had basely, treacherously, and with eager haste abandoned an advantageous position in Affghanistan, which had been gained by the superior wisdom and energy of his Whig predecessor, and for the future maintenance of which ample provision had been made by the aforesaid Whig functionary. "On his arrival at Calcutta," says the writer of the pamphlet, "Lord Ellenborough found that *considerable preparations had been made for re-commencing operations in Affghanistan.*" Now, what are the real facts of the case? Instead of finding that "considerable preparations," or indeed any preparations at all, had been made for "re-commencing" the campaign in Affghanistan, Lord Ellenborough found, on arrival at Calcutta, on the 28th of February, 1842, that his Whig predecessor had resolved *to evacuate the country without delay*, and without making any effort, beyond that of a pecuniary negotiation with Akbar Khan, towards the release of the prisoners at Cabool. In a despatch, dated "Fort William, 2nd December, 1841," Lord Auckland thus wrote to Sir Jasper Nicolls, the Commander-in-Chief:—

"Your Excellency will have received full details of the important events, which appear to have placed our troops at Cabool and Jellalabad in a position of considerable difficulty. We have now to inform your Excellency, that *the only measure*, which we deem practicable and prudent to adopt at

present for the support of these troops, is to concentrate an effective brigade *at or near* PESHAWUR, by which a good front can be shewn towards the northern portion of Afghanistan, and a point of union and strength provided in case of emergency.

“Generally we would solicit your Excellency to exercise your discretion in regard to the details of these arrangements, and to give orders without reference to us,—bearing always in mind, that our present object is only to establish a point of support and demonstration at Peshawur, and *NOT to require the forcing at all hazards of the passes to Cabool.*”*

The reader will perceive from this extract, that, although Lord Auckland was constrained to acknowledge that our troops at Cabool and Jellalabad were in “a position of considerable difficulty,” yet nevertheless “the only measure” which he deemed himself called upon to adopt, was, “to concentrate an effective brigade at or near Peshawur.” Again, on the very next day, December 3rd, Lord Auckland, anxious only for a speedy retreat, reiterated his instructions to the Commander-in Chief. The following passages are worthy of notice :—

“Since addressing your Excellency yesterday, we have received an express from Mr. Clerk, of the 24th ultimo, containing information of the events at Cabool to the 9th, and at Jellalabad to the 15th ultimo.

“It would be vain to speculate upon the issue of the contest at Cabool; but in the extreme event of the military possession of that city, and the surrounding territory hav-

* Papers relating to Military Operations in Afghanistan, 1843, p. 33.

ing been entirely lost, *it is NOT our intention to direct new and extensive operations for the re-establishment of our supremacy throughout Affghanistan.*

“We can scarcely contemplate in such case, that there will be any circumstances or political objects of sufficient weight to induce us to desire to retain possession of the remainder of that country, and, unless such shall be obvious as arising from the course of events, we should wish our military and political officers *so to shape their proceedings as will best promote the end of retiring WITH THE LEAST POSSIBLE DISCREDIT !!*”*

The Whig pamphleteer tells us, that Lord Ellenborough “found that considerable preparations had been made for recommencing operations in Affghanistan.” We learn, however, from the above passages in Lord Auckland’s instructions to the Commander-in-Chief, that arrangements were made for the évacuation of Affghanistan *full three months before Lord Ellenborough’s arrival in India*,—Lord Auckland’s object being, *not* “to direct new operations for the re-establishment of our supremacy in Affghanistan,” but in his own words,—and let those words never be forgotten!—“So to shape proceedings as best to promote the end of *retiring with the LEAST POSSIBLE DISCREDIT !!*” But it will perhaps be argued by his Lordship’s friends and supporters, that this détermination to retreat was formed before the murder of Sir William Macnaghten and the

* Papers, page 35.

subsequent disasters at Cabool. Very well. Let us afford to the Whig Governor-General all the benefit which can be derived from this argument, and, in order to do so, let us proceed to ascertain what measures of retaliation Lord Auckland adopted, when this murder and these disasters were made known to him.

The murder of Sir William Macnaghten, the British Envoy at Cabool, was announced to the Governor-General in a brief note from Major Pottinger, dated the 25th of December, 1841,—the Major stating at the same time, that the British troops were in a desperate condition at Cabool, and that a negotiation was in progress for their retirement from that place. On the 6th January, 1842, the troops marched from Cabool, “devoid of all provision for food, for shelter, or for safety; and thus, exposed to the attacks of enemies in the mountain defiles, and in the worst severity of a winter season, they became after two or three marches dispirited and disorganized, and were, as a military body, ultimately wholly destroyed or dispersed.”* How did Lord Auckland act on the receipt of this melancholy intelligence? Did he make “considerable preparations” to retrieve the disasters of Cabool,—to re-establish our military reputation,—to punish the treacherous Affghans,—and to rescue his unhappy countrymen and

* Papers, page 103.

countrywomen from the hands of Akbar Khan? No such thing. Lord Auckland had decided upon retreating from Affghanistan *before* the murder of Sir William Macnaghten, and the rout of the British troops at Cabool;—his Lordship was equally resolved upon a retreat *after* the occurrence of those disasters. The writer of the Whig pamphlet sneers at Lord Ellenborough on account of the frequency, with which he repeated his instructions for retirement to Generals Pollock and Nott; but we shall presently see, that Lord Auckland's instructions upon this point exhibit “damnable iteration.”

On the 31st January, 1842, the Governor-General in Council transmitted to the Commander-in-Chief a letter of instruction, suggested by the calamitous course of events at Cabool; and the 7th paragraph of this letter runs as follows:—

“If Major-General Pollock can safely maintain the position of Jellalabad, he will, until otherwise ordered, continue to do so—and it will be highly desirable, that he should find an opportunity of asserting our military superiority in the open country in the Jellalabad neighbourhood. But Jellalabad is not a place, which the Governor-General desires to be kept at all hazards; and after succour shall have been given, to Sir R. Sale's brigade there, and relief shall have been given to parties arriving from Cabool, the Governor-General in Council would wish Major-General Pollock to *arrange for withdrawal from it.*”

* Papers, page 114.

Again, on the 10th of February, the Governor-General to the Commander-in-Chief:—

“The intelligence, received since the transmission to you of our despatches of the 31st ultimo, has convinced us, that, excepting under some very unforeseen change, no sufficient advantage would be derived from an attempt to retain possession of Jellalabad.

“The fate of the gallant garrison at that place will probably have been determined before the intimation of our opinion to the above effect can reach Major-General Pollock. But we would request your Excellency without delay to inform the Major-General, that the main inducement for the maintenance of a post at Jellalabad, namely, that of being a point of support to any of our troops escaping from Cabool, having now unhappily passed away, it is the object of the Government that *he should confine himself to measures for withdrawing the Jellalabad garrison in safety to Peshawur.*”*

On the same day, a copy of this dispatch was transmitted to Mr. Clerk, the Governor-General’s Agent, who was instructed frankly to inform the Lahore Durbar, that a resolution had been formed by his Lordship in Council “*not to attempt the prosecutions in advance of the Khyber Pass.*”† Between the date of this dispatch and the 15th of February, some communication appears to have been received from Mahomed Akbar Khan, relative to the prisoners detained at Cabool; but the Governor-General, writing to the Commander-in-Chief, “reserved” his remarks and instructions upon that matter, and desired his Excellency “expressly to instruct Major-General Pollock,

* Papers, page 120. † Papers, page 121.

to direct all his efforts and measures to the withdrawal of Sir Robert Sale's force from Jellalabad, *with the least possible delay.*"* On the 24th of February, a dispatch was addressed to Major-General Pollock himself, in which that officer was informed, that the Governor-General in Council did not contemplate "any great effort for the re-occupation of Affghanistan;" and a hint was thrown out (which sufficiently proved the miserable state of dejection to which Lord Auckland was reduced) that the Affghans might be induced to deal leniently with the British troops, if they were given to understand that the said troops were prepared to sneak out of the country. "On the other hand," observed his Lordship, "the knowledge that we do not intend to return as principals to Affghanistan, might disarm some of the opposition which would otherwise be made to our object of retiring."†

After all these reiterated instructions to withdraw the British troops, there is something marvellous in the cool effrontery of the Whig pamphleteer, when he gravely informs his readers, that Lord Ellenborough, on his arrival in India, "found that considerable preparations had been made for re-commencing operations in Affghanistan!" The real truth of the matter is, that Lord Auckland was utterly prostrated in spirit by the

* Papers, page 141.

† Papers, page 153.

disastrous failure of his aggressive policy, and resolved to prevent a repetition of such defeat and disgrace as had been incurred at Cabool, by an immediate evacuation of the Affghan territory. The language which the Noble Lord addressed to the Commander-in-Chief, is too plain to be misunderstood. "It is *not* our intention to direct new operations for the re-establishment of our supremacy throughout Affghanistan." And again: "His Excellency will instruct Major General Pollock to direct all his efforts to *the withdrawal* of Sir R. Sale's force from Jellalabad to Peshawur." There can be no mistake here. From the 2nd of December, the date of Lord Auckland's first order to retire, to the 24th of February, the date of his last, the Noble Lord's mind was filled with cowardly apprehensions; and to his Lordship may be fairly applied the sneering remark, which the Whig pamphleteer has applied to Lord Ellenborough, —namely, that "the burden of his instructions was *retire, —fall back, —get towards India as fast as you can, —leave the Affghans to themselves, and by consequence leave the British prisoners to be maltreated and murdered.*" Lord Auckland evidently had no care for the re-establishment of our military reputation, —no care for the safety of the unfortunate captives at Cabool; his sole object was to get himself out of the mess into which he had floundered, and with a view to effect this, he instructed his military and political

officers "so to shape their proceedings as best to promote the end of retiring *with the least possible discredit!*"

The letter of instruction, bearing date February 24th, 1842, as quoted above, closed Lord Auckland's connexion with the military movements in Affghanistan. On the 28th of February 1842, Lord Ellenborough assumed the reins of government; and we have now to ascertain how far the Noble Earl is open to the charge of vacillation and cowardice, which has been so strenuously urged against him by the Whig press. In conducting this portion of my subject, I shall not follow in the track of the Whig pamphleteer, — I shall not resort to the shallow service of special pleading, nor shall I fill my pages with little bits of garbled extracts, cut and pared down and dove-tailed together to suit the purpose of the moment. Convinced that, in this instance as in all others, the envenomed shafts of malicious misrepresentation will be most effectually turned aside by a plain, unvarnished statement of the truth, I shall proceed to rebut the charges which have been urged against Lord Ellenborough, by a simple reference to the contents of such official documents as are now before the public, touching occasionally, as I proceed, upon the absurd and frivolous remarks of the Whig pamphleteer. The intelligent reader will perceive, on a moment's reflection, that this is the best course of replica-

tion which I can possibly adopt, and indeed the only course which the circumstances of the case require. The question at issue is not one which calls for any elaborate argument,—it is not a question of opinion or of inference,—but a mere question of fact. We have seen that Lord Auckland, confounded by successive disasters, issued orders for an immediate and unconditional evacuation of the Affghan territory. Did Lord Ellenborough do the like? Did Lord Ellenborough ever contemplate, did he ever command, the withdrawal of our troops from Affghanistan *at a time when a forward movement was practicable?* I say—*no*; I say, and I will prove, that Lord Ellenborough's first thought was to remove the stain which had been cast upon our military reputation by the disastrous blunders of Lord Auckland, and that the Noble Earl only issued orders to retire after he had ascertained, on competent military authority, that it was impossible to advance.

In reviewing the Indian policy of Lord Ellenborough, as far as relates to the occupation of Affghanistan, we must bear in mind the actual position of affairs on his Lordship's arrival at the seat of government in February, 1842. On the 1st of October, 1838, Lord Auckland issued a Proclamation at Simla, explanatory of the assemblage of a British force for service across the Indus. "His Majesty Shah Shooja-

ool-Moolk," said the Governor-General in this Proclamation, "will enter Affghanistan surrounded by his own troops, and will be supported against foreign interference and factious opposition by a British army; and the Governor-General confidently hopes, that the Shah will be speedily replaced on his throne by his own subjects and adherents." The Whig Governor-General's "confident hopes" were miserably disappointed. At the end of three years, Shah Shooja-ool-Moolk was again a fugitive, while the British army, which accompanied him to Cabool, was utterly annihilated,—none remaining out of a force of 10,000 men, exclusive of camp-followers, save and except a few prisoners, in the hands of the rebellious chief, Mahomed Akbar Khan. Such was the lamentable position of affairs on Lord Ellenborough's arrival at Calcutta,—such the legacy of disaster and disgrace, which was bequeathed to him by his Whig predecessor. How, then, did Lord Ellenborough proceed to act on assuming the reins of Government? Did he shrink back affrighted at the heavy responsibility imposed upon him? Did he, in imitation of Lord Auckland, propose to sneak out of Affghanistan like a beaten hound? Did he talk of "retiring with the least possible discredit,"—leaving the prisoners at Cabool to their fate, and the treacherous Affghans to exult unpunished? No such thing. On the 15th

March, 1842, the Earl of Ellenborough transmitted a dispatch to Sir Jasper Nicolls, the Commander-in-Chief, in exposition of his Lordship's views and wishes respecting the future movements of the British troops in Afghanistan. After stating, that the recent occurrences at Cabool had led to the conclusion, that "the continued possession of Afghanistan would be a source of weakness rather than of strength," and further, that "the conduct of Shah Shooja had not been such as to compel the British Government to peril its armies in his support." Lord Ellenborough proceeded as follows:—

"5. Whatever course we may hereafter take *must rest solely upon military considerations*, and have, in the first instance, regard to the safety of the detached bodies of our troops at Jellalabad, at Ghuznee, at Kelat-i-Ghulzie, and Candahar, to the security of our troops now in the field, and finally, to the re-establishment of our military reputation by the infliction of some signal and decisive blow upon the Affghans which may make it appear to them, to our own subjects and to our allies, that we have the power of inflicting punishment upon those who commit atrocities and violate their faith, and that we withdraw ultimately from Afghanistan, not from any deficiency of means to maintain our position, but because we are satisfied, that the King we have set up has not, as we were erroneously led to imagine, the support of the nation over which he has been placed.

"8. In war reputation is strength; but reputation is lost by the rash exposure of the most gallant troops under circumstances which render defeat more probable than victory.

We would, therefore, strongly impress upon the Commanders of the forces employed in Afghanistan and Sindh the im-

portance of incurring no unnecessary risk, and of bringing their troops into action under circumstances, which may afford full scope to the superiority they derive from their discipline. At the same time, we are aware, that no great object can be accomplished without incurring some risk; and we should consider that the object of striking a decisive blow at the Affghans, more especially if such blow could be struck in combination with measures for the relief of Ghuznee, a blow, which might re-establish our military character beyond the Indus, — would be one for which risk might be justifiably incurred, all due and possible precaution being taken to diminish such necessary risk, and to secure decisive success.

“ 9. The Commanders of the forces in Upper and Lower Affghanistan will, *in all the operations they may design*, bear in mind these general views and opinions of the Government of India. They will, in the first instance, endeavour to *relieve all the garrisons in Affghanistan*, which are now surrounded by the enemy. *The relief of these garrisons is a point deeply affecting the military character of the army*, and deeply interesting the feelings of their country; but to make a rash attempt to effect such relief, in any case, without a reasonable prospect of success, would be to afford no real aid to the brave men who are surrounded, and fruitlessly to sacrifice other good soldiers, whose preservation is equally dear to the Government they serve. *To effect the release of the prisoners taken at Cabool, is an object likewise deeply interesting in point of feeling and honour.* With reference to this object, and to that of the relief of Ghuznee, it may possibly become a question, in the event of Major-General Pollock's effecting a junction with Sir Robert Sale, whether the united force shall return to the country below the Khyber Pass, or take a forward position near Jellalabad, or *even advance to CABOOL.*” *

* Papers, page 167-8.

It is impossible to peruse these passages in Lord Ellenborough's opening exposition of his Indian policy without admiring the singular combination of energy and prudence which is displayed therein. Sensible of the importance of re-establishing the military reputation of the British army, so lamentably lowered and degraded under Lord Auckland's miserable government, Lord Ellenborough expresses a strong desire "to inflict some signal and decisive blow upon the Affghans;" but, at the same time, sensible that the integrity of the British power in India would be affected by a second failure similar to that at Cabool, the Noble Earl strenuously insists, that no attempt must be made to punish the treacherous Affghans "without a reasonable prospect of success." Lord Ellenborough's dispatch to the Commander-in-Chief, from which the above passages are extracted, is a state paper of very remarkable merit,—so remarkable indeed as to draw an expression of reluctant approbation even from the Whig pamphleteer. "The earliest impressions," he says, at page 38, "and the earliest declarations of Lord Ellenborough were such as became a British Governor-General;—he arrived at Calcutta on the 28th of February, 1842, and on the 15th of March following, his Lordship addressed Sir Jasper Nicolls in language

well suited to the circumstances which surrounded him.”*

Every one who reads Lord Ellenborough's famous dispatch of the 15th March, 1842,—every one who contemplates the “pluck,” with which, in the face of the then recent and apparently overwhelming disasters at Cabool, the new Governor-General threatened to inflict “a striking and decisive blow upon the Affghans,”—will naturally enough expect to learn, that, when the proper moment arrived, his Lordship was prepared to carry his threat into vigorous execution. Not so,—that is to say, not so, according to the *dictum* of the Whig pamphleteer. This veracious historiographer assures us, that, after crowing so lustily, Lord Ellenborough turned dunghill at last! “The new Governor-General,” he says, “in spite of his high purposings, was not a man to encounter difficulties, or persevere under discouragement,—his moral courage oozed away as he approached the scene of action; and the re-establishment of our military reputation,—the decisive blow at the Affghans,—and the safety of the prisoners—were all cast to the winds.”† We shall presently see how far this charge of cowardice and vacillation is borne out by facts.

* “India and Lord Ellenborough,” p. 38. † Pamphlet, p 41.

The writer of the Whig pamphlet states, with an exulting chuckle, that, on the 19th April, General Nott was ordered to evacuate Candahar and fall back to Quettah, and that, on the same day, the Governor-General addressed a letter to Sir Jasper Nicolls instructing him to order the return of General Pollock below the Khyber Pass as soon as he had relieved the garrison at Jellalabad; but this honest writer takes no notice of the events which occurred between the 15th of March, the date of Lord Ellenborough's first dispatch, and the 19th of April, the date of the instructions to retire,—leaving it to be supposed and wishing it to be supposed, that these instructions resulted solely from the Governor-General's vacillating disposition. Now, Lord Ellenborough distinctly stated in his dispatch of the 15th March already quoted, that “whatever course might hereafter be taken must rest solely upon *military considerations* ;” and I think it will not be difficult to prove, that his Lordship's instructions of the 19th April, having reference to the withdrawal of the troops, *did* rest wholly and solely upon “military considerations.”

The idea of the impossibility of marching to Cabool under the then existing circumstances was not one, which originated with Lord Ellenborough;—it was first urged by Sir Jasper Nicolls in a dispatch to Lord Auckland, dated

January 24th, 1842. The Commander-in-Chief writes therein to the following effect :—

“After I had dispatched my letter to your Lordship, in Council, I had a second discussion with Mr. Clerk on the subject of holding our ground at Jellalabad, in view to retrieving our position at Cabool by advancing upon it, at the fit season, simultaneously from Candahar and Jellalabad. I am greatly inclined to doubt, that we have, at present, either army or funds sufficient to renew this contest. Money may perhaps be obtainable, but soldiers are not, without leaving India bare.

“Shortly before I left Calcutta, there were at least 33,000 men in our pay in Afghanistan and Sindh, including Shah Shooja's troops, but not the rabble attached to his person.

“How insufficient that number has been to awe the barbarous, and at first disunited, tribes of Afghanistan and Sindh, our numerous conflicts, our late reverses, and our heavy losses fully prove. I admit, that a blind confidence in persons around the late Envoy, &c., &c., have led to these reverses; but we must not overlook the effects of climate, the distance from our frontier, and the fanatical zeal of our opponents.”*

There can be no mistake about the tendency of the opinion here deliberately expressed by the Commander-in-Chief. On the 24th of January, 1842, Sir Jasper Nicolls, a tolerable authority on such a point, was “strongly inclined to doubt” that we were then sufficiently strong either in “army or funds” to renew the contest in Afghanistan. That this inclination “to doubt” was not removed after a lapse of six weeks, is evident from the annexed passage in a letter addressed

* Papers, page 118.

by the Commander-in-Chief to Mr. Clerk on the 5th of March :—

“ 6. I agree with Major Outram, when he says, ‘ We have to pause for a season before commencing our advance against Cabool.’ Undoubtedly, *it would require the greatest part of 1842 to re-equip General Nott’s force*, which had but 262 camels and 148 bullocks, on the 1st of December, for 9,000 men without followers at Candahar.”*

Again, on the 30th March, Sir Jasper Nicolls wrote to the Governor-General in Council :—

“ 5. If Major-General Pollock could have carried up stores of all descriptions and spare cattle for Sir R. Sale’s force, I should have thought it practicable for these united bodies to have moved next month upon Cabool, to have left some marks of our power and displeasure there, and to have retired by Candahar. *The want of cattle and of followers is not, I fear, to be overcome.*”†

On the 22nd of March, Brigadier England, being in camp near Quetta, wrote to Mr. Maddock, Secretary with the Governor-General :—

“ 10. I cannot too strongly lament the paucity of troops with me, the slender means of carriage, and the especial deficiency of cavalry *both here and at Candahar*; for I should not doubt, if somewhat more formidably equipped in these respects, that our supremacy in these countries, and to the northward, would be at once placed in a true and rapid progress of re-establishment.”‡

From these several extracts announcing a positive deficiency of moving power at every point from which it would have been advisable to direct a second attack upon the Affghan force,—at Jel-

* Papers, p. 176. † Papers, p. 197. ‡ Papers, p. 219.

lalabad, at Candahar, and at Quetta,—it is quite clear that, when Lord Ellenborough issued his first order for retirement across the Indus, of the 19th of April, his Lordship was convinced of the utter impossibility of a forward movement with any reasonable chance of success. If the slightest doubt upon the subject had remained in the mind of the Governor-General, it must have been effectually removed by the severe check which Brigadier England experienced on the 28th of March, in his attempt to advance beyond Quetta.* Under all the circumstances of the case, one course only, that is to say, one prudent course only, was left open to the Governor-General,—to withdraw the British troops as speedily as possible. A forward movement having been proved, on competent military authority, to be at that time altogether impracticable, it was clear, that no great object could be accomplished, but that, on the contrary, great danger would be incurred, by maintaining advanced positions, in which our soldiers, ill-provided with the means of defence, would have been subjected to the harassing attacks of an active and vigilant enemy. Hence arose the orders for retirement, addressed on the 19th of April to Generals Pollock and Nott,—the object of those instructions being, as Lord Ellenborough expressly stated in his dispatch of the same date to Sir Jasper Nicolls, to

* Papers, page 220.

enable those officers "to bring their respective corps into easy and certain communication with India."* It is not true, as the Whig pamphleteer asserts, in his eagerness to write down the late Governor-General, that "the re-establishment of our military reputation,—the decisive blow at the Affghans,—and the safety of the prisoners,—were all cast to the winds." The retrograde movement, ordered on the 19th of April, was merely a measure of temporary precaution ; for in his dispatch to the Commander-in-Chief, Lord Ellenborough distinctly alluded to "new aggressive movements upon Affghanistan," and spoke of a probable change in "the line of operations."

Following in due order the course of events, we come now to a dispatch, dated 28th April, addressed by Mr. Maddock to Major-General Pollock. "The aspect of affairs in Upper Affghanistan," says Mr. Maddock, "appears to be such, according to the last advices received by the Governor-General, that his Lordship cannot but contemplate the possibility of your having been led, by the absence of serious opposition on the part of any army in the field, by the divisions amongst the Affghan chiefs, and by the natural desire you must, in common with every true soldier, have of displaying again the British flag in triumph upon the scene of our late disasters, *to advance upon and occupy the city of Cabool*"†

* Papers, page 225.

† Papers, page 235.

And here we have another sample of the Whig writer's talent at misrepresentation. It must be evident to every one, who reads Mr. Maddock's dispatch of the 28th April with a desire to ascertain the truth, and not for the factious purpose of calumniating a political opponent,—it must be evident to every such person, I say, that the Governor-General merely *conjectured* that Major-General Pollock, exercising the discretionary powers entrusted to him, might have been induced, “by the altered aspect of affairs in Upper Afghanistan,” to advance upon the city of Cabool; and the object of his Lordship's reference to this contingent possibility is clearly explained in the succeeding paragraph of Mr. Maddock's dispatch. “If that event shall have occurred,” says Mr. Maddock, “you will understand, that it will in no respect vary the view which the Governor-General previously took of the policy now to be pursued.” It is obvious from this passage, that the dispatch of the 28th April was intended solely to caution Major-General Pollock not to lose sight of the Governor-General's desire to withdraw the troops into a safe position at the earliest possible period; and yet the Whig pamphleteer attempts to distort it into a proof, that Lord Ellenborough, in defiance of his repeated instructions to the contrary, “hoped” that General Pollock was then *in full march to Cabool!* The reason for this gross

misrepresentation of the Noble Earl's palpable views and opinions becomes apparent in the succeeding page of the pamphlet, where the Whig writer vamps up a charge of *inconsistency* against the late Governor-General, because on the 4th of May—"within a week after he thought it *possible* that General Pollock had gone to Cabool,"* — his Lordship stated his expectation, that Major-General Pollock would have already decided upon withdrawing his troops within the Khyber Pass,—adding, "His Lordship is too strongly impressed with confidence in your judgement to apprehend that you will ever place the army under your command in a situation, in which, without adequate means of movement and supply, it could derive no benefit from its superior valour and discipline, and might be again subject to a disaster, which, if repeated, might be fatal to our power in India."† This passage in the dispatch of the 4th of May affords the Whig writer an opportunity of exercising his powers of sarcasm with magnificent effect. "Most just was this his Lordship's impression," he exclaims, "but *how is it to be reconciled with his former impression or supposition, something less than a week old?*"‡ How? Why easily enough, if this cunning Isaac will only take the trouble to refer to the fourth paragraph of the dispatch of the 4th

*Pamphlet, p. 46. †Papers, page 241. ‡Pamphlet, p. 47.

of May, in which reference is made to "recent accounts of the difficulty experienced in obtaining supplies at Jellalabad, and in bringing forward supplies from Peshawur." Between the 28th April, when Lord Ellenborough contemplated the "possibility" of an advance having been made upon Cabool, and the 4th May, when his Lordship expected that General Pollock had decided upon withdrawing within the Khyber Pass, a dispatch was received from that officer, in which the following passages occur:—

"I now beg to bring to the notice of the Government some points which are of a most serious nature, and go far to paralyze the movements of an army sent in this direction. The accompanying copy of a letter from Lieutenant-Colonel Parsons will shew, that the camels are hired to Jellalabad, and I regret to say, that nearly one-half never go beyond Peshawur, from which place they generally return, owing to the defection among the drivers, and the great want of carriage-cattle.

"The only alternative I have is to purchase the camels, but I fear the drivers will refuse to go. Captain Macgregor informs me he may probably get 50 camels, while I require at least 1500. My situation at the present moment is a difficult one; and *much as I deprecate any retrograde movement, such a step is by no means improbable, as I have not yet been able to get in supplies in sufficient quantities to warrant my remaining here.*"*

These passages require no comment;—they triumphantly exonerate the late Governor-

* Papers, page 238.

General from the charge of inconsistency. On the 28th of April, recent events induced Lord Ellenborough to contemplate "the possibility" of a movement upon Cabool; but after perusing the above passages in Major-General Pollock's dispatch of the 18th of April, his Lordship was "too strongly impressed with confidence in the judgement" of that officer to suppose, that he would *then* attempt any movement in advance.

I have already stated my opinion, that the question at issue is not one which calls for any elaborate argument,—that it is not a question of inference, but a plain and simple question of fact. Holding this opinion, I do not think it at all requisite to follow the Whig pamphleteer in the frequent excursions which he makes on his favourite hobby horse of quibbling and hair-splitting. From page 47 to page 57 of his pamphlet, the writer is occupied apparently,—I use the qualifying expression *apparently*, because, although I have thrice waded through these ten dreary pages, I cannot for the life of me discover his meaning,—the writer is occupied apparently in attempting to prove, that Lord Ellenborough issued contradictory orders to the generals in command of the British forces in Afghanistan, and that, in point of fact, the Noble Earl was so bewildered by the difficulties of his position as to be utterly incapable of pursuing a consistent line of action. Without stopping to

examine into the various twistings and turnings of the writer's argumentation upon this point, I shall steadily pursue the object, which I proposed at the outset of these remarks,—namely, that of proving by a reference to official documents, that the late Governor-General never ordered a retreat at a time when there existed the slightest possibility of advancing with any chance of success.

During the months of May and June, 1842, nothing occurred to alter Lord Ellenborough's determination, as expressed in his dispatch of the 19th April, to withdraw the British troops, as soon as possible, "into a position of safe and easy communication with India." This fact greatly excites the bile of the Whig pamphleteer. "From the close of March," he says, "or at all events from the commencement of April to the beginning of July, the instructions of the Governor-General were directed to one object,—that of facilitating the retirement of the armies in Affghanistan—with little regard to national honour, and with none to the safety of the prisoners detained by the enemy."* This is a most malicious untruth. In a letter to Major-General Pollock, dated 25th April, Mr. Maddock says,—"It is naturally a subject of anxious consideration in what manner it may be most expedient to

* Pamphlet, page 57.

endeavour to effect the restoration to their country of the prisoners now in the hands of the Affghans.”* The subject was again referred to in a dispatch from the Governor-General to the Commander-in-Chief, dated 14th May; and as late as the 21st June, a negotiation was in progress for the release of the Cabool prisoners.† As to the assertion, that Lord Ellenborough pressed the retirement of the troops “with little regard to the national honour,” I affirm in reply, that there is scarcely a dispatch amongst the many, which were transmitted to the British commanders in Affghanistan, which does not express a hope, that some signal punishment will be inflicted upon the treacherous Affghans. Towards the latter end of May, 1842, it was ascertained, that circumstances would interfere to prevent the projected retirement of the troops until October; and Lord Ellenborough strongly recommended, that the intervening time should be devoted to the work of retribution. “It would undoubtedly be desirable,” says Mr. Maddock on the 1st June in a dispatch to General Pollock, “that, before finally quitting Affghanistan, you should have an opportunity of striking a blow at the enemy; and since circumstances seem to compel you to remain there till October, the Governor-General *earnestly hopes*, that you may

* Papers, page 233.

† Papers, page 252.

be enabled to draw the enemy into a position, in which you may strike such a blow effectually.* Surely, this is not the language of a Governor-General who desired to act “with little regard to national honour!”

It will here probably be asked,—if Lord Ellenborough were so anxious to strike a blow at the Affghans and to rescue the prisoners at Cabool, why did his Lordship persist until the end of June in recommending a speedy and unconditional retirement of the whole of the troops then serving beyond the Indus? It will be an easy task to furnish a reply to this question. The reader will doubtless recollect Lord Ellenborough’s declaration, in his first dispatch of the 15th March, that his future course “must rest solely upon *military considerations*.” I have already proved that Lord Ellenborough’s order of the 19th April for the withdrawal of the troops was founded upon an assurance, which he had received from the military authorities, that an advance was impossible. Subsequently to the 19th of April, his Lordship was assured over and over again by the same authorities, that it was equally impossible to march upon Cabool either from Candahar or Jelalabad. On the 20th of April, Major-General Pollock wrote to Mr. Maddock :—

“I have already stated my views with regard to the Khyber

* Papers, page 297.

Pass. I have also shown, that from the system of supplying carriage-cattle, *I have not the means of moving*, and the country around cannot supply any wants. I have maturely considered the question of our advance by this road to Cabool; and *I confess I see too many difficulties to warrant our risking such a course.*"*

About the same time, Major-General Nott wrote from Candahar :—

"I want draught and baggage-cattle *to enable me to move*; but without money, in a country like this, I can neither purchase nor hire them. I have no cattle for moving even three regiments. Under these circumstances my difficulties are certainly very great."†

On the 27th April Sir Jasper Nicolls wrote from Simla to the Governor-General :—

"It is for General Pollock to decide upon the practicability of a forward movement, either upon Cabool or Gundamuck, and the withdrawal of the whole force to Peshawur. My great doubt is, that he can equip the force for a movement in advance, at such a distance from our resources, and under the rooted dislike and fear of the Affghans, entertained by every class of camp-followers. *If they move ill-equipped, the losses may be very heavy.*"‡

In the course of his dispatches, bearing date prior to the end of June, Major-General Pollock frequently referred to the utter impossibility, under the then existing circumstances, of either a retreat or an advance. On the 14th of May, he observed in a dispatch to Col. Luard, the Secretary of the Commander-in-Chief, "It is by no means certain that I shall have sufficient cattle to move, even

* Papers, p. 253. † Papers, p. 247. ‡ Papers, p. 240.

when the reply from the Government may arrive; for I require upwards of 2000 camels.”* On the 23rd May, he wrote to Mr. Maddock,—“I am *STILL without the means of moving*—I require many hundred camels;”† and again, as late as the 18th of June,—“I trust that, through Mr. Clerk’s exertion, I shall *not long* be without the means of moving.”‡

Now, I put it to any reasonable person to say, whether Lord Ellenborough would not have been deemed a madman, if he had ordered a march upon Cabool in the face of these repeated assurances, that a forward movement, or indeed any movement, was altogether impracticable. The desire of Major-General Pollock to march against Cabool had been too frequently expressed not to be a matter of notoriety; and yet even this eager commander was compelled to admit, that, after “having maturely considered the question of an advance by Jellalabad to Cabool, *he saw too many difficulties to warrant the risk of such a course.*”§ What would have been said of Lord

* Papers, p. 288. † Papers, p. 301. ‡ Papers, p. 324.

§ I am here reminded by the way of a cock-and-bull story, which the Whig writer has vamped up, about the suppression of a dispatch from General Pollock, dated 13th May, in which he argues vehemently in favour of an advance, as soon as the means of moving could be obtained. It appears that this dispatch never reached its destination, and that the duplicate copy was not received at “the office” until the 11th of July

Ellenborough, if he had disregarded the opinion thus deliberately given by Major-General Pollock? How would his Lordship have stood with the Government, and the Legislature, and the Court of Directors, if he had compelled an advance to Cabool, and that advance had proved unsuccessful? Why, the very parties, who are now blaming the Governor-General for his caution, would then have been as vigorously employed in blaming his rashness! It may be argued indeed, that although Lord Ellenborough could not with prudence order an advance, his Lordship need not have ordered a retreat. I certainly cannot perceive the force of this argument. An advance being impossible, nothing was to be gained by keeping the troops in a position, in which they would be continually harassed by an active enemy, and probably cut off with all communication with India; whereas much was to be gained, and nothing lost, by their timely and well-ordered retirement to a secure position. In every point of view, therefore,

following. The whole matter is explained in a note from the Governor-General to the Secret Committee, dated May 9th, 1843. The Whig pamphleteer enters into a long rigmarole of remark, with a view of proving, that Lord Ellenborough told a deliberate lie to the Secret Committee, and that the dispatch of the 13th May, 1842, was *purposely suppressed*; but this worthy scribe has omitted to strengthen his case by explaining what possible motive Lord Ellenborough could have had for so disreputable a proceeding!

whether we look to the question of safety of the British troops or to the success of their future movements in Affghanistan, it is clear, that, as soon as all idea of a forward march was abandoned as impracticable, retirement became, in the words of the Governor-General, "the safest, and in the end, the most honorable course to pursue."*

Towards the close of June, affairs assumed a new, and, as regarded the re-establishment of our shattered military reputation, a more pleasing aspect. After nearly three months' inactivity at Jellalabad, Major-General Pollock at length found himself in a condition "to move;" and about the same period, Major-General Nott received such reinforcements as fitted him for an aggressive movement in advance. And what was now the policy of Lord Ellenborough? Did he persist in his original order for an immediate and unconditional withdrawal of the troops? Did he "cast to the winds," as the Whig pamphleteer has it, the re-establishment of our military reputation and the safety of the prisoners at Cabool? Did he, like poor Lord Auckland, talk of "retiring with the least possible discredit?" By no means. As soon as the Governor-General had ascertained, beyond all doubt, that the forces under Generals Pollock and Nott were furnished

* Papers, page 292.

with efficient means of moving in advance, his Lordship proceeded at once to redeem his early pledge of inflicting "a signal and decisive blow upon the Affghans." On the 4th of July, the Governor-General addressed two dispatches to Major-General Nott at Candahar, from the most important of which the following passages are extracted :—

"I have now reason to suppose, *for the first time*, that you have the means of moving a very large proportion of your army, with ample equipment for any service.

"Nothing has occurred to induce me to change my first opinion, that the measure, commanded by considerations of political and military prudence, is to bring back the armies now in Affghanistan at the earliest period at which their retirement can be effected, consistently with the health and efficiency of the troops, into positions wherein they may have easy and certain communication with India; and to this extent the instructions you have received remain unaltered. But the improved position of your army, with sufficient means of carriage for as large a force as it is necessary to move in Affghanistan, *induces me now to leave to your option the line by which you shall withdraw your troops from that country.*"

The Governor-General next proceeds to point out the several considerations by which General Nott ought to be guided in forming his decision, —reminding him, that the operation of retiring at once by Quetta and Sukkur would admit of no doubt as to its success, whereas the success of a march upon Cabool would depend upon a variety

of difficult and perplexing contingencies. His Lordship then proceeds :—

“ I do not undervalue the aid, which our Government in India would receive from the successful execution by your army of a march through Ghuznee and Cabool over the scenes of our late disasters. I know all the effect, which it would have upon the minds of our soldiers, of our allies, of our enemies in Asia, and of our countrymen, and of all foreign nations in Europe. *It is an object of just ambition*, which no one more than myself would rejoice to see effected; but I see that failure in the attempt is certain and irretrievable ruin; and I would endeavour to inspire you with the necessary caution, and make you feel, that, great as are the objects to be obtained by success, the risk is great also.

“ You will not fail to disguise your intention of moving, and to acquaint Major-General Pollock with your plans, as soon as you have formed them. A copy of this letter will be forwarded to Major-General Pollock to-day; and he will be instructed, by a forward movement, to facilitate your advance.”*

The reader will not fail to observe, that this dispatch is characterized by that rare combination of prudence and energy, which marked the whole course of Lord Ellenborough's Indian policy. The Governor-General describes the march to Cabool as “ an object of just ambition;” but, turning a sorrowful thought upon the recent disasters at that place, he adds, “ I see that failure in the attempt is certain and irretrievable ruin, and I would endeavour to inspire you with the necessary caution.” I am quite sure, that ninety-nine persons out of every

* Papers, page 328.

hundred, who may chance to read Lord Ellenborough's dispatch of the 4th July, will highly applaud his Lordship's cautious and considerate policy ; but, as a matter of course, it meets with bitter condemnation from the Whig pamphleteer. This worthy gentleman reminds me of the old Joe-Miller joke about the poor devil of a soldier under the discipline of the lash, who was vehemently dissatisfied whether the drummer struck high or low. Nothing, which Lord Ellenborough did to retrieve the disastrous effects of Lord Auckland's policy, meets the views of the Whig pamphleteer ;—he is resolved to find fault, and he does find fault, with every measure, which the Noble Earl adopted and with every dispatch which the Noble Earl indited. The order of the 4th July to advance upon Cabool meets with the Whig writer's approbation ; but he is hugely shocked at Lord Ellenborough's mode of issuing it. "So dishonest a paper," he says, "as the second letter, addressed on the 4th July, 1842, by Lord Ellenborough to General Nott, has rarely seen the light ; but dishonesty is not its only characteristic,—it is *ungenerous* to a degree that could not have been expected in a man holding the office of Governor-General of India. *Lord Ellenborough casts from himself all responsibility, and throws it upon General Nott.*"* I have quoted this passage, merely for

* Pamphlet, page 75.

the sake of exhibiting the sort of wretched twaddle, with which the Whig pamphleteer encumbers his dreary pages. Perhaps, when next he writes for the information of the public, this gentleman will condescend to explain how a Governor-General of India, who happens to be a civil functionary and distant from the scene of action, is to superintend extensive military operations without fixing some share of responsibility upon the military officers under his command? If the writer require evidence to enable him to afford this explanation, I beg leave to refer him to Lord Auckland's dispatches *passim*,—more particularly to that of the 2nd December, 1841, to Sir Jasper Nicolls,* and that of the 10th February, 1842, to Major-General Nott.†

Little more remains to be said respecting the progress of our military operations in Affghanistan. The dispatch of the 4th July was followed by one, addressed on the 23rd of the same month to General Pollock, in which that officer was instructed so to arrange matters as to

* "Generally we would solicit your Excellency to exercise your discretion in regard to details, and to give orders without reference to us."

† "The Governor-General in Council thinks it right not to omit the chance of distinctly informing you, that you should act solely so as may best, in your judgment, secure the paramount object of the safety of the troops placed under your orders."

be able to co-operate with Major-General Nott in his contemplated movement towards the city of Cabool. "The object of the combined march of your army and Major-General Nott's upon Cabool," said the Governor-General, "will be to exhibit our strength where it suffered defeat; to inflict just, but not vindictive retribution upon the Affghans; and to recover the guns and colours, as well as the prisoners, lost by our army."* The manner in which these objects were attained is too well known, and too proudly and gratefully remembered by the country, to need any detailed description on my part. On the 6th September, Ghuznee was taken and destroyed by the Candahar division of the army under Major-General Nott;—on the 13th, Akbar Khan, at the head of 16,000 Affghans, was defeated by Major-General Pollock;—on the 16th, the city of Cabool was surrendered;—on the 21st, the whole of the prisoners were released;—and on the 12th October, the British troops commenced their homeward march,—the last detachment crossing the Sutlej on the 18th December, 1842.

I have now traced the Earl of Ellenborough's Affghan policy from its commencement amidst disaster and disgrace, to its termination amidst the glory of victorious triumph. Having done

* Papers, page 335.

this, I rest satisfied with the sufficiency of my reply, under this head, to the invectives of the Whig pamphleteer. I have not paused to discuss the writer's manifold attempts to quibble and to misrepresent,—deeming such attempts too shallow, and, in relation to the importance of the subject, too contemptible for serious notice. By the aid of a plain straightforward reference to official documents, I have proved that which I pledged myself to prove, namely, that Lord Ellenborough pursued steadily and perseveringly his great object of repairing the errors of his predecessor, in the first instance by insisting upon the retirement of the troops when he found an advance to be impracticable, and subsequently by ordering an advance as soon as the means of moving forward were obtained. Facts are stubborn things, and Lord Ellenborough's triumph in Affghanistan is “a great fact.” Let it ever be borne in mind, that on the 3rd of December, 1841, the Whig Governor-General talked of “*retiring with the least possible discredit;*” and that on the 30th of September, 1842, the Conservative Governor-General proudly proclaimed, that *the British flag waved in triumph over the walls of Cabool!* Above all, let it never be forgotten, that the illustrious Duke of Wellington is “prepared to justify every order which Lord Ellenborough gave, and every movement which he adopted, from the first moment he took upon

himself the government of India.*”

We have now, in the second place, to consider the Whig writer's remarks upon the proceedings, which led to the conquest of SINDE by Sir Charles Napier, and its subsequent annexation to the possessions of the British Government in India.

The territory of Sinde is an extensive tract of country, occupying about 100,000 square miles between Hindostan and Beeloochistan, and situated on either bank of the Indus at the lower course of that river. The government of Sinde, —divided into three states, Hyderabad, Khyrpoor, and Meerpoor,—is, or rather was, a military despotism of the very worst description,—its rulers, called Ameers, being a set of savage and rapacious chieftains, notorious alike for the remorseless tyranny, with which they have ever oppressed their miserable subjects, and for the utter disregard of good faith, which they have at all times exhibited in their intercourse with neighbouring states. I shall presently shew, that the extreme measures, which the late Governor - General adopted and carried out by the aid of Sir Charles Napier and the army under his command, were forced upon his Lordship by the base treachery of the Ameers of Sinde,—treachery, not of recent date but of long standing, not resting upon mere suspicion, but proved beyond the

* Speech of the Duke of WELLINGTON, February 3, 1843.

possibility of doubt by evidence of unquestionable authenticity.

The remarks of the Whig pamphleteer upon the conquest of Sindh rest mainly upon a gross misrepresentation of facts. In conducting an argument, the *suppressio veri* is not less reprehensible than the *suggestio falsi*; and it is to the *suppressio veri* that the writer is indebted for even the very moderate amount of argumentative cogency which he has contrived to display. The writer opens his case by referring to the tripartite treaty of 1838, to which the British Government, Runjeet Singh, and Shah Shooja-ool-Moolk were parties, and in which all claims of the ruler of Cabool upon Sindh were commuted for an annual tribute to be paid by the Ameers. He says in continuation:—

“The conclusion of this treaty, and the mode
 “in which their interests were affected by it,
 “were communicated to the Ameers by the
 “British minister at Hyderabad, who was in-
 “structed also to announce the approach of the
 “army intended to reseat Shah Shoojah on the
 “throne of Cabool. A long course of diplomatic
 “proceedings, varied by sundry hostile acts on
 “the part of the British Government, too well
 “known to require detail here followed. These
 “ended in the conclusion of new Treaties, the
 “effect of which was to add the Ameers to the
 “number of princes, over whom the British Go-

“ government held control by the tenure of a subsidiary alliance. Thus matters stood in February 1842, when Lord Ellenborough arrived to take the reins of government in India.*”

This slender paragraph is all in the shape of remark, which the Whig writer deems it necessary to devote to a series of negotiations and hostilities, which were spread over a space of four years, and the history of which occupies no less than 314 pages in the Parliamentary Blue Book relative to the affairs of Sind! We shall shortly discover the reason of this most remarkable brevity. Our author goes on to say,—

“ It is not offering his Lordship any injustice to state, that, almost from the period of his entering upon his official duties, he seems to have contemplated the reduction of Sind to the condition of a British province, in name as well as in fact. On the 6th May, 1842, he writes to the political agent in that country thus: ‘The Governor-General is *led to think*, that you *may* have seen reason to doubt the fidelity of some one or more of the Ameers of Sind.’ Accordingly, with reference to what his Lordship had been ‘led to think’ *might* have occurred, he transmitted a letter, to be addressed to any one or more of the Ameers who might incur suspicion. This letter, which

* Pamphlet, page 86.

“ breathes gunpowder in every line, thus concludes: ‘ On the day on which you shall be faithless to the British Government, sovereignty will have passed from you ;—your dominions will be given to others, and in your destitution, all India will see that the British Government will not pardon an injury received from one it believes to be its friend.’ In the letter of instructions to the political agent, this passage is referred to as ‘ no idle threat intended only to alarm, but a declaration of the Governor-General’s fixed determination to punish, cost what it may, the first chief who may prove faithless, by the confiscation of his dominions.’

“ Thus it is obvious that, even at this early period of his administration, Lord Ellenborough contemplated permanent territorial acquisition in Sinde.”

We here perceive the reason why the important events, which occurred in Sinde between the years 1838 and 1842, are summarily dismissed in a brief paragraph of about a dozen lines. The writer’s object is, clearly enough, to engender an opinion in the public mind, that the subjugation of Sinde was a dishonest proceeding: and with a view to effect this object, he endeavours to make it appear, that Lord Ellenborough purposely picked a quarrel with the Ameers, in order to furnish himself with a pretext for swindling them out of their dominions! The impression which

the author's narrative creates, and which he unquestionably desires it to create in the mind of the reader, is, that our dispute with Sinde *originated* with the Earl of Ellenborough, and that previously to his Lordship's arrival (his unfortunate arrival, as the patriotic Whigs term it) in India, there had existed a mutual feeling of confidence and friendship between the Sindian rulers and the British Government. That this is a gross misrepresentation of the facts of the case, may be proved by a reference to the "Correspondence relative to Sinde," which has been printed and published by authority of Parliament. From the month of July, 1838, to the close of his disastrous career, comprising a period of nearly four years, the Whig Governor-General, assisted by a numerous staff of Political Agents, was occupied in an unceasing endeavour to discover and to counteract the treacherous designs of the Ameers of Sinde; and we learn from the Parliamentary Blue Book, that the intrigues of the Ameers were not unfrequently so cleverly managed as to baffle the vigilance of Lord Auckland, whilst upon more than one occasion their hostility was so fierce and undisguised as to compel his Lordship to punish them by seizing a portion of their territories.

The Tripartite Treaty between the British Government, Runjeet Singh, and Shah Shooja-ool-Moolk, already referred to, was concluded on the 26th of June, 1838; and although the Ameers of

Sinde had long looked with aversion upon the supremacy of England in India, this Treaty appears for the first time to have converted passive dislike into active hostility. Nor is it at all surprising that such should have been the case. The Whig writer descants with much amusing pathos upon the little ceremony with which the worthy and fair-dealing rulers of Sinde were treated by Lord Ellenborough ; but Lord Auckland seems to have been scarcely a whit more ceremonious than his successor. By the 16th Article of the Treaty of 1838, the sovereign of Cabool stipulated to surrender his claims upon the territory of Sinde on the payment of an annual tribute by its rulers,—the amount of which tribute was to be settled by the British Government without reference to the views and wishes of the Ameers, whose share in the transaction was confined to the by no means pleasant or popular task of payment! Furthermore, as the effort to seat Shah Shoojah on the throne of Cabool required the presence of a large military force in Affghanistan, Lord Auckland coolly informed the Ameers, that “ the article in the Treaty with them, prohibitory of using the Indus for the conveyance of military stores, *must* be suspended,”*—that permission *must* be given for the troops of the Shah and his allies to pass through the territory of Sinde,—

* “ Correspondence relative to Sinde,” page 10.

and finally, that, with a view to this operation, Shikarpore and its dependencies *must* be occupied by a British force ! Among the virtues of the Ameers, if they have any, patient submission is certainly not to be reckoned ; and it was to be expected, as a matter of course, that they would kick at this cavalier treatment. Indeed Lord Auckland himself, though by no means a conjuror, appears to have entertained a suspicion of something of the sort ; for, in his dispatch of the 26th July, 1838, he instructed the President in Sinde to “ apprise the Ameers, that the disposition of the British Government towards them was extremely favourable, and that nothing would *distress* the Governor-General more than *an interruption of the good understanding* between his Government and their Highnesses.”* The worthy Governor-General was destined to experience the “ distress” of which he spoke, inasmuch as the “ good understanding” with their Highnesses was vehemently endangered by the course of events. On the 13th August, Sir Henry Pottinger, then the Resident in Sinde, announced to the Government Secretary, on the information of the Native Agent, that the four Ameers of Hyderabad were intriguing with the King of Persia against British influence. In the 5th paragraph of his dispatch, the Resident states his intention

* “Correspondence relative to Sinde,” page 9.

of demanding from the Ameers “a categorical declaration of their intentions ;” and he then adds this very remarkable passage :—

“The important political events and arrangements, which are now pending, will do more than even my observations to open the eyes of any of the Ameers, who may be wavering between our alliance and that of Persia, to the precipice on which they stand ; but I shall not fail to tell them distinctly, that *the day on which they connect themselves with any other Power will be the last of their independent authority if not of their rule*, for that we have the ready power to **CRUSH and ANNIHILATE** them, and will not hesitate to call it into action, should it appear requisite, however remotely, for either the safety or integrity of our empire or its frontiers.”*

I have styled this a very remarkable passage ; and doubtless it will be so considered by such of my readers as recollect the fuss which was made by the *Morning Chronicle* in January last about a certain letter, which Sir Henry Pottinger, then in China, was said to have written to a private friend. In this letter, the subjugation of Sindh was described as “the most unprincipled and disgraceful proceeding that had ever stained the annals of our empire in India.” It has never been decided, as far as I am aware, whether Sir Henry Pottinger actually wrote to this effect, or whether the letter was a forgery, which I suspect ; but if Sir Henry did so write, he must have greatly altered his sentiments since the period, when he threatened to “*crush and annihilate*” his

* Correspondence, page 11.

friends the Ameers! What Lord Auckland thought of the conduct of the Ameers at this crisis, and the mode in which he proposed to deal with them, may be gathered from the tenor of his subsequent dispatches. On the 6th September, 1838, the Secretary with the Governor-General wrote to the Resident in Sinde as follows:—

“The correspondence entered into by Noor Mahomed Khan with the Shah of Persia, his tender of allegiance to that Sovereign at a period when the hostility of the British Government to the Shah’s designs had long been avowed and notorious, the hostility to British interests, which may be implied from his letter, and his duplicity in making at the same moment professions of submission to Persia and of close alliance with the British Government, may justly be held to have forfeited for him on the part of the Governor-General, all confidence and friendly consideration.

“You will endeavour to take a just measure of the political state of affairs in the country; and if, as seems certain, the Meer Sobdar has continued faithful to his engagement although the other Ameers may have been parties to the treacherous and hostile proceedings of Noor Mahomed Khan, you will consider whether that chief may not be placed at the head of its administration, under such circumstances as shall secure in the country the ascendancy of British influence.

“It seems open to you to decide upon proclaiming, as soon as a force from Bombay may enable you to do so with effect, that an act of hostility and bad faith having been committed toward the British Government, *the share in the Government of Sinde, which has been held by the guilty party, shall be transferred to the more faithful members of his family*; and it may be thought right to accompany this transfer with a condition, that as a security for the future, a British subsidiary force shall be maintained in Sinde.”

Again on the 20th September, the Secretary

with the Governor-General was instructed to impress upon the Resident in Sinde the absolute necessity of adopting a rigorous policy towards the treacherous Ameers. Lord Auckland was evidently becoming alarmed ;—he saw a crisis approaching, and, to use the facetious language of the Whig pamphleteer, his dispatches “breathed gunpowder” in every line. “It is hardly necessary to remind you,” wrote the Government Secretary, “that in this important crisis, *we cannot permit our enemies to occupy the seat of power* ;—the interests at stake are too great to admit of hesitation ; and they, who display an unwillingness to aid us in the just and necessary undertaking in which we are engaged, *must be displaced*, and give way to others on whose friendship we can implicitly rely.”* On the 5th of October, Lord Auckland, being then at Simla engaged in the unhappy Cabool business, again urged upon the Resident in Sinde the absolute necessity of dealing sharply with the Ameers. “In the present crisis,”—thus wrote the Secretary with the Governor-General,—“no opposition to the arrangements in progress can be tolerated ; and if after your arrival at Hyderabad, a friendly disposition shall not be manifested by the Ameers, his Lordship will be glad to learn, that you have called for the advance of the Bombay army, and that you have entered into a provisional arrange-

* Correspondence, page 22.

ment with Meer Sobdar or some other member of the family, who may be disposed to enter cordially into our views, *to the exclusion of those Ameers from all share in the government of the country, who have shewn an unwillingness to co-operate heartily with us.*"*

It would be a tedious task to travel through the whole course of events, having reference to our relations with Sinde, which occurred between the month of October, 1838, and the close of Lord Auckland's Indian career. Nor is it at all necessary that I should do so. I have already said quite sufficient to prove, that our dispute with the Ameers *did not originate* with Lord Ellenborough, but that, on the contrary, it owes its existence to the disastrous policy of his Whig predecessor. After perusing the above extracts from official documents, the reader will doubtless agree with me, that the Whig pamphleteer has been guilty of a gross and scandalous deception in concealing the real position of affairs in Sinde antecedently to the commencement of Lord Ellenborough's administration.

It is at all times a dry and laborious task to wade through a mass of Parliamentary Papers; but any person, who may have courage to peruse the whole of the Blue Book relative to Sinde, will derive considerable amusement from the

* Correspondence, page 27.

ludicrous alternation of craft and violence which its pages exhibit. At one time the Ameers are patted on the back,—at another they are unceremoniously kicked ;—now Lord Auckland presents them with a treaty,—*hey presto*, and it is changed into a bayonet ; here a Political Resident shakes his head with significant solemnity ;—there a Moonshee strokes his beard and swears to the truth of a deliberate falsehood ;—anon, a Cossid rushes on the stage in breathless haste, charged with mysterious news from the Native Agent at Hyderabad ;—presently there is a hitch in the diplomatic machinery, and forthwith fighting becomes the order of the day,—reports of commissioners give place to reports of artillery,—forts are blown up and citadels are knocked down,—while Sindians and Sepoys, Beloochees and British, march and counter-march in glorious confusion ! Altogether, this Blue Book presents *a melange* of blarney and blows, which is in the highest degree amusing.

It is in the natural course of things, that negotiations, which are continually interrupted by acts of hostility, should fail in arriving at a successful issue ; and so in truth it fell out with Lord Auckland's diplomatic intercourse with the ruler of Sinde. The strong feeling of dislike and suspicion which was engendered by his Lordship's questionable proceedings in 1838, gradually gained strength and ripened into ma-

turity. Alternately cajoled by the Governor-General and bullied by his Political Agents, the Ameers still evinced no cordial desire to cultivate the friendship of the British Government. I will do Lord Auckland the justice to say, that he spared no exertion in the hope of removing the hostile feelings, which his own foolish and inconsiderate policy had originally excited. Amicable arrangements were proposed from time to time,—treaties, swearing eternal friendship, were prepared at a vast expense of ingenuity,—the diplomatic art of wheedling was exercised with wonderful skill and most praiseworthy perseverance; but Lord Auckland at length discovered, that he might as reasonably hope to wash the Æthiop white, as effectually to check the double-dealing of the Ameers of Sind. It was in truth a mere repetition of the labour of Sisyphus, which the Noble Lord had undertaken; for at the end of four years,—after a laborious essay of alternate cajolery and bluster,—his Lordship was still overwhelmed with evidence of Sindian duplicity. “We are fortunately becoming stronger at Sukkur and Shikarpore daily,” wrote Major Outram, the Political Agent, on the 10th January, 1842, “or *there is no knowing how far the Ameers might be excited by the disastrous accounts from Cabool, when the truth can no longer be disguised.*”* And again on the 21st of January, Major Outram

* Correspondence, page 307.

wrote to the Governor-General, "The accompanying letter from Lieutenant Postans shews, that the childish Meer Nusseen Khan of Hyderabad is *again intriguing* with Sawun Mull, Governor of Mooltan;"* and on the 22nd of February the same officer remarked, "I shall have intrigues of some of the more restless Ameers to expose hereafter."† Thus it will be perceived, that the establishment of mutual confidence and friendship between the British Government and the rulers of Sinde was just as problematical at the opening of 1842 as it was in the month of October, 1838.

Such then was the position of affairs in Sinde at the period of Lord Ellenborough's arrival to assume the reins of Government in India. The Noble Earl's first care was necessarily to provide a remedy for the calamitous blunders of his Whig predecessor in Affghanistan; but with that energetic spirit, which has ever characterized his Lordship's public conduct, he soon found time to come to a decision as to the precise sort of treatment which the Ameers of Sinde were entitled to receive at his hands. Two courses were open for Lord Ellenborough's adoption;—he might continue to negotiate, as Lord Auckland had negotiated, with no earthly chance of bringing his labours to a successful issue,—or he might resolve

* Correspondence, p. 309, † Correspondence, p. 315.

that, after so many instances of duplicity on the part of the Ameers, the next instance of the kind should be followed by a marked display of the power and just severity of the British Government. The Earl of Ellenborough chose this latter course ; and, in order that there might be no mistake as to his intentions, his Lordship enclosed to the Resident in Sind the draft of a letter, to be delivered, according to circumstances, to such of the Ameers as were suspected of designs hostile to the British Government,—declaring at the same time his “ fixed determination to punish the first chief, who should prove faithless, by the confiscation of his dominions.”* The Noble Lord’s language in his letter of caution to the Ameers was too plain to be misunderstood. “ On the day on which you shall be faithless to the British Government,” said his Lordship, “ sovereignty will have passed from you ; your dominions will be given to others ; and, in your destitution, all India will see, that the British Government will not pardon an injury received from one it believes to be its friend.”† For certain reasons, this letter was not ultimately delivered to either of the Ameers by the British Resident. I have quoted it, merely as indicating Lord Ellenborough’s resolution to put an end at once to that system of gross double-dealing, which

* Correspondence, p. 315.

† *Ibid.*

had been so long practised by the rulers of Sinde toward the British Government.

That Lord Ellenborough, to use his own expression, uttered "no idle threat," when he declared his intention of punishing the first chief who should prove faithless, has been sufficiently proved by the subsequent course of events. The Noble Lord's letter of caution bears date on the 6th May, 1842,—in less than ten months from that date, the sovereignty of the Ameers had passed from them, and Sinde was added to the territorial possessions of Great Britain in India. Lulled into fancied security by the weak and vacillating policy of Lord Auckland, the misguided rulers of Sinde despised Lord Ellenborough's friendly caution;—they persevered in their desperate system of double-dealing;—they continued to profess the warmest friendship at a time when they were known to be carrying on secret intrigues with neighbouring states;—they perpetrated divers offences, some of a trifling nature and others serious and flagrant, but all alike evincing a determined hostility to British influence;—and finally these unruly chieftains set the seal to their degradation and ruin by attacking the British Residency at Hyderabad only two days after they had signed a new Treaty of alliance with the British Government! These manifold offences were not charged against the rulers of Sinde on mere suspicion,—they were

not seriously entertained until they had been proved by evidence of unquestioned authenticity, —nor were they admitted as affording a ground for the punishment of the Ameers until all the circumstances connected with them had been submitted to a patient and an impartial investigation by the British authorities.

It is scarcely necessary for me to observe, that the official documents, upon which an opinion is to be formed respecting Lord Ellenborough's conduct in this matter, are exceedingly voluminous, —extending altogether to no less than 657 pages of letter-press. In order to enable myself to judge fairly between the late Governor-General and the Court of Directors, I have travelled through the whole of the "Correspondence relative to Sinde,"—a task of no slight labour, but one for which I am amply rewarded by the gratification which I have experienced in discovering therein a complete justification of Lord Ellenborough's Sindian policy. After his strong declaration of the 6th of May, he was compelled to inflict his threatened punishment upon the Ameers after receiving full proof of their continued treachery ;—had he neglected to do so, the character of the British Government in India would have been seriously compromised, and he himself would have become the laughing-stock of the whole world.

The writer of the Whig pamphlet, who is

always great at a quibble and rich in petty criticisms, insists that the treachery of the Ameers had no share whatever in determining Lord Ellenborough's policy towards them, but that his Lordship from the very first contemplated the reduction of Sinde to the condition of a British province, in name as well as in fact. In support of this hypothesis, the writer quotes Lord Ellenborough's dispatch of the 6th May, 1842, (already referred to) to the Resident in Sinde. "The Governor-General," says the dispatch, "*is led to think* that you *may* have seen reason to doubt the fidelity of some one or more of the Ameers of Sinde." The *italics* are those of the pamphleteer, who considers that the words of the Governor-General denote a foregone conclusion. For once, the pamphleteer is right. The dispatch of the 6th May did denote a foregone conclusion in the mind of Lord Ellenborough,—a conclusion necessarily produced by the history of Lord Auckland's laboured negotiations during the previous three years. Having before him the mass of official "Correspondence" relative to the events of 1838—41, how was it possible for Lord Ellenborough to refrain from thinking, that the Resident in Sinde *might* "see reason to doubt the fidelity of the Ameers?" The Whig writer insinuates, that the passage just quoted from the dispatch of the 6th May was intended for what, in theatrical phraseology, is denomi-

nated a "prompt" to the Political Agent in Sindé to induce him so to frame his reports as to afford a plausible pretext for the Governor-General's designs of territorial aggrandizement. This insinuation, however, is most absurd and unfounded. Lord Ellenborough had no occasion to "prompt" the Resident in Sindé, because that officer of his own accord had frequently transmitted, and was still frequently transmitting, vehement complaints of the treacherous duplicity of the Sindian chieftains. And it was solely in consequence of these complaints, forwarded in the first instance to his predecessor and subsequently to himself, that his Lordship was "led to think" that the Resident *might* have seen reason to doubt the fidelity of the Ameers. If the reader will refer to the official "Correspondence," he will find that Lord Ellenborough, so far from *prompting* the Resident in Sindé to make statements hostile to the Ameers, actually discouraged and disregarded such statements on some occasions. In a dispatch to the Governor-General, bearing date 21st June, 1842, Major Outram submitted the grounds on which he proposed to require "new arrangements" from the Ameers of Sindé,—arising out of the recent exposure of their "inimical intrigues."* In reply to this dispatch, the Secretary with the Governor-

* Correspondence, page 341.

General was instructed to inform Major Outram that his Lordship did not see any necessity for pressing a negotiation precipitately upon the Ameers ; and, on the contrary, would rather desire to leave their minds, for the present, in tranquillity.* This, I should say, was scarcely the language of a Governor-General greedily anxious to seize upon the territory of Sinde.

In a subsequent page the Whig pamphleteer charges Lord Ellenborough with dishonesty, on the ground that his Lordship proposed to rob one Ameer for the benefit of another. "The Governor-General," he says, p. 92, "is very anxious to get a portion of the property of the Ameers of Sinde to give away to a third party, because that party deserved well of the British Government ;" and he adds with virtuous indignation,— "This is the morality of a British Governor-General who flourished in India in the year 1842 !" Now, there is a similar proposal to cut and carve the property of the Ameers to be found in the dispatches of the great and good Lord Auckland. "It seems open to you," said the Noble Lord on the 6th September, 1838, writing to the Resident in Sinde, "to decide upon proclaiming, that, an act of hostility and bad faith having been committed towards the British Government, *the share in the Government of Sinde, which has been held by the guilty party, shall*

* Correspondence, p. 348.

be transferred to the more faithful members of the family."* And, this,—to use the Whig writer's sarcastic mode of expression,—“this is the morality of a Governor-General who flourished in India in the year” 1838! It is a saying almost as old as the hills, that “one man may steal a horse while another may not look over a hedge.” In a like spirit of Irish justice, the Whig party condemn the late Governor-General for proposing a transfer of territory in 1842, which his predecessor, their own Governor-General, threatened in 1838,—although Lord Ellenborough's proposal was founded, which that of Lord Auckland notoriously was not, upon a four-years' experience of the treacherous duplicity of the Sindian rulers.

After floundering through about thirty pages of foggy argumentation respecting the proceedings in Sind, the Whig pamphleteer suddenly pulls up short at page 107, and makes the strange discovery, that “it is useless to discuss the conduct of the Governor-General.” I applaud this discovery;—it certainly is useless to discuss the conduct of the Governor-General after the fashion, in which it has been discussed by the Whig pamphleteer. “Facts,” he says, “speak for themselves.” This, though somewhat stale, is an undoubted truth; and I am happy to say, that, as regards the con-

* Correspondence, p. 17.

quest of Sinde, "facts" speak not only for themselves but for Lord Ellenborough also. That the deposition of the Sindian rulers was an extreme measure, that it was a painful measure, cannot be denied; but it is equally undeniable, that the Governor-General had no alternative. Looking at all the circumstances of the case;—looking to the previous conduct of the Ameers from 1838 downwards, their treachery, their violence, their deliberate mendacity, and their frequent and stubborn resistance to our just demands;—above all, looking to the necessity of maintaining the influence of the British Government in India by promptly punishing all who dare to league either openly or covertly against it;—looking, I say, at all these circumstances, it is impossible to arrive at any other conclusion than that the subjugation of Sinde was an unavoidable measure of state policy,—justified, as I maintain, by the base treachery of the Ameers, but at all events justified by that law of nature which implants in the hearts alike of nations and individuals the instinct of *self-preservation*.

We come now to a consideration of the third and last division of our subject, namely, the interference of Lord Ellenborough in the affairs of the Mahratta state and the consequent triumph of British valour in the plain before GWALIOR.

My observations under this head will be few; indeed they will exhibit a brevity almost as

remarkable as that of the Whig pamphleteer respecting the history of Sind during Lord Auckland's government, although my brevity will arise from a very different cause. Unlike the Whig pamphleteer, I desire to conceal nothing,—I have nothing to conceal; and if I say little about the matter, it is solely because there is little to be said. The Whig writer affirms, that Lord Ellenborough's proceedings in regard to the Mahratta state are "too extraordinary to be passed over;" but I have as yet failed to discover in what their "extraordinary" character is supposed to consist. The affair itself,—I mean the Gwalior negotiation—was altogether one of minor importance; and the poverty of the pamphleteer's argument against the late Governor-General is sufficiently exposed, when he thrusts so trifling a matter into the van of the battle.

The State of Gwalior, which forms the subject of our present enquiry, consists of several scattered territories in Hindostan, bound together by no common feeling amongst the inhabitants, but coerced into submission by an army of mercenaries in the pay of the head of the family of Scindia. The rulers of the State of Gwalior have long been the allies of Great Britain,—three several Treaties of amity and peace having been concluded between the British Government and Sindia, in 1803, 1804, and 1805. On the 7th of February, the Maharajah Jankojee Rao Scindia

died, and was succeeded by Jyagee Rao Scindia, the nearest in blood to the deceased chief. As the new Maharajah was a mere child, being then only eight years of age, it was deemed requisite to appoint a regency, and Mama Sahib was nominated Regent with the entire approval of the British Government. In a short time, however, intrigues were set on foot against the existing order of things,—Mama Sahib was forcibly expelled,—and the Dada Khasgee Walla seized upon the supreme power in the State of Gwalior. It would be a needless waste of time and trouble to enter into a minute detail of the progress of events in this petty province;—suffice it to say, therefore, that the British Resident soon reported that Khasgee Walla had perpetrated various acts insulting and injurious to the British Government, and that he was violently coercing the young Maharajah and the chiefs attached to the cause of his Highness. On receipt of this intelligence, Lord Ellenborough determined to adopt active measures of interference,—founding his determination upon the Treaty of Boorhampoor, 1804, by which the British Government bound itself at all times to provide a force, on requisition from the head of the House of Scindia, to overawe and chastise rebels or excitors of disturbance in his Highness's territories, and to reduce to obedience all offenders against his Highness's authority. The result is well known. On

the 29th of December, 1843, the British army achieved a brilliant victory over the forces of the rebel chief, who was seized and imprisoned,—the authority of the Maharajah was re-established,—arrangements were made for the future government of Gwalior,—and a new Treaty of alliance and mutual defence was concluded between the British Government and Scindia. The objects of the expedition having been thus accomplished, the British troops immediately retired.

Such, briefly and plainly stated, is the history of Lord Ellenborough's proceedings in regard to the Mahratta State; and, as far as I can perceive, they certainly present nothing to warrant the Whig writer in describing them as "too extraordinary to be passed over." Those who have studied the annals of British power in India, know well enough, that our interference with the internal disputes of neighbouring states is by no means "extraordinary;"—the great puzzle is to point out an occasion of dispute in which we have *not* interfered! On the other hand, there is nothing "extraordinary" in the victorious march of a British army; neither is there anything "extraordinary" in the successful result of an expedition designed for the advancement of British influence in India;—although, by the bye, under Lord Auckland's auspices, we were familiarized with results of a very different description.

Upon the whole, then, I can see no reason

whatever for the vehement outcry, which the Whig speakers and writers have raised against Lord Ellenborough's policy in relation to the State of Gwalior. I am aware, indeed, that the ground upon which the Noble Earl rested his measure of interference, is objected to as untenable,—seeing that the Treaty of Boorhampoor is cancelled, *because it is not mentioned in the Treaty of 1805*. The merit of originating this objection belongs to Mr. T. B. Macaulay, who, as I have before stated, is supposed by some persons to be the author of the Whig pamphlet. The Treaty of 1805 recognizes the Treaty of 1803; but it makes no mention of the Treaty of 1804,—*therefore the said Treaty is defunct!!* Such is the argument of the Whig speakers and writers upon this point; and a more preposterous absurdity has never been advanced since the days of Anacharsis Clootz. Treaties, like all other legal instruments, are binding and continue in force unless formally and specially cancelled; and as the Treaty of Boorhampoor is not formally cancelled in the Treaty of 1805, it is valid at the present moment. Such being the case, Lord Ellenborough's expedition to Gwalior was not only a brilliant military exploit, but it was also a just and honorable performance of a sacred duty on the part of the British Government.

I have now fully, and, I hope I may be allowed to say, fairly discussed the several points of Lord

Ellenborough's Indian policy, which are brought into prominent notice by the Whig pamphleteer. In performing my task, I have not hesitated to pass over many of the writer's remarks, some of which are too absurd and frivolous to merit serious notice, and others again too obscure and unintelligible to admit of any notice at all. I may safely assert, however, that I have met the real question at issue boldly and candidly—giving to every important objection which has been urged against the conduct of the late Governor-General of India, a patient consideration, and supporting my view of each disputed point by such an array of documentary evidence, as cannot fail to remove the injurious effects, if any, of the Whig publication before us.

I cannot flatter myself that the foregoing remarks have afforded much amusement to the reader; but I venture to hope, that they have at least proved instructive, by furnishing him with accurate information respecting those passages in Lord Ellenborough's Indian career, which are condemned by the writers of the Whig party. A political pamphlet is never a very lively affair;—it becomes less so, when, as in the present instance, its pages are necessarily loaded with dry matter of detail. On this account, it is a source of regret to me, that my extensive quotations were unavoidable. I might have remained satisfied, indeed, with a mere unsupported denial of

the Whig writer's mere unsupported assertions ; but I have preferred rather to strengthen my case by frequent and extensive extracts from the Parliamentary Papers,—holding a decided opinion, that, in a discussion of this kind, it is better to produce too much evidence than too little.

Every statesman, who occupies a high position in the political world, must expect to be abused and misrepresented ;—it is the penalty of political greatness. The Earl of Ellenborough, however, has been required to sustain more than his fair share of this penalty. As soon as the Noble Lord's appointment to the head of the Indian Government was announced, the hounds of the Whig press opened upon him in full cry ; and from that moment until this present writing, his Lordship has been pursued with a degree of bitter and relentless rancour, which I firmly believe to be wholly unparalleled in the annals of political animosity. The cause of the existence of this most rancorous feeling is palpable enough. The Earl of Ellenborough went out to India for the avowed purpose of repairing the disasters in Affghanistan ; and this fact drew down upon his Lordship the deadly wrath of the whole Whig faction, whose members were smarting under the disgrace inflicted upon them by the miserable failure of their own unhappy Governor-General. Had his Lordship's policy proved as disastrous as that of Lord Auckland, the Whigs would doubt-

less have greeted him cordially,—looking upon him almost as one of themselves. Lord Ellenborough, however, disappointed the Whig party, —he triumphed in Affghanistan, and from that moment he lost all chance of forgiveness at their hands. Resolved, if possible, to hunt down the Conservative Governor-General who had presumed to succeed where a Whig Governor-General had failed, the speakers and writers of the Whig party made the Earl of Ellenborough a mark for every species of calumnious misrepresentation, which baffled malice could suggest. Every official measure, which the Noble Earl adopted was eagerly scrutinized by his slanderous assailants;—nothing which he did was either too great or too little to escape their eager animosity; —he was equally abused and ridiculed, whether he ordered a retreat or an advance, whether he made a speech or mounted an elephant, whether he penned a proclamation or took tiffin with the military staff at Calcutta !!

As a matter of course, no public man can feel pleased at being continually exposed to a battery of abuse; but the Earl of Ellenborough is well able to sustain the weight of vituperation, which has been heaped upon him. The career of the late Governor-General was short, indeed, but it was brilliant; and his acts,—glorious in their results both to England and to himself,—will live in the grateful remembrance of his

fellow-countrymen long after the slanders of the Whig faction are forgotten. True, the Noble Earl has been suddenly and somewhat unceremoniously recalled by cautious John Company; but the Ministers of the Crown, who are alone responsible for his acts, cordially approve of the whole of his Indian policy, and, by their advice, the Queen has conferred upon his Lordship the dignity of an Earldom. Thus honoured by his Sovereign, supported by Ministers, and secure of the gratitude of his fellow-countrymen, the late Governor-General of India can afford to laugh at and to despise the slanderous invectives of the Whig press.

ZETA.

LONDON,
January 6th, 1845.

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OBSERVATIONS,

&c. &c.

OBSERVATIONS
ON OUR
INDIAN ADMINISTRATION,
CIVIL AND MILITARY.

BY
LIEUT.-COLONEL JAMES CAULFIELD, C. B.
OF THE BENGAL ARMY.

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SMITH, ELDER, AND CO, CORNHILL,
1832.

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P R E F A C E.

IN submitting the following observations to the notice of the public, I must disclaim every motive but that of drawing attention to the situation of our Indian Empire; the stability of which is inseparable from the interests of our country. I have endeavoured to preserve my mind uninfluenced by personal views. Whatever they may be, I am frigidly indifferent as to the effect this work may have in facilitating, or retarding them. It has been my anxious desire to avoid bias towards any received opinion, or being influenced by any party. I have served long in India, and have been employed in many branches of the Government, and have had the honour of gaining its approbation. I now, with feelings of deference, lay before my countrymen, such observations upon the several departments of our Indian administration, as appear, in some degree, to merit the regard of every man solicitous about the public weal.

Note.—These Observations were sent home from India in November 1829, for publication; but from circumstances beyond the Author's control were not published.

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OBSERVATIONS,

&c. &c.

POLITICAL.

WHETHER the existing government be the best that can be devised, and is calculated to secure the greatest benefit to England and India, or whether it is capable of improvement, and if so, in what manner, are serious questions, upon which few, even of the best informed, think alike, and demand the deliberate and mature consideration of the legislature and people of the United Kingdom.

In the contemplation of a question of such deep importance, involving the happiness of many millions of people, and the best interests of our country; every selfish or interested feeling ought, as far as our nature will admit, to be laid aside, and our minds brought to a subject pregnant with good and evil, free from prejudice, and with the least possible bias. The discussion of this question should not be hampered with theories; every thing should give way to the result of experience, and the wholesome test of truth.

This investigation, whenever it may take place,

should be carried on with a patient and diligent scrutiny into every department of the government. Political, judicial, territorial, commercial and military, should each be thoroughly sifted, and, if necessary, revised; but as this division of the subject is unconnected with the matter immediately before us, we shall leave it for the present, and revert to the question; whether, at the expiration of the charter, India and its government, as they now stand, should be continued to the Honorable the East India Company, or whether the Crown should resume the immediate charge of the vast empire that the valour, the wisdom, and energy of the nation has achieved in the East? The glory of England, and the continuance of our dominion in Europe, Asia, and Africa, would appear to rest upon the result of the decision; and every nation of the earth will await with intense anxiety, and deep interest, the opinion which parliament, when called on, shall pronounce upon this vitally important question; and no doubt the united wisdom of the nation will ponder seriously, before it hazards an opinion upon a subject on which the liberty of England, and the existence of her colonies depend. The most daring innovator will pause before he advises a change in the construction of a vast and complicated machine that answers so well the purpose for which it was constructed; more especially when he reflects that the slightest omission, the most trivial oversight, may serve to create a monstrous power in the hands

of a minister, who may, or may not, be a good and wise man; consequently such a power would be liable to be wielded to the destruction of that constitution which has long been the boast of England, the palladium of liberty, and the dread of despotism.

When this immense question is brought before the public, advertence will, no doubt, take place to the discussions in parliament upon Mr. Fox's India Bill, which will serve to call the attention of gentlemen to the imperious necessity of keeping out of the minister's hands the means of retaining possession of his place when the measures have ceased to be beneficial to the nation. It should never be forgotten that gold will tell upon the necessities of the highest; human nature is, and must continue defective; and wisdom will, in legislating for the future, keep a strict eye upon the infirmities to which mankind have ever been liable. It is not sufficient that parliament is pure; precautions for preventing the application of means calculated to corrupt its integrity, must be adopted, which will necessarily point out the salutary effects that might be expected from a partial revision of the Indian departments in England. It cannot be denied that the Board of Commissioners for Indian affairs absorb the whole of the executive authority, leaving the Directors a powerless, and worse than useless body, possessing sufficient nominal authority to enable His Majesty's ministers to saddle them with the mismanagement

and odium caused by the superordinate body. While the Governor-general and the members of government can be recalled by the crown, and no governor appointed of whom His Majesty's ministers do not approve, who can assert that parliamentary influence will not operate on our governors, who are virtually dependent upon the minister, or that such a state of things will not secure a powerful and predominant weight with those members of parliament who have sons, brothers, and other near relations in the Company's service? The principle that conduces to this evil will induce the minister to lend all his interest to screen a Governor-general who is actually the creature of his power, and dependent upon his will. If the pernicious effects of the controlling Board, under the positive dictation of the cabinet, requires illustration, we shall find in the conduct of the Board in 1785, the year after its creation, with regard to the settlement of the Nuwab of Arcot's debts, ample proof of the injustice, disgrace, and pollution which was the result of the establishment of a power, alike inimical to the true interest and honour of England, and her Asiatic possessions. Let Paul Benfield, and his attorney, Atkinson, serve as an illustration and a warning of the contamination and infamy that may be introduced into our House of Commons, through the means of an interference with our Indian government. Let this serve as a beacon for future ages, to avoid "the golden cup of abominations; the cha-

lice of the fornications of rapine, injury and oppression, which was held out by the gorgeous eastern harlot, which so many of the people, so many of the nobles of this land, have drained to the very dregs." Experience has proved, that the executive functions can never be salutarily exercised by the supreme authority of the nation. Our Indian government should be effective and responsible, whether it remains in the Company's hands, or is transferred to the Crown; and if it be continued to the former, the Governor-general should be selected by the court, under such restrictions as would ensure an impartial choice. He should not be drawn from their service; his fortune should be unimpaired; and he should be confessedly a man of talents and experience. In legislating for our Indian possessions, it should be recollected, that Mr. Pitt introduced his celebrated bill as a palliative, rather than a remedy for the evils then existing in the government. In framing rules, therefore, for our Indian empire, it appears essentially, if not imperatively necessary, that its altered state and condition should be thoroughly ascertained, and fully understood, and that the chances and changes to which it is exposed should be calculated on, and provided for, to the utmost extent of human foresight and prudence. The period is rapidly drawing near, when the charter, under which the present system exists, will expire, and the awful question, how our distant realms are to be governed for the future, will force itself

upon the deliberation of Parliament, and the nation. Our sway in Asia is no longer a subject about which the country can be indifferent; the interests of England have become inseparably interwoven with the welfare and security of our Asiatic sovereignty, which has gradually, imperceptibly, but naturally, forced itself into contact with one of the most powerful nations in Europe. In the present state of things it must be manifest to the most desultory observation, that England, and Russia, must either guarantee the independence of Persia, or the former must look on with unwise, and incomprehensible indifference, whilst the latter establishes her influence, if not her dominion, over that state, and gains a position, that will secure an easy entrance into our Indian territories.

Russia, immense, extensive, and powerful as she is, has not yet reached the fulness of that gigantic size, at which fate has apparently destined her to arrive. Upon her southern, and eastern frontier, the countries of Khorasan, and Bucharia (the latter of which, is under the influence of petty, but turbulent, and warlike chiefs) present by no means a difficult nor insurmountable barrier to the attainment of an influence, that may be exerted to our serious detriment if not to our imminent danger. Hordes from independent Tartary, little Bucharia, and Thibet, would gladly join under such powerful auspices, in a plundering excursion into India. It will be wise to recollect, that our immediate eastern frontier, has

already become insecure ; a provident and cautious policy will instruct those who preside over the destiny of our Indian empire, to adopt such measures, as wisdom may consider best calculated to embrace and provide for all contingencies.

The vast and profound problem of government is susceptible of so many, and varied solutions, as to puzzle the most vigorous, comprehensive, and discriminating capacity ; therefore the less complicated it is, the better. A simple piece of machinery, must obviously require fewer repairs, be exposed to fewer accidents, and when out of order, be more easily restored to its functions, and at less hazard, and expense, than a more intricately constructed instrument. The more, therefore, our system of government is simplified, the less exposed it becomes to danger. Colonies are supposed better provided for by a simple form of polity, than when subjected to numerous and conflicting regulations. To secure to any distant country an equitable, energetic, and efficient government ; we have only to guard against a minute interference with the natural genius of its inhabitants ; render their lives and properties secure, and allow them a just and adequate share in the executive government of the state. In other words, identify the interests of the population, with those of the ruling authority ; and allow active and honest industry a fair and legitimate competition.

When the rights of the community are not respected and secured, there cannot possibly exist a

sound and affectionate devotion ; there must be a reciprocal conviction, that each is necessary to the prosperity of the other : without such an impression, there can be no union of interests, no common cause to rally round, nor common principle to impel : So long as the rights of the bulk of the inhabitants are made subservient or are sacrificed to the aggrandizement of the few ; so long will injustice, dissatisfaction, and a desire to change the existing system disturb the community.

To render a foreign possession secure, we must obtain some hold in the soil, which, in a country in a great measure occupied, can only be accomplished by cautious and slow degrees. The governed and governors, to render the one happy, and the other stable, must have a community of feeling upon all important subjects ; they must assimilate in religion, usages, manners, language, and education ; every thing tending to accelerate such a consummation should be encouraged, and every thing disposed to retard it should be removed with prudence, or guarded against with undeviating solicitude. Hence it is clear, that colonization, under limited restrictions, should be admitted, and unless this necessary step be taken, our footing in India must continue infirm, and exposed to every commotion which may agitate the public mind. The security of our possessions, the prosperity, peace, and good order of society, alike demand that we should take a liberal and extensive view of our situation. It is time to cast off the

trammels which have bound us, and extricate our minds from the bugbears which have hitherto prevented our making the slightest advance towards securing ourselves in that distant land. After occupying India for the best part of a century, we may look round in vain for a class, upon which the several important duties in the various departments of the executive government could devolve, without ruin being the consequence. We are informed by an able and philosophic historian, Mill, that, the most experienced of the Company's judicial servants are unanimous in the opinion that, the * zumeendars and merchants, are alike unfit for any confidential employment in the executive branch of the government, nay, that their employment would prove mischievous, consequently it would not be advisable that they should be invested with any judicial authority, because such an investiture would entail innumerable evils upon the people. There are none to feel sentiments of regard and respect for the government, and yet be bound to the people by a common interest, and sympathies growing out of a daily, intimate, and social intercourse; the state of society is fictitious, and disjointed. There exist none, who, in the hour of danger, would exert themselves to aid the executive authority; such a class is unknown, and without it permanent stability is not to be attained. Government, in its present isolated situation, can neither ascertain the wishes nor opinions of the people,

* Landholders.

nor explain fully, matters of which it is necessary they should have a thorough knowledge. In the face of such opinions, held and proclaimed by our ablest servants; in the face of prolonged experience, and in defiance of common sense, are we to continue bound in the chains of selfish avarice, and besotted prejudice? We cannot now plead ignorance, and the necessity of experience; the first has ceased to exist, the latter stands copiously recorded in the every-day transactions of our rule.

This class in our Indian society, would appear to be our chief want; it also appears that through its influence alone, we can entertain any rational hope of perpetuating our dominion. By taking root in the soil, and thoroughly incorporating ourselves with the inhabitants, we shall succeed in becoming a part of the population, and creating a communion and identity essential to our existence; without which our dominion cannot be considered as established upon a permanent foundation. The history of India, from the period when we were first called upon to take an active part in its affairs, has, down to the present moment, satisfactorily and incontestibly proved that we cannot avoid doing so, in every question that arises between the states with which we are connected. The opinion entertained by some of the leading men in Europe, "that by a steady and conciliating conduct, the lasting tranquillity of our eastern possessions might be secured," is a mere chimera, tending to precipitate our down-

fall, unless it be supported by a population, actuated by a community of feeling, a similarity of manners, reciprocal advantage, and a conviction, that the prosperity of the one, rests exclusively upon the safety of the other. A religious impostor of either sect is at present able to agitate and inflame the public mind, from one end of India to the other. This is not an assertion unsupported by facts. Let those who observe and reflect on passing events attest the verity, or prove the fallacy, of the supposed danger attending religious imposition, combined with any political feeling inimical to our interest in a country, where superstition, and a passive and blind obedience to their spiritual guides reigns triumphant over a population of millions, a population from whence the supporters and servants of the state are drawn. Our army, our civil establishment, and menial attendants, are exposed to be acted on by a spark, capable of producing an explosion pregnant with danger; against which, situated as we are, it is utterly impossible to provide the slightest guard. The effect of such a shock would be the obliteration of our very name; of which not a trace would be left. Let but the present system be revised, and in time our army, and the principal servants of the state, might be furnished by a population connected by ties of consanguinity, by religion, by social intercourse, and feelings of reciprocal safety. At present we are exposed to the daily danger of utter annihilation, caused by internal rebellion, or external

invasion, either of which might bring on the other. In each case we have nothing to retreat upon, or rally round; and assuredly, if once compelled to retrograde, no trace would be left behind us but the remembrance of our aggrandizement. The arguments of unjustly and forcibly displacing the present occupiers, to make room for our colonists, will, we are aware, be brought against any proposition in favor of colonization. The futility of such a puny opposition is obvious; there is not the slightest shade of similarity between our situation, and that of the Spaniards, and Portuguese, in South America. There we find the invasion of a newly discovered country, impelled by avarice; there we find an army of strangers, roaming over a country, the inhabitants of which had, by a feeble resistance, exasperated that rage which drove them on with impetuosity in quest of wealth, as well as revenge. Horde, in succession to horde, reached that ill-fated land, in which, as the golden attraction decreased, their stay necessarily became prolonged, that they might search for that which they were aware existed. In consequence, places of abode and cultivation for their support became indispensable. The expatriation of the natives became inevitable, and their houses, women, and properties were seized. Thus the native population disappeared before rapine, murder, and oppression, while its place was occupied by the descendants of their exterminators. How essentially different would be the progress of colonization in

India. Under, a just, moderate, vigilant, and well regulated government, the interests of each class would be protected by the most rigid impartiality. The European settler, or his descendants, must come into the market like any other purchaser of land, and here our progress could not be marked, as in South America, by extirpation, and spoliation; here neither the lamentation of the widow, nor the cry of the orphan would be heard; our introduction would be attended with benefit to the people, by bringing ability, vigor, and capital into every branch of industrious labor, as it is evident, the higher classes only could colonize; agriculture would keep pace with commerce, and every species of mechanical art, emulation, moral improvement, and security would be the happy results of our amalgamation with the people of that favored but ill-fated land, whose population, so far from suffering evil at the hand of a well regulated and prudently restricted colonization, would have reason to bless the coming of a people who would lead the way to all the blessings of civilization, and to return thanks to the common Father of mankind, for conquests which, however ruinous in their immediate effects, were ultimately productive of such a glorious consummation. We must further recollect, that notwithstanding all that has been written to the contrary, India is not near populated; its finest districts, and those climates most congenial to an European constitution, are but thinly inhabited, and artizans are no where to be

found out of Calcutta, and even there, very few. It by no means follows that an European capitalist, who might purchase an estate, would, as a matter of course, extirpate his native tenantry, had he the power, for the purpose of introducing an European peasantry, at an enormous expense, under the conviction that in so doing he was effectuating his ir-retrievable ruin. We are warned of the probable rise of the natives, should they witness the accumulation of British, or Indo-British inhabitants, lest they should ultimately subvert their religion. This is a mere scarecrow to frighten the "citizens."

The palpable contradiction which we see in the Mahomedan colonization, is a quite satisfactory demonstration of the futility of such arguments, and the absurdity of the fears to which they may have given birth. The nation, however, when the matter with which this interesting question abounds comes to be discussed, will bestow upon it that impartial and patient consideration which its importance demands.

Colonization would be pregnant with beneficial consequences to the people of India, and to the stability of our rule, inasmuch as it would create a class of subjects well-informed, and tolerably acquainted with the prejudices, manners, habits and interests of the rulers and ruled, that would eminently qualify them to fill with ability, integrity and assiduity, the subordinate situations in the revenue and judicial departments, and ameliorate the

innumerable grievances the people at present suffer from abuses existing in these branches, which would necessarily give us a hold over public opinion of the greatest possible importance to the stability of our sway; as the light and energy infused into the minds of our subjects must be in proportion to the extent of our colonization; it consequently could not prove inimical to our rule until such time as the united population was capable of forming an independent power, in which British interest would necessarily be identified with the independence of British India.

The quotation from Harrington (vide Colonial Policy, page 140.) respecting the Janizaries of Turkey as being applicable to our situation in India, appears to be quite the reverse; the governments of the two countries are essentially dissimilar, and the constitution of the Janizaries and our Sepoys no less so; the former being literally a local military body, destitute of interest in established order, whilst the latter, being drawn from the body of the people, are absolutely identified with the continuance of our rule. The danger to which our empire is, from its very nature, exposed at present, would become gradually less as colonization increased, and we should be less liable to the immense hazard attending either external invasion or internal convulsion.

With reference to the suggestions upon this topic contained in page 223-4, of "Colonial Policy, as applicable to India," free and full participation to all qualified persons, without regard to religion, ought

to be the basis of any rules relative to colonization; and natives, as well as foreigners, should be allowed to redeem the land-tax, or, in other words, become actual proprietors. Should colonization ever be admitted, and restrictions be imposed in the outset upon our native subjects, we may peradventure, instead of adding any stability to our empire, give it such a shock as will ultimately cause its fall. The effect of such restrictions would be immediate, and dangerous, if not fatal; it would be considered as an attempt to supplant the native population, by the introduction of foreigners; the tocsin would be sounded from the Himmaleah, and echoed from the Indus; discordant interests would be temporarily united by the common principle of self-preservation, and we should assuredly be considered and treated as the common enemy by every description of people throughout this mighty empire.

It is said we hold our sway in India by opinion: this no doubt may have had, and possibly still has, considerable influence in rendering it more stable; but that it is the mighty talisman by which we hold our dominion, is at once unfounded and dangerous. Our tenure may be traced to a more certain source — our army. Let that be once debauched from its obedience, that moment our rule will cease; and should Russia ever make a serious attempt upon our Indian possessions, by combining with Persia, or stimulating the Afghan population of Candhar, or the hordes of Bucharria, to join in an invasion of

India, our empire, should it escape the external assault, may, nevertheless, fall by internal rebellion. We have nothing but force to rely on ; we have no population, and are considered as usurpers, by people of every degree above the cultivator and the mechanic. It cannot be concealed that their interest, pride, religion, manners, and knowledge of us and our laws, combine to generate a desire that our expulsion should be effected ; and that such a sentiment would inspire a general feeling of hostility against us if the smallest hope of success was apparent, there cannot exist a doubt in any mind unwarped by prejudice, or not darkened by the decree of providence for some wise purpose beyond the scrutiny of our finite comprehension.

In conquered countries, particularly in those in which there does not exist a link between the people and their governors, dominion must be retained by a military force. Should that force belong to the nation of the conquerors, the chances of disaffection and rebellion are comparatively few, and unattended by immediate bad effects, even when they take place. But should that force have been embodied from the mass of the inhabitants of the conquered territories, as our Indian army is, separated from us by religion, manners, prejudices, and social propensities, the probability of their disaffection and rebellion will be considerably increased, and render their loyalty and allegiance a matter of anxious and feverish solicitude, and the

tenure of our dominion excessively precarious. Let our native soldiery once feel the conviction that their interests are overlooked, their prejudices unattended to, their feelings violated or disregarded, and the transition from their being the instruments of our sway to that of our downfall and expulsion, will be rapid in its progress, and in its effects fearfully awful. In such a crisis public opinion would not avail; any expectation founded upon it would prove a dreadful delusion; and those who rest secure upon such a quagmire will become, and deservedly so, the objects of contempt and derision. The magnitude of such an evil is too immense, and the occurrence of it too likely, to admit of a wise administration not applying the safest and most obvious means that human sagacity can suggest to avert such an event, or to meet it, should it come to pass, with the most powerful opposition. It is, therefore, the bounden duty of the legislature to examine strictly the system under which our Indian territories are held; and if limited colonization, progressive in its effects, hold out to its apprehension a tendency to render our rule more stable, it is incumbent on it to aid it by rescinding such parts of our present code as militate against it, and to further its progress by such new ordinances as may facilitate its commencement and completion. On the other hand, should conviction, founded on a demonstration of its baneful effects, continue to impress the mind, after a deliberate and dispassionate

enquiry into all its probable consequences, the legislature is equally bound, by the most imperative and sacred duty, to oppose every attempt to carry a measure, which they may consider fraught with evil to so large a part of the human species. In adopting one of these obvious duties, the prejudices, passions and self-interest of individuals should be discarded ; for so long as these continue influential, every sentiment of the mind and every sympathy of the heart remains perverted, and it becomes impossible to survey important measures through that disinterested medium which can alone afford a correct view and a true delineation of the right course to the natural end of all legitimate government.

Our present system, to be rendered effective, must be released from the shackles with which it is bound ; every obstacle to improvement must be removed ; the forms and regulations which clog every department must be done away. We shall then behold that favoured region rise vigorous and triumphant from her present prostrate and inanimate condition.

It has been truly observed, “ No system of government can be virtually or practically good in which the people are denied participation in the legislative, judicial, and executive branches of the state. It is obvious, that being shut out from these our unalienable rights, the prosperity of the country must suffer depression. When every department in the state is filled with foreigners, no community of opinion or feeling can exist ; neither worth, nor

talent can be called into action ; and thus strangers, whose interests are opposed to those of the community, are left, fortified and prejudiced against the approach of truth and experience, to preside over a system degrading to the governors, and ruinous to the governed.”

That such a system, in the hands of the crown, would prove strongly influential to the corruption of our constitution, and the ultimate demoralization of England, and her East Indian possessions, and reduce them to a similar condition with Spain and her South American colonies, we have the experience of the past for believing.

The fate of our predecessors, the Portuguese and Dutch, should not be disregarded ; for however superior our system confessedly is to that of either of those nations, the defects which accelerated their fall are to be found in the course which we pursue, and particularly conspicuous in the jealous exclusion of our native subjects from every department of the government. The elements of the present generation are precisely what the elements of the past have been, and what the future will prove.

The fall of the Dutch sovereignty in Asia can alone be attributed to the home government having become so connected with the company, or rather, having usurped the functions which it should have watched over and controlled, but not exercised.

It may here be useful to take a brief retrospective view of the rise and fall of the Dutch in India, for the

purpose of drawing the attention of the public to a subject of deep and serious importance. The unexampled rise of the Dutch to power and wealth, was owing in a great degree to the decline of the Portuguese, about the period of their rounding the Cape of Good Hope, occasioned by their being debauched by a course of success and prosperity scarcely paralleled in the history of nations. Tyrannical measures, intolerance in religious matters, and a spirit of proselytism, rendered them at once obnoxious and detestable to the people they ruled; about which time the Dutch appearing in India, the Portuguese fell without a struggle before the uncorrupted simplicity of a people destined to be their successors and rivals, who speedily became masters of all their possessions, and soon rose to the highest pinnacle of prosperity; but the constitution of this remarkably successful and powerful association was, as has been observed, defective. The entire absence of efficient controul over the governing body in Europe, and the governor-general in Asia, who held his situation for life, soon led to luxury, corruption, and vice. The greatest families in Europe possessed themselves of all the patronage, and seized the most important and lucrative situations, which descended as heir looms from one generation to another. The natural effects of such a system were, the chiefs of the nation, together with the Stadtholder, became implicated and interested in malversation. In this condition, when measures of reform became im-

perative, the home government, from whence they should have emanated, was, from the peculiarity of its nature, and the venality inseparable from such an anomalous system, unable and unwilling to interpose vigorous measures to rectify mismanagement, and rescue the affairs of the company from ruin.

The impunity with which misrule and cupidity indulged their views, both in Europe and Asia, served to incapacitate the constituted authorities of the republic, and the company's functionaries abroad; and to open an easy entrance to the English, who about that time appeared as actors on the great theatre of the Eastern world. England has now possessed herself of all the land and commerce of India, and has filled every civil and military situation of honour or emolument with her own sons; she has likewise subverted, in many cases, the laws and ancient customs of the people over whom she rules, and introduced her own in their stead, and these acquisitions and innovations are supported and defended by an army raised from the Indian population. In return for this, it will be asked, what has England done for India that can be considered even as a partial return for the advantages she has reaped, or the injuries she has inflicted? It may be averred, she has secured the lives and property of millions; that a man can plough his field, and reap it, that he can build a house, and live in it; and it must be acknowledged that it is so. But it is no less true, that

his share of the harvest is a mere subsistence, and that his house is a mere hovel!!

If, upon the expiration of the present charter, the existing restrictions on the trade should be modified, and colonization neither encouraged, nor retarded, but left unimpeded in its natural course, and our judicial system revised, India will then become the first-born of Great Britain, and in a burst of heartfelt gratitude, and glowing eloquence, will hail her at once as a parent and friend. In the changed condition above noticed, it will remain for the legislature to determine with whom the government shall rest. This is a grave and serious question, not to be discussed and decided upon, as elsewhere observed, in the spirit or language of party or faction. Such an immense increase of patronage to the crown as would flow into the cabinet might give it an undue and unwholesome preponderance. Such a dilemma is not to be avoided under such circumstances, and as the preservation of our happy and matchless constitution must ever continue to be the dearest object of the nation, it will be cautious how it gives power to one of its parts, to the injury, if not to the annihilation of the remaining members. If this consideration be of sufficient magnitude and importance, it will possibly be conceded, that the present Indian corporation might with advantage be retained. To this, it may be objected, that a community of sovereigns (for such the Court of Proprietors might be termed) would be as absurd as rare; nay, that it

would be creating an opposition in the state at variance with reason, and hostile to its existence. But what would be the effect of such language? Or what would it establish? Nothing; it would be mere declamation resting upon no data; it would prove a party fiction to forward party views. In reality, such a condition would be no increase of power to the Court, which is at this moment a court of princes, the organization of which would require little, if any change. Deprive them of their worst influence, their exclusive privileges, of the principle which blights every thing it approaches—their mercantile avarice, and they will be enabled to preside with vigour over the simple and obvious duties they would have to perform.

“The East India Company is in no way advantageous as a commercial and political institution, but rather an expensive incumbrance, and an obstruction which ought long ago to have been removed.” As a commercial institution, the East India Company may not have the most favourable influence upon trade, and that diffusion of knowledge and civilization which distinguishes and enlightens its track, by introducing affluence and science into every nation which opens her ports to the substantial blessings arising out of unshackled commerce. But as a political institution, it should not be rashly condemned. It has been observed in another part of this pamphlet, that the immense addition of patronage, civil and military, which the minister

would derive from the possession of the entire executive government of our Indian colonies, would prove of such an overwhelming nature as to crush every parliamentary attempt to oppose his establishing an influence, injurious, if not destructive, to the principles of the constitution; and Lord Grenville's plan of selecting young men for the civil service, from our universities and public schools, and for the army, from families whose fathers have fallen in the service of the country, would be subject to serious objections, inasmuch as the youths so selected would be the children of our aristocracy, and intimately connected with parliament, and would rather facilitate than retard its corruption, by giving the guardians of our institutions an indirect participation in the corruption so much to be apprehended. The Indian service must be retained distinct and separate from the crown, and the selection of youths, if ever the Company be done away, must devolve upon some body having no connection with His Majesty's government, and the patronage in India as at present must remain in the hands of the local government; a partial change in the constitution of our present system would appear all that is requisite to the formation of an efficient establishment.

As the promulgation of the truths of Christianity, and the uncontrolled freedom of the press in India are intimately connected with the interests of our subjects, and the permanency of our sway, we shall

make a few desultory remarks upon each before we leave this part of our subject, as it appears the fittest place to notice them. The importance of both these topics requires more ability than we can bring to the discussion ; we shall consequently, as in other matters deserving the most serious serious consideration, rest satisfied with bringing them under the notice of the public.

The conversion of the natives of India has apparently excited an extensive interest, and gained many adherents among the best informed classes in England, and is unquestionably a matter of deep concernment ; but in contemplating the good and evil consequences that may flow from the idea, if ever it gets abroad, that such an undertaking was meditated, we are called upon to observe the utmost caution, lest we should inadvertently afford grounds for the suspicion that government even indirectly favoured an attempt to introduce a foreign religion into the country. The most benign measures are not unfrequently followed by the most mischievous effects ; and religion, above all other concerns, is infinitely calculated to elicit the most impetuous, exasperated and sanguinary feelings. The history of the world abounds with awful lessons upon this momentous subject, interference with which, at one time or another, has proved a scourge to every nation whose annals have reached posterity. It is a powerful engine, and in unskilful hands may involve in ruin those who attempt to direct its opera-

tions. Ignorance, though audacious, is seldom so fortunate as to escape unscathed from the wrath which its presumption is sure to incur. There are but few master spirits in these times capable of allaying the storm that unwise temerity may provoke. In societies where civilization has made but a limited progress, the human mind is generally found warped by prejudice and superstition, which render it incapable of discrimination, and chain it to the popular religion of the state. To wean it from these, and awaken a deep and disinterested sense of its erroneous belief, we must enlighten it by education, and afford it the means of examining the pretensions of each persuasion previous to any attempt to influence its selection.

In acknowledging the duty of a Christian to exert himself strenuously in the promulgation of the sacred and immutable truths of the Gospel, we must not lose sight of the more paramount one conveyed by Christ himself in the following impressive words : “ Whatsoever ye would that men should do to you, do ye even so to them, for this is the law and the prophets.” The practice of this divine commandment is positively inculcated, the observance of it is in nowise to be evaded. How then could we reconcile it to our consciences to upbraid men who have spent their lives in the faithful performance of the rites of their religion, and their duties as fathers, friends and good citizens, with besottishly adhering to the knavish or ignorant tenets of idolatry, and

denounce them as offenders against the living God, and as the rightful heirs of eternal damnation? Are we warranted in insulting the feelings and rousing the passions of men who have for accumulated ages been taught to consider their faith as an immediate emanation from divine wisdom? Or could the conduct of government be held excusable for allowing, however pure, noble and generous the motive, indiscreet zeal, or blind enthusiasm to preach under the supposed sanction of its influence, a doctrine for the comprehension of which the minds of our subjects are not duly prepared? Are we to permit fanatical bigotry to roam through the country, disseminating its doctrine in offensive language, and thereby engendering in the mind of the public the utmost alarm and solicitude for the safety of the established religion? There is nothing more likely than premature proceedings in the great work of conversion, to excite and accelerate a crisis alike fatal to our sway and the general interests of christianity. Arrogance and mistaken zeal have proved in every country of which we have any account, the greatest enemies of the Gospel. Let us, then, shun the rock upon which the best efforts of the followers of Christ to spread his religion have been wrecked, and leave the great work to the holy and pious labours of such instruments as may be ordained by heaven to perfect the object of his blessed incarnation. Let us foster the knowledge, and forward the instruction of our Indian subjects, and

leave to the inscrutable wisdom of heaven the fulfilment of the word of God.

It is surprising, at a period like the present, when abundant information is every where to be found, that such erroneous conceptions regarding our Indian rule should be so generally prevalent, that we can scarcely take up a pamphlet or speech upon the most trifling subject, that we do not meet with opinions that would discredit more remote times than the era in which we live.

It appears a common error amongst the writers and orators of one party, to impute all our misrule to restrictions upon the press, and to place all our future security upon the affections of the people, which they say would follow unrestrained freedom. If an unrestricted press would carry in its train all the blessings of a free, enlightened and liberal government, who would not advocate its cause and triumph in its success? We must not deceive ourselves by such visionary expectations. The warmest advocates of a free press must admit that it is rather a part of the superstructure than the corner-stone of a great and good government; and, although quite essential to its preservation, it is not alone the fulcrum by which it can be raised into existence.

The constitution of our Indian government must undergo great changes before our possession can be looked upon as secure, or be considered mutually beneficial to England and India. To obtain this

highly desirable consummation, our native subjects must be allowed to participate in the executive authority. They must have a deep interest in the stability of our sway. They must have every thing to lose, and nothing to gain, by a change, before we can securely rest on their devotion to our cause and attachment to our institutions. They must be bound to our rule by more durable links than the recorded cruelty and misconduct of their Hindoo princes "and the no less gloomy recollections of their Mahomedan masters." The memory of both is faint, and would vanish before even a remote hope of freeing themselves from the shackles of foreigners, who are looked upon as the usurpers of the government, and every respectable situation under it — as usurpers who have shackled their trade, and enslaved them to a system more inconsistent with their education, habits and prejudices, than any under which they have before suffered. With former conquerors they shared the honour and emolument of the executive authority; under our sway they share nought, but are alike shut out from every department of the state, and thrown entirely upon the precarious profits of curtailed commerce for that affluence and independence which they are precluded from sharing with their subjugators by our monopoly of every thing else.

Thus situated, how can they understand or appreciate the vituperation of an irascible and exasperated writer, or the delusive speculations of an Utopian

enthusiast? No! something more tangible and substantial must be offered to their acceptance—an obvious and permanent benefit, participation in the offices under government, an efficient administration of defined and equitable law, through channels the least susceptible of fraud, corruption, and delay; all of which would spring from any salutary change in the present system, that would facilitate the access to situations of respectability and confidence of such of our native subjects, who might render themselves eligible by their knowledge of our language, literature, and laws. The establishment of colleges in the principal cities and schools at our out-stations would afford them the means of acquiring a competent education, and seminaries might be endowed with sufficient to render them objects worthy of the ambition of our European scholars, at an expense not exceeding that incurred for similar establishments in England, for a purpose which has been but partially obtained.

There cannot, it is presumed, exist a doubt in the mind of any man who has given the subject due deliberation, of the vast importance that would accrue from an order directing the business of our courts, judicial and revenue, to be transacted in English instead of Persian; such a change would at once secure the judge and client from the impositions of mercenary native expounders of law that few of them understand, and which is capable of interminable misinterpretation and evasion by those who are most

deeply read and intimately acquainted with its quiddities and quirks. Then public business would no longer be impeded, nor fraud rest secure against detection, and the population would be placed in possession of the strongest possible inducement to seek an intimate knowledge of our language, manners, and institutions. Under the influence of such a change, and the strongly operating power of self-interest, and the almost certainty of realizing reasonable expectations of fortune, honour, and distinction, we should see our native subjects emerge from their present state of ignorance and degradation, and become instruments of the greatest importance in rendering our empire stable by an affectionate devotion, resting upon the best interests of those over whom we ruled.

At present, even in the absence of all inducement to acquire a knowledge of our literature and language, we see the natives forward and anxious to avail themselves of the means held out by the College established in Calcutta by the Hindoo community, with a trifling aid from the British government, to acquire all the information their instructors can communicate. Here youths, sons of the most respectable and affluent Hindoo citizens, devote themselves with assiduity to their studies, and are really in a state of forwardness, considering the very limited means within their grasp, remarkably demonstrative of the culpability of the British government for neg-

lecting to cherish that from which the most important and beneficial results might be expected.

The aptitude of these youths, and their capacity for acquiring a distinguished proficiency in the several branches of scientific, useful and ornamental literature, from the specimens which the College, under the superintendence of Mr. Wilson, exhibit, would not suffer by a comparison with youths enjoying more extended means of instruction in Europe.

If such limited means are so productive, and hold out so much promise of an abundant harvest from a more liberal culture, how can we hope to be exonerated by posterity from having incurred the guilt attachable to a wilful neglect, from unworthy motives, of that which it was our sacred duty to perform, and which could not have failed to be beneficial and honourable to our own nation.

By educating the natives, we in a great degree secure the temporal advantage and triumph of our country, and under Providence are doing that which would prove instrumental in diffusing the divine influence of Christianity over the largest portion of the pagan world; and by neglecting to do so, we meanly resign a noble and irresistible claim to the gratitude and admiration of our Indian subjects.

If, as we are told, intellectual knowledge keeps pace with political freedom, and that science will spring up if not checked by despotic and arbitrary power, it is manifestly our bounden duty to allow as much freedom to our Indian subjects, as is con-

sistent with the security of our sway. This proposition, it is conceived, will not be contradicted; in which case, the difficulty will be to ascertain the precise degree of restraint that will admit of the vigorous expansion of human intellect, while it checks those violent ebullitions and wild sallies, so inimical to the interests of the people, and so pregnant with danger to the existence of the state. There surely cannot exist a doubt in any well organized mind of the imperative necessity of the executive authority, in that distant country, being armed with absolute and independent power, for the application of which it can only be held responsible by the authority from whence it is derived. Turbulent, wayward, or seditious characters are by no means uncommon; so far otherwise, that they may be said to be the weeds which naturally spring up in all free communities, neither can it be denied that the judicious exercise of authority to eradicate in the germ, a plant so deleterious in its influence, would be more than was the paramount duty of those to whose hands the safety and well-being of our possessions were confided. Upon the other hand it is obvious, that the free exposure of the conduct of the executive authority would be productive of a happy and beneficial tendency, as it would necessarily render it more deliberate, rouse its energies, and stimulate it to a vigorous exertion of its faculties, that would enable it to throw off the sluggish confidence generated by the exemption of its measures from free discussion, which, like an un-

natural action in the human body, taints the sources from whence nourishment is derived, and by rendering the whole mass of fluids vicious, contaminates and deranges the system. Freed from a noxious and infectious principle, a healthy action would ensue, bringing with it a communion of sentiments well calculated to excite the best sympathies of government; and, so far from weakening the tie which connects it with the vast population of the mighty empire over whose destinies it holds sway, the strongest bond of union would be produced, the obedience of the heart, the conviction of the mind—ties more durable, and affording greater stability to the state, than all the chains and trammels the invention of despotism could contrive. Hence, then, it may be allowed, that the utmost limits consistent with prudence should be granted to the press. It is sufficient that government be armed with adequate power to crush a notorious and audacious offender. Such a power, however, should be exercised under a heavy responsibility, and never put forth save when the evil was obvious and dangerous. Justice should never permit punishment to exceed crime, however mercy might be induced to temper its infliction.

JUDICIAL.

“WE are the masters in India, most happily for India itself; but there are native princes in that country who would gladly recover the absolute authority that their fathers possessed. There are adventurers, and restless spirits, even in greater proportion than in Europe; who eagerly desire to see times of anarchy renewed, that their lawless and reckless ambition may once more have free scope, — the only possible means by which a hostile feeling could be excited in the great body of the people (and in that class especially who are the very sinews of our strength) against an equitable and beneficent government, the blessings of which are felt and understood.”—(Quarterly Review.)

The conviction of the truth of this passage should induce us to abstain from every thing likely to rouse the dormant spirit existing in the several sources above described, and engage us to examine most carefully our institutions, for the purpose of expunging whatever we may find calculated to excite, or likely to accelerate, the crisis which must attend

(however it may be susceptible of procrastination) the alarming and uncertain situation in which the British power in India exists. In the course of the present examination we shall briefly notice what is allowed to be the basis of a beneficent government—equitable, and efficient law; consequently, where the happiness of the people is the question, nothing can come in competition with it. Law is often variable, frequently unintelligible, and at variance with the genius of the people living under its influence. It therefore behoves legislators never to lose sight of the principles which should govern all law. Morality, equity, and religion, are the offspring of immutable truth, and according as we adhere to, or deviate from them, we shall be right, or in error. In forming a code for our colonies, the above fundamental principles, together with the natural disposition of the nation, should be kept constantly in view. The manners, customs, prejudices, former government, and innumerable minor considerations should be strictly attended to. The happiness of the people is the great end of all law; from it emanates the right to command, and the obligation to obey; and unless it be secured by their institutions there cannot possibly exist a legitimate pretension to command, nor an adequate motive to obedience. In reviewing our Indian system, it appears to be a fair question, whether the judicial code introduced by the British government is such, as to secure to the people, in a greater degree, the acknowledged object

of jurisprudence, than their own primitive usages? If the affirmative be the case, they are beneficial; if not, the reverse is the fact.

Great and good as our government in India is, its equity and beneficence are by no means so distinctly understood, nor so thoroughly appreciated as we are led to suppose; nay, cannot be, as it is diametrically opposed to the wishes and character of the nations over which it extends. That the princes and spirits alluded to in the foregoing extract do exist, no one can pretend ignorance, who avows any knowledge of the country, the people, their institutions, civil or religious, and the system we have erected upon the ruin of their dearest interests, and fondest hopes, to the imminent risk of their utter annihilation. Let us now see how far this state of things is supported by facts. What are the interests of the people? Before we say aught upon this head, it may be necessary to observe that civil, and religious ordinances are the sources from whence every thing interesting or valuable emanates; and as mind and conscience are materially affected by education, it must follow that the moral standard of every nation upon earth will vary with their polity, ethics, and laws. Hence the reasoning applicable to one state of society, cannot be brought to bear upon another, except by way of analogy. For particular illustration we must be content to examine the people of our colonies, and their interests, by the standard of their own institutions, rather than those of which they are

ignorant, or with which if at all acquainted, they know only to contemn. Let us therefore proceed to an examination of their usages, which are laws, and religion, during the earliest times of which we have any authentic history. Upon turning to their principal books of ethics we find their codes extensive, luminous, moral, and efficient; and although defaced by the accumulated distortions of fantastic fable and superstition, quite equal in all respects to the purposes of justice in civilized society, and have been considered through a series of ages from the remotest antiquity, as the ordinances of a Providence never forgetful of the necessities of mankind.

If this be the case, and the opinions entertained by the greatest legislators, that the best intended legislative provisions are of no effect unless congenial to the disposition, religion, and prejudices of the people for whom they are enacted, be true; it may be deemed unwise to interfere and substitute ordinances at variance with those rendered sacred by their origin, reverend by long usage, and respectable by their efficiency. Supposing Hindoo law compatible with a just administration of affairs, congenial to the character of the people, and all its parts in perfect unison with received opinions, what rational motive can we have for the introduction of our own or other institutions? It may be argued, as it has been asserted, that the Hindoos have no law: this is, however, a mere assertion; for as all law is acknowledged to spring from usage, we are justified in considering

usage to be law. Should this not be granted, we beg to be informed what are the Institutes of Menou? or what are we to designate the contents of the "Durm Shaster," which is literally "Judicial Institutes," and in every way effective and considered by the people as the only true source of wisdom and justice? It can scarcely be necessary to remark in this place, that Hindoo law is inseparably commingled with their religious ordinances, and must necessarily be in a great measure hampered by the sophistry and superstitious ceremonies which perplex the latter, and render it capable of being used most injuriously by an unprincipled and selfish priesthood. It is nevertheless adapted to the state of society, and in conformity with the passions, prejudices, and opinions of the people, which must undergo a total change before the introduction of a new code could be met with other feelings than disgust and indignation. The sympathies and affections common to mankind in all ages and conditions, will not admit of the great body of the people viewing with indifference the subversion of institutions, cherished and revered through a long line of generations, by a code, the introduction of which not only tends to the degradation of every thing sanctified by their religion, but to loosen the bonds of society and render their religious and civil rights an object of reproach to themselves, and of contempt to other nations. Let us look to the code of our Mahomedan subjects, who are so intermixed with the Hindoos as to form but one people, as

far as public opinion, feeling and language can secure a rational identity of interests. In examining the institutions introduced by them upon their conquest, we shall find they embrace a system of jurisprudence, admirably calculated, when impartially administered, to secure a fair and full portion of justice to the various classes of the people, and, under the superintendence of an English magistrate, to afford every guide the judgment can require to ensure an equitable decision, where the points litigated involve no abstract right. It would hence appear that each code is essentially efficient for the preservation of the just rights of a mixed population, whose institutions are so intimately interwoven with religious tenets, as to establish the belief of their divine origin. In such a state of things, ignorant of the manners, habits, and feelings of the great mass of the population as the wisest and best informed of our Indian statesmen and scholars confess themselves to be, it is evident the most rigid caution, the deepest deliberation, and the tenderest concern should preside over all our proceedings connected with the administration of the affairs of a people, whose destinies are subject to the control of British supremacy. In the face of the obvious policy, in opposition to our bounden duty, and in contempt of our declaration to our Indian subjects, that they should be protected in their rights according to the laws and constitution of their country, we have, instead of making ourselves acquainted with them, supplied what we considered

defects by the introduction of judicial aids that are beheld with a disgust bordering on abhorrence. If the Mahomedan laws and usages, like those of the Hindoos, emanate from their religious code, which we all know to be the fact, and if the Hindoo princes of India acknowledged their rule, it would appear to follow, and not to admit of a dispute, that the laws by which India should be governed are the Hindoo laws, except where they have been superseded by the Mahomedan institutions. The fact of the Hindoos having admitted the legality of the Mahomedan sway, is rendered notorious by the circumstance of their princes having seals engraved with a legend in the Persian language, specifying, they are the servants of the reigning Mahomedan emperor; which custom, notwithstanding the Mogul is a mere pageant living upon our eleemosynary bounty, exists at the present moment. Upon the conduct of government depends the continuance and prosperity of the state, together with the lives, property, and happiness of many millions of the human species. Involving such interests, there can be no difference of opinion upon the importance of regulating our local government, so as to preserve our faith inviolate, and secure a full share of reciprocal benefit to each country. There cannot possibly; then, amongst the various subjects relative to India, be one of greater moment to the British nation, nor one more likely to excite an intense and general interest, or to call forth a greater variety of opinions, than our system of judicature in India will

rouse into being, both in and out of parliament, when the period arrives for deliberating upon the renewal of the Company's charter. It has been already observed, that we are bound to preserve to our Indian subjects their rights; and that their dearest rights are their laws, for upon them depends the security of every thing rendered venerable by time, and sacred by prejudice and a superstitious respect for the observances of their forefathers. There exist in every country two descriptions of law,—usage, and written law, both of which are so blended in India with the religion of the people, that the violation of one involves interference with the other. It is evident, then, that every possible motive combines to dictate the policy of continuing to them the use of their laws when they are found to be commensurate with the ends of justice. Law, to be efficient, should be simple in its construction, be thoroughly understood, be summary in its nature, and immediate in its effects. Where law, which term we always use as synonymous to usage, is found not to answer this manifest purpose, it should be amended, provided its revision be carried into effect with extreme caution and in such places as are absolutely necessary; but never in opposition to the feelings of the people. It has been remarked by an intelligent writer, that “premature reforms should never be rashly hazarded, as they will always create doubtful feelings unless conducted with ability and consummate prudence. To reform without the necessary pre-requisites, is to revolutionize

an empire: every contingent circumstance demands serious consideration: an immediate, which must be an intemperate reform, is to involve those in ruin who have not been necessary to the establishment of abuses, but derived from their ancestors a constitution with all its defects. To make such people victims of others' folly would be the height of cruelty. No reforms in any government can produce beneficial consequences, unless the welfare of the community is the primary cause of action, nor can it be reconciled to justice, equity, or even the principles of common honesty, to deprive one set of people of power and riches merely to invest these benefits in a change of men. Reform, both political and moral, is in itself very good; but reform in the body politic, as well as in the physical, must be gradual and consistent with the preservation of the whole frame. Violence does not lop off the excrescences of a tree, but roots up the tree altogether."

Trifles are, by a bigoted people, always looked upon as matters of deep importance; they should not be interfered with. When the laws we find are calculated to secure the end in view, they should be tenaciously preserved, and rigidly followed; to violate, or set them aside, and introduce others only as efficient, is wanton; tending to frustrate the object of justice, and alienate the affections of the people, whose prejudices and institutions would thus be trampled on by the very government which pledged itself to preserve and respect them. Here

it may be asked, how has the sacred pledge we have given to our subjects been redeemed? Have the laws and the usages we found in the country been preserved, partially revised, or wholly set aside? Are the laws by which they have been superseded competent to the protection of the people, and the punishment of crime? And are they, in their nature and effects, summary and efficient?

We fear the most important of these questions must be answered in the negative. We have not redeemed our pledge; we have not governed them exclusively by their own laws where we could have done so. We have nothing like a competent knowledge of their laws, nor an adequate acquaintance with their social polity to permit of our performing what we have bound ourselves to accomplish. Neither are the laws we have introduced, as they are now administered, competent to the protection of the people, nor the punishment of crime; neither are they summary in their nature, nor prompt in their effect. As a proof of the adequacy of their own laws, we may refer to the reigns of Acbar and Aurungzebe for a practical proof of their efficiency, and to the common practice of their municipal polity for evidence of their fitness; and as our knowledge of them extends, we have no hesitation in declaring them capable of summary proceedings, and productive, if purely administered, of just and equitable adjudication. The propriety of these sentiments will, we trust, be evinced as we proceed.

We here beg to be clearly understood, as intending nothing beyond bringing what we consider defects in our system under the notice of the public. Our present code is a compound of Arabian, English, and Hindoo law, altogether forming a mass of indigested regulations and arbitrary proceedings, either upon the part of government or its servants, not to be paralleled in any country under heaven; proof of which will be found by the enquirer in Mill's History, and the Fifth Report of the Select Committee of the House of Commons on Indian affairs; a few instances of which we shall here submit, premising the subject with a quotation from a recent work of considerable merit, which says, "Those who have written on the affairs of India, whether as to the administration of the law, or of the revenue, have, generally speaking, got entangled in the jungles (to use an Eastern phrase), both of Hindoo and Mahomedan antiquity; some looking to Sanscrit, some to Arabic, to guide them through the labyrinth; sometimes to Hindoo law, known to be obsolete; sometimes to Hindoo history, known to be fiction; sometimes to Mahomedan law, not understood, and sometimes to Mahomedan history, not to be believed."

The above, as applied to the original institutions of the Hindoos and Mahomedans, is certainly not the case; but, to the numerous and discordant commentaries, is a correct enough picture. Let us take the common law of England, which is the unwritten

law or usage, and then turn to the phalanx of expositions and annotations, and we shall not recognize, in the learned and contradictory pages of our august laws, the simple and efficient foundation upon which the present intricate and incomprehensible fabric has been raised ; but on the contrary shall be forced to acknowledge, that none but those who framed the superstructure are capable of guiding us through the interminable labyrinth, alike the offspring of accumulated wisdom and sophistry.

If, then, this temple of truth requires to have, as officiating priests at the altar of justice, a body of learned and eloquent practitioners unequalled in Europe, for the purpose of distributing equity to a civilized and enlightened people, advanced to the utmost limits of every science that can expand and improve the understanding, what must be the condition of a semibarbarous people, living under its influence, without one individual, however endowed by nature or accomplished by education, in the most remote degree, capable of leading them even into the vestibule of the fane of European idolatry raised upon the ruins of their simple but efficient sanctuary ? Let us proceed to the interior of the edifice, and upon the bench we shall see a judge who may have been from ten to thirty years in the country, who, having acquired a respectable knowledge of Persian (a foreign language to the natives), had been sent to the interior as an assistant to a judge, or a collector, and probably enough, from a

paucity of servants, compelled to act in both capacities, in process of time promoted to a register, and called upon to decide causes to a certain amount; during the period he remains in this subordinate situation, his time is fully occupied by listening to acute litigators, and deciding, to the best of his capacity, aided by an unprincipled Moolvee, and avaricious Pundit, upon such matters as come before him. In the course of a few years he is promoted to the bench, and continues, for the remainder of his life, to preside over an extensive district, with the files of his court crowded with arrears that the longest life could not bring up. Thus situated, he daily accomplishes a meritorious drudgery, harassing to the mind and body in a degree of which none, save those who have performed it, can have an adequate idea. Thus, shut out from all intercourse with the people, except those attached to his court, the most unprincipled of their species, brought up and cherished in fraud, his mind becomes disgusted with those about him, and dissatisfied with a situation in which he daily comes in contact with crime and turpitude that evade his touch and shock his feelings; or continues to act an unsatisfactory part, exposed to the influence of wretches who may have acquired estimation in his honorable and unsuspecting mind. Whilst things are suffering perversion and distortion inside the court, to such a degree as to render detecting and unravelling them next to an impossibility, the numerous vampires outside are

wallowing in the blood of those unfortunate clients, whom oppression and wrong have forced from their distant homes to seek, at the hand of British justice, a redress of grievances that may never reach the judge's ear, or if they do, continue on the files of the court during his lifetime; or peradventure these harpies of the law are employed in extorting money from ignorant and petty offenders, or innocent people, under the threat of dragging them into court on a false accusation or a frivolous pretence, and having them punished and degraded for an imputed crime. The Vakeels or attornies of these Zillah Courts are inferior to none in every thing nefarious, and unprincipled. It is a melancholy truth, defying contradiction, that our courts are generally resorted to by the rich, who can bribe the native officers to pronounce law agreeably to their wishes; the litigious, who are desirous of postponing justice or delaying the restitution of unlawful possessions; or by a vindictive and disappointed rival, who, in the words of the judge at Patna, "seeks the court as a weapon of revenge;"* those entangled in the snares spread for their destruction by the wicked contrivance of treacherous friends, or kindred at variance about the possessions of a deceased relative, which they would rather see swal-

* We are told that men of the first rank in society feel no compunction at mutually accusing each other of the most heinous offences, and supporting the prosecution with the most barefaced perjuries; nor does the detection of their falsehood create a blush.

lowed by the court, than endure the triumph of any individual of a selfish family. The police under these Zillah Courts is no less corrupt than the native law officers, who are generally a pest to society, a scourge to the district, and a disgrace to the government of which they are the unjust and unrighteous servants. During the time of Lord Cornwallis's improvements in this important branch of government were made, such as the abolition of the powers conferred on the revenue officers, the creation of Zillah judges, provincial Courts of Appeal, and the Sudder Dewanee Adawlut, with an appeal to the Governor-general in council, and finally with reference to a certain standard to the King in council ; forgetful that, limiting the amount of appeals, shuts in a degree, the door of justice. It may be objected a standard is necessary to prevent frivolous unfounded appeals. But it may with justice be replied, that, under any circumstances, appeals to the last authority can never become numerous. Let us hear, however, what Mr. Mill says upon this subject.

“ Among the other prejudices of those who, at this time, legislated in India with so much good intention for the people of Hindostan, were the prejudices which owe their birth to the interests, and hence to the instructions of lawyers. Of these it is one of the most remarkable, and the most mischievous, that to render judicial proceedings intricate by the multiplication of technical forms, by

the rigid exaction of a great number of nice, obscure, pedantic and puzzling rites and ceremonies, tends to further the ends of justice. This unhappy instrument of justice was not forgotten in the present reforms: for courts of law provided for a people among whom justice had always been distributed in the method of simple and rational enquiry, was prescribed a course of procedure loaded with minute formalities, rendered unintelligible, tedious, and expensive by technical devices. Of the intricacy and obscurity thus intentionally created, one effect was immediately seen, — that the candidates for justice could no longer plead their own causes, that no one could undertake to present a cause to the mind of the judge according to the nicety of the prescribed and intricate forms, unless he belonged to a class of men who made it their trade to remember and observe them. A system of rules was prescribed for the formation and government of a body of native pleaders, to whom pay was provided by a small retaining fee, and a per centage on the amount of the litigated property.”*

Such a system naturally involves delay and expense, and recalls strongly to our recollection the old proverb, “ Where there is not cheap and prompt justice, it may be said there is no real justice,” because some cannot purchase it, and the affairs of others will not admit of procrastination, more injurious to their interest than the wrong which they

* Mill's History of India, Vol. v. p. 425. 2nd col.

may be suffering. Moreover, there being no code of fixed unalterable law adapted to the necessities of mankind, by which the courts are bound to regulate their proceedings, and by which individuals could ascertain a probable termination of their suit, every thing is left to the construction which an ignorant or prejudiced Cazy or Moolvee, an equally ignorant or prejudiced Pundit, puts on an ambiguous and disputed sentence of the Koran or Shaster, or of the equally vague unwritten law of England by a gentleman who cannot have devoted his exclusive study to the attainment of a perfect knowledge of that intricate and complex science, which so frequently sets its profoundest practitioners at variance, and is too often what is caricatured by Swift, in his cause of "Bullum versus Boatum," or "Boatum versus Bullum," in his "Law is a Bottomless Pitt," or the case of "Straddling versus Stiles" of the learned Martinus Scriblerus. The opinion of one of the ablest civil servants of the Company should never cease to influence our proceedings, viz. "The nearer we approach to the rule of granting to all speedy justice without any expence whatever, the nearer we shall, in our judicial system, approach perfection." Let us see how far our present system approximates this standard. The secretary to government observes (vide Mill's 2nd edit. vol. v. p. 482.), "The Darogahs of police seldom, if ever, possess any previous instruction as to the nature and extent of their duties, nor any habits of life, calculated to

enable them to perform these duties with effect. A Brahman, a Surdar,* a Moonshee, or even a menial, is each in his turn a candidate for this situation, of their fitness for which it is easy to judge; the vices which render them a pest to society, are avarice and every species of extortion." We have it again recorded in the same volume (page 501.), "It is extremely difficult, I believe I may say impossible, to arrange an effectual plan of association and co-operation among the higher orders for purposes of police, or for any other purpose. We have few large towns, no societies exercising or capable of exercising, municipal authority. There are no gentlemen in whose honour and probity, in whose spirit and activity, government can repose confidence. There exists not, between the common people and rulers, a middle order, who feel a common interest in the prosperity of the state, who love their rulers, or are by them respected." Hence it is evident the whole machine is imperfect for want of a class who do not, nor can exist under the present system. A middle class of respectable natives are thrown out of employment; none but the low and ignorant can accept of our inferior situations, and they are clothed with an authority never given to any subordinate officer in England. The whole frame of our Zillah courts would appear to demand a serious and thorough reform. The intelligent judge of Rajeshahye, as we learn from Mr. Mill, says, "In the Rajeshahye di-

* A head palankeen-boy.

vision in 1808, every day's experience and reflection on the nature our courts, and the minds and manners of the natives, serve to increase my doubts about our capacity to discover truth amongst them."

Until a middle class be established, who have an interest in the good government of the country and the preservation of the peace, a class capable, by education, and a knowledge of both European and native usage and habits, of being employed with effect, there never can be an efficient judicial or police establishment. Without such a hold, without such an aid, without such a check, what are our means of governing with advantage to the people and security to ourselves? Should any extraordinary occasion, such as external invasion or internal commotion, occur, we shall, when too late, see and feel the want of the class that could or would stand between us and the effects of a crisis which the most sanguine and enthusiastic upholder of the present condition of affairs, would be constrained to contemplate with anxiety and apprehension. Does not this melancholy condition point to the remedy calculated to supply a want so generally felt and allowed? And is not this remedy the removal of those restrictions which operate against colonization under wholesome and salutary regulations. If it is not, what then will answer the wants of government? What panacea will the timid introduce to create a middle class in society, and establish a root in the soil that will enable the British oak,

planted in India, to flourish and remain unshaken during internal and external storms? It may be propped up, but props will avail not. It must be deeply fixed in the soil, or it will sicken, fade, and be laid prostrate by the first hurricane to which it may be exposed, and by its fall add another to the many lessons the world affords of the consequences of half-measures, and a timid temporizing policy, which is, at best, an unwise, ruinous and unmanly adoption of a system of expediency that has never answered any end but to expose the folly of those who resort to it. Let us now see what Sir Henry Strachey, eminent for his talents, experience and knowledge, says, as to the fitness of our present judicial system, to detect imposition or redeem truth from the well of tergiversation in which she lies immured.

“ Another impediment, though of a very different nature from those I have before mentioned, and much more difficult to remove, is to me too palpable to be overlooked; I mean that arising from Europeans in our situation being necessarily ill qualified, in many points, to perform the duty required of us as judges and magistrates. Nothing is more common, even after minute and laborious examination of evidence on both sides, than for the judge to be left in utter doubt respecting the points at issue. This proceeds chiefly from our imperfect connection with the natives, and our scanty knowledge, after all our study, of their manners, customs and language. What

judge can distinguish the exact truth amongst the numerous inconsistencies of the natives he examines? How often do these inconsistencies proceed from causes very different from those suspected by us? Often from simplicity, fear, or embarrassment in the witness. We cannot study the genius of the people in its own sphere of action. We know little of their domestic life, their knowledge, their conversation, their amusements, their trades and casts, or any of their natural or individual characteristics which are essential to a complete knowledge of them."

That a class upon which government could rely to furnish information relative to public feeling and popular prejudice, is a desideratum in our Indian society, cannot but strike those who even bestow the least consideration upon this momentous subject. Had a source, calculated to furnish such imperatively called for information, existed, we should not not have to record the dangerous tumults which are frequently the result of legislative acts, at variance with the character, manners and habits of Indian society. That this deficiency has continued to be felt and lamented by the ablest servants of government, has been fully shewn by the records of the state. We shall, however, furnish another opinion in addition to those already adduced, more fully to illustrate the scantiness of our knowledge, and the bad consequences resulting from our ignorance; for which purpose it will suffice to refer to a letter addressed to government in the judicial department,

by the commissioners ordered to enquire into the causes of the insurrection at Barreilly in 1816; in which they remark, “ In the remote provinces, particularly where the characters and dispositions, the habits and prejudices of the various and discordant classes of inhabitants cannot be intimately known to government itself; the concurrent opinion of the local functionaries, and the principal authorities, both judicial and revenue, might save government from being unguardedly led into measures which, at no great distance of time, it may be found expedient to retract. It might also be desirable that a mode could be found of learning the sentiments of well-informed natives in regard to the probable operation of any proposed law, in which (as in the present instance) government itself should have no direct interests. On such occasions the local authority might be intrusted to ascertain, from the persons of that description, how far any measures, solely intended for the protection and benefit of the natives, might be likely to militate against their feelings and prejudices.” We shall now take leave of this part of our subject with a quotation from that admirable work — Sir John Malcolm’s Political History of India, recently published. In describing the revolt in Rohilcund in 1816, he remarks, “ The commissioners do not conceal from government their opinion that both our mode of managing the revenue and administering justice, were far from being popular with many of the principal classes in Hindostan, and they

state their belief that many particular laws were highly obnoxious, as interfering with their national habits and social feelings. They further state as an admitted fact, that our courts of judicature in these provinces are viewed as grievances by the higher classes, and not considered as blessings by the lower." "To the latter," they observe, "these courts are hardly accessible from their expense, and nearly useless from their delays."

"The commissioners remark, on that indiscriminate and over-zealous activity with which the trace of public offenders has been sometimes pursued through the agency of common informers, and the summary arrests and domiciliary visits to which men of rank and respectability have been, in consequence, occasionally exposed; this they conceive to have produced an effect far beyond the immediate sphere of their occurrence."

If that class in society, the want of which is so widely felt, was encouraged, or rather not proscribed, such individuals might be every where found, and the local authorities might derive such knowledge from them as would guide the government in its legislative functions, and furnish ample proof why a law that is beneficial to one province, may prove pernicious to the interest of another. Now as difference of religion has given birth to insurmountable obstacles which effectually separate us from our Hindoo subjects, and debar us from their domestic and unrestrained society, in which we could alone

find opportunities of becoming acquainted with the real feelings of the people upon matters affecting their prejudices; it behoves us not to discourage the growth of that class which, by approximating to an equality with the great body of the people, would naturally, in the common intercourse of society, become acquainted with every essential. Again, it would be accordant to the principles of justice and humanity, as well as infinitely advantageous to the local government, to allow the higher classes of our subjects some participation in the advantages derivable from the many honourable and lucrative employments in its disposal, which might be accomplished with advantage to our judicial, revenue, and police departments, without incurring additional expence. To effect this, a partial change in these departments would apparently answer the end in view; but as prejudice in favour of established rules requires not only the fullest conviction of their inadequacy, but the most disinterested manner of thinking, there will necessarily be many difficulties opposed to the introduction of improvements that, at first sight, may have the appearance of militating against the interest of the European establishment of our Indian government. Nothing, consequently, but the ardent desire of improvement, with a frigid regardlessness of the murmurs of interested people, can effect that reorganization of our executive system, which is indispensably necessary for the perfect administration of justice,

and the greater security of our sway over our vast dominions. It may be objected, that allowing the respectable part of the native population a participation in the administration of affairs, would be laying the foundation of a system calculated to weaken, rather than strengthen, the hold we have at present over the obedience of our native subjects. This, if likely to be the result, would be a sufficient cause for abstaining from the slightest innovation on the present order of things. Unfounded fears have ever been a bar to improvement; all objections, therefore, should be scrupulously examined before they are allowed to operate against the introduction and trial of an apparently wise and beneficial policy. Under the impression, however erroneous it may be, that there is both wisdom and advantage to be expected from a change, we shall succinctly touch, in another place, upon the outlines of measures apparently calculated to correct many of the existing abuses, and greatly aid the judicial servants in the performance of their Augean labour. Melancholy as the foregoing detailed condition of our judicial system in India is, it is not all; for unequal as such an incongruous and ill-adapted code is to the distribution of prompt and effective justice, it is rendered still more defective by the want of servants who can be relied upon to preside over our tribunals. That this deficiency cannot be supplied, we have the best possible assurance, that of the Select Committee of the House of Commons, viz.

When any great public duty is to be performed, and the number of performers is found to be too small for the demand, the most obvious of all expedients is to encrease the number." With regard to this expedient for enabling the government in India to do justice between its subjects, the Committee of the House of Commons made an extraordinary declaration in 1802, "An augmentation in the number of European judges adequate to the purpose required, would be attended with an augmentation of charge, which the state of the finances is not calculated to bear, and the same objection occurs to the appointment of assistant judges." What, then, is to be done? Are the just claims of seventy millions to be set aside, lawless aggression of every description sanctioned, inadequately punished, or not entirely suppressed, because the finances of the state are said to be unequal to the payment of a competent preventive police, and an efficient judicial establishment? Such a question is assuredly not to be asked in an age mature in every liberal science. It is obvious, that if the easier attainment of justice be essential, the judicial branch of the service should be increased, let the expense be what it may. It ought to be placed in a condition commensurate to the demands of the country, unless some equally efficacious but less expensive remedy can be contrived to meet the necessities of the state. In such a dilemma one would think the establishment of the Panchait system,

which has under all the native governments in India been found most beneficial, might be resorted to with advantage without the slightest detriment to the sacred ends of justice, more especially as the British government is pledged to observe inviolate the rights of the natives. This system, salutary and simple as it is, has its opposers, but it has also enlightened advocates, whose experience has afforded them an opportunity of forming a dispassionate estimation of its merits. The arguments of the former do not appear tenable; the system appears nearly if not exactly, to resemble in the simplicity and purity of its construction, our English jury; the gigantic defender of the rights of the people against the sophistries of law, the corruption of wealth, and the influence of power. Why then, since it is congenial to the disposition, adequate to the necessity, familiar to, and revered by every class of society, and unattended with expense, trouble, or delay, should it be withheld from those by whom it is unanimously approved, and whose rights we have bound ourselves to preserve? It will not suffice to say it has failed in this or that instance, in this or that country; we must prove its notorious inutility, and failure in India. Unless the decriers of this adequate medium of meeting the wants of the public can do so, they can do nothing. Declamation, however specious and eloquent,—argument, however subtile and ingenious, must yield to the test of experience; and in this instance, the very organization of a court of

Punchait, offers a full refutation to every objection that has hitherto been brought against it. Previous however to noticing it, we solicit the reader's attention to the opinion of the Select Committee, on the delay of bringing criminals to trial, and the hope expressed that some plan might be introduced to mitigate its effects; with respect to which, the committee observes, "It is probably not so great as when formerly it was the subject of objection to the then existing system; it still appears to occur in a degree productive of evil, and which it should be the object of government to remove." In continuation of this subject, the committee further remark, "Expedients have been resorted to for the purpose of relieving the judge, by enlarging the limits of causes referable from him to his register, and to the native commissioners, by limiting the term for appeal. Something however is yet wanting to complete that system of speedy justice, both civil and criminal, which Lord Cornwallis was so desirous of introducing, but which has not yet attained that degree of excellence of which it may be still hoped it is susceptible." We now beg the reader's attention to the following slight outline of the prominent features of a court of Punchait. The complainant and defendant, each choose one, two, or three, individuals to whom the Potal of the village, or the Cazy of the town, adds a foreman, or Mookh, or the litigants themselves fix upon some person to preside over the Punchait, which is generally composed of

the class to which they belong. Its business is to examine witnesses, institute investigations, and is at once deliberative, inquisitorial, and arbitrative. In every village or town, there is generally of each class or trade, one whose eminent and acknowledged integrity has secured him the distinguished preference of being selected to preside as Mookh, over all Punchaits composed of the tribe to which he may belong. The love of fame, and that virtuous ambition which is generally diffused throughout the human species, whether in a civilized, or savage state, is a most effectual guard against a partial or a flagrant departure from equity, by a court thus constituted. The moral consequences attending an individual who has swerved from a conscientious discharge of his duty, as an honest man, and good citizen, are so immense, that nothing could compensate for it. The slightest deviation would become a matter of notoriety; the forfeiture of character would follow, which, to a tradesman, a merchant, or a banker, would inevitably lead to ruin. The writer has presided over three large districts, in which the inhabitants were mixed, and in a great measure degraded, and had no other assistance than that afforded by the usage of the country, and the people; and in justice to both, is bound to bear testimony to their perfect adequacy to the legitimate ends of a good government. Inefficient as they may be supposed, it is satisfactorily established that their very nature, renders them infinitely superior to our own

courts in all petty and litigious disputes between natives. We are told in the Fifth Report of the Select Committee, that more causes remained on the files of the Zillah Courts of Tirhoot, Dacca, Jellalpoore, and Bahar, than had been dismissed from them in five years. This condition of our judicial system would seem to warrant the query which the Court of Directors seriously apprehended, and feelingly express in their Revenue Dispatch to Fort St. George, 26th March 1812: "We should be very sorry that from the accumulation of such arrears there should ever be room to raise a question whether it would be better to leave the natives to their own arbitrary and precipitate tribunals, than to harass their feelings, and injure their property, by an endless procrastination of their suits, under the pretence of more deliberate justice."—Daily experience and the concurring opinion of our best servants answers this query in the affirmative. Let the liberal and enlightened judge of Bahar speak upon the occasion: "The commitments for the breaches of the peace arising from boundary disputes, and other contests concerning landed property, are ascribed to the great, though unavoidable arrear of untried causes pending in some of the courts; since by necessarily protracting for years the decision of suits, it frequently drove the suitors to despair, and induced them to run the risk of taking justice into their own hands, by seizing the object in dispute, rather than await the tardy issue of a process which

threatened to exceed the probable duration of their own lives." Having in the course of this chapter, fully, and, we hope, satisfactorily displayed the inadequacy of our judicial establishment, we shall now advert to the amendment we would, with due and deferential consideration, recommend to the notice of those presiding over our Indian possessions. Instead of petty disputes from distant villages being brought for decision to our Zillah Kutcherries, the Potails, or heads of the villages, should be authorized to take cognizance of them to a certain extent, reporting the proceedings of the Panchait to an authority established for the purpose. No cause should be received by the superior authorities that had not first been preferred to the Potal, and from him, regularly up through each intervening tribunal. By this means, the time of the industrious would be saved, and the knavery of the litigious would be frustrated; our courts would cease to be overloaded with business; the contamination that pervades their proceedings would in a great measure, be curtailed; and its baneful effects confined to its immediate vicinity. Momludars in the several Purgunnahs, avowedly men of property, and respectability, and selected from the first families in the district, with due attention to talents and character, should be nominated, with an adequate salary, and should, in addition to their fiscal duties, be empowered to assemble Panchaits to take cognizance of all disputes commencing where the Potal's authority ceased, and

extending to another fixed sum and crime : appeals lying from the Potal's decree to the Panchaits assembled under the sanction of the Momlutdar, who should report in writing to the Judge's, or Collector's Kutcherry. Here there might be two other officers, one in a judicial, the other in a fiscal capacity, and designated Native Assistants to the judge or collector. Their business should be to receive appeals from the Momlutdar's courts, investigate the matter, and send it up to their superiors. These should be the highest grade, and be nominated by government, and allowed a handsome salary. At this point should commence our European establishment—an assistant judge, and an assistant collector, whose duty it should be to receive and submit all extraordinary cases to their chief, with such matter as might be elicited in the course of their investigation. Such an arrangement could not but be attended by beneficial effects, both to government and the community; its immediate advantage would be the acceleration of justice in every department, and doing away the complaint so common throughout our provinces, of the impossibility of getting through the heavy duties imposed upon our civil servants, and the consequent clogging of the wheels of justice; and in many cases its utter extinction. It would likewise tend to create an upper order in our native society, which would not only improve their moral character, through the medium of example, but serve to bring us more immediately into contact with them, than

the present system, by which, both parties would be benefited by a reciprocal knowledge of each other. We should hence gain a stronger hold upon their affections through the all-powerful motive of self, and their interest in the existence of an establishment in which they had solid advantages at stake.

As a code of good laws, founded upon wisdom, is held to be the noblest present that can be made to a nation; so is an ambiguous code the greatest evil under whose withering influence a people can languish. Let us then conscientiously endeavour to deserve the acclamation of the present generation, and the gratitude of posterity, by revising and correcting our Indian jurisprudence, keeping steadily in view, during the progress of our reformation, that man has in all ages of the world been a slave to habit, and averse to innovation; that the operation of any change is always difficult, and frequently hazardous; that the public mind once convulsed, is not easily tranquillized. Consideration for the superstitions of our subjects, and delicacy in the treatment necessary for their removal; dexterity in seizing the time for introducing changes with precaution, and address in effecting them, will go far to crown our efforts with success. By such a course, England will challenge the admiration and applause of Europe, whilst she secures the affection and devotion of her Asiatic subjects.

Perfection, we are told, is not to be obtained in jurisprudence; we must be satisfied with a pre-

dominant good, and leave our subjects to the enjoyment of their ancient establishments, until their mental acquirements, which we are bound to aid and further, fit them for other constitutions, until which period, we should respect their usages, wherever we find them better calculated to secure the obvious ends of justice, than the more elaborate and more expensive system introduced by a benevolent but mistaken notion.

TERRITORIAL.

IN conquered countries in Asia the natives cannot set up a claim of inherent right arising out of previous possession, for the very act of conquest subverts all former rights, and transfers the conquered country to its new masters. Policy and expediency however will, no doubt, induce conquerors to respect all public possessions and, as far as is consistent, the properties of their new subjects. This has been the case in India. The Mahomedan emperors seldom interfered with the usages of the people, nor disturbed by sudden and violent innovations the simple, yet efficient institutions long established throughout India, from which the proprietary rights of the cultivator have been set up, instead of his real rights, those of occupancy. This question has been and continues a fruitful source of discussion and disagreement to all who have written upon landed tenure in India. To enter upon a subject that has divided the opinions of our best informed and dispassionate Indian historians and statesman, would be at once useless and presumptuous; as it is not likely that

those who have professed to have taken pains and trouble to obtain data for the opinions they advocate, would be disposed to relinquish them, without that sort of proof which our meagre and equivocal historical information does not pretend to afford. We shall therefore leave the several parties in the undisturbed possession of the opinions which they have so stoutly maintained. As far as information upon this knotty point is required for all practical purposes, it will suffice for our object to take Mahomedan law for our guide in all discussions subsequent to the Mogul conquest; and the immemorial usage of the Hindoos as handed down through each successive generation in matters anterior to that date. With reference to the first, we learn that all conquered countries belong to the Mussulmans, and that the leader of the conquering army, or the king, is merely the guardian of the rights of the community, and that Jagheers are nothing more than an appropriation of the revenue of the land, and that even an alienation of the revenue by the crown is restricted; and although such grants are inheritable, it by no means follows they are transferable. We are further informed by Mahomedan history, that upon the occupation of a newly acquired country, the people were frequently left to the undisturbed possession of the lands, upon stipulating for the payment of a tribute; and that their embracing the faith led to better terms being granted. From this it would appear, the land was held in trust by the sovereign,

on the part of the commonwealth; the proprietary right therefore is virtually, for all practical purposes, lodged in the state. In those parts of India into which the Mahomedan influence found its way without deposing the native princes, we find the system of village communities (for a description of which see "Central India," vol. ii.) universally prevalent, and all revenue settlements concluded upon the part of government with the Potail, aided by the Putwarree and some of the oldest and most respectable inhabitants. The limits of each village are ascertainable by established marks, and the land is not alienable. The right of occupancy by the cultivator being as indefeasible as that of proprietor by the state, Zumeendars or Jagheendars cannot have a claim for aught beyond the terms of their assignments; the former were generally collectors or farmers of revenue; the latter servants or pensioners of the state. Under native governments there is no individual right acknowledged that has not been derived from the state; and all Zumeendaree claims, about which so much has been written, were rather honorary and nominal than real; as they are seldom found to consist of more than a few trifling fees of office of different denominations, indicative of former rights long since usurped or set aside. The claim, therefore, of Zumeendaree rights has no tendency whatever to hamper our revenue proceedings, and, however interesting it may be as an historical speculation, should be disregarded as a claim to the proprietorship of

land. The fees of Zumeendars are their only pretensions; they should be respected, and with them they are generally content. Should any reform in the revenue branch of our Indian government be contemplated hereafter, it will remain with the home authorities to decide between the systems of Lord Cornwallis and Sir T. Munro, either of which must be generally adopted. There is no alternative; we must either admit the purchase of substantial proprietary right, or follow the Ryotwaree system. The former of these has been fairly tried on a large and liberal scale, and has completely failed; instead of proving what it was intended it should be—a blessing to the country, it turned out a curse; previous to the illustration of which, we shall give a short sketch of its origin and progress, and then quote the sentiments of our revenue officers in their own words. Upon Lord Cornwallis's appointment to the governor-generalship of India, it was averred by the then authorities, that our financial system was bad. That the frequent substitution of farmers, and temporary agents, for the permanent Zumeendars, the failure of all attempts to increase the revenue, and the exclusion of collectors from a share in forming the assessments, were all liable to censure. Complaint was made of the heavy outstanding arrears of the last four years' settlement, and of the exhausted, and impoverished state of the country. To improve this condition of things, it was ordered, that the settlement should be made with the Zumeendars, for a

period of ten years, and to be ultimately permanent. That collectors of revenue should be invested with judicatory, and magisterial powers. This settlement with the Zumeendars, who were in fact nothing more than revenue collectors, upset at once the rights of the inhabitants, and the immemorial usages of the country; the Zumeendars never having possessed even the shadow of a proprietary right, which belonged exclusively to the crown, and that of occupancy to the Ryots, and village communities. The proceeding was consequently unjust, and an ignorance disgraceful to the government, which, in lieu of the robbery committed, decreed, that the Zumeendar or collector should give the Ryot a permanent lease of his lands, at such a rate as the Zumeendar's discretion might dictate, instead of enforcing long leases, or making their tenure as perpetual and unalterable as that of the Zumeendar. In default of payment of their taxes by the Zumeendars, Government reserved to itself the power of selling such portion of land as might be equivalent to their arrears; the effect of which was the virtual abrogation of the permanent system, and the introduction of a confusion, uncertainty, and beggary, to which the country had happily been a stranger in the most desolating period of Mahomedan ignorance and despotism. Upon this subject we are informed by that enlightened and profound historian, Mr. Mill, that "Government had established courts of law, and appointed for them a numerous list of forms, through which it required

much time to pass. In their own case, however, it would, they perceived, be highly desirable to obtain speedy justice. To obtain speedy justice they saw it would be absolutely necessary to be exempt from technical forms. To what expedient then had they recourse? To the abolition of technical forms? No indeed! They made a particular exemption of their own case. They enacted, that in all suits for rent or revenue, the court should proceed by summary measures; nay, further, that in such suits the proceedings should be exempted from those fees and expences to which other candidates for justice were appointed to submit. By a high and conspicuous act, more expressive than words, they declared that one thing was conducive, or rather essential to justice; and established, by their legislative authority, the very reverse." We shall now proceed to the opinions before alluded to.

Our revenue system, according to the arrangements introduced by Lord Cornwallis, is thus described by the collector of Midnapore in a letter dated 1812: "All the Zumeendars with whom I have ever had any communication in this and other districts, have but one sentiment respecting the rules at present in force for the collecting of the public revenue. They all say that such a harsh and oppressive system was never before resorted to in any country; that the custom of imprisoning landholders for arrears of revenue was, in comparison, mild and benevolent to them; that it was no doubt the intention of govern-

ment to confer an important benefit on them; by abolishing this custom, it has been found by melancholy experience, that a system of sales and attachments has in a few years reduced most of the great Zumeendars in Bengal to distress and beggary, and produced a greater change in landed property, than has ever happened in the same space of time in any age or country, by the mere effect of internal regulations?

The collector of Burdwan, in a letter to the Board of Revenue says, "The Rajah of Burdwan begs leave to submit to your consideration whether or not it can be possible for him to discharge his engagements with the British government, with that punctuality which the Regulations require, unless he be armed with powers as prompt to enforce payment from his renters, as government had been pleased to authorize the use of, in regard to its own claims; and he seems to think it must have proceeded from an oversight, rather than from any just and avowed principle, that there should have been adopted two modes of juridical process, under the same government; the one summary, and efficient in the satisfaction of its own claims; the other tardy and uncertain, in regard to the satisfaction of the claims of its own subjects; more especially, in a case like the present, where ability to discharge the one demand, necessarily depends on the other demand being realized."

Such a monstrous anomaly in our reformed re-

venue regulations as that complained of, has not a parallel in any code with which we are acquainted. In fact the system altogether appears to be a wanton infraction of the rights of the community, an unwarrantable and forcible robbery of the people for the purpose of establishing upon a rotten foundation an order in society, that had never existed, the constitution of which was incompatible with the existence of and at variance with the sacred and ancient institutions of the country. The pernicious and ruinous consequence of such censurable precipitation, has been widely and severely felt, occasioning in its extensive course animosities and calamities, from which the simple code of their fathers had, up to that fatal period, exempted them. We learn from the history of this much-to-be-reprobated and deplorable innovation, that the beneficent object intended by the projectors of the scheme entirely failed; that instead of creating the intended aristocracy, it but served to enlarge the bounds of desolation, drawing into its irresistible vortex the whole mass of the landed society, confounding and overwhelming all in one common and irretrievable ruin. It is stated that the amount of land advertised for sale in one year exceeded 28,70,000, rupees, and that the process of a civil suit in one of the Zillah Courts for the recovery of arrears of rent, would occupy a longer time than the "ordinary period of human life." Enough has surely been learnt from experience, to induce the most sturdy admirers of the permanent system to

yield to the generally prevailing opinion of its inutility. It is time that the public mind should be made up as to the system best calculated to secure to government, without injuring the cultivator, the greatest advantage that can be derived from the land, consistent with the comfort and happiness of the people; and it may be conceded that the village system, deprived of its frequent vexations, and over-assessments, is the one most consonant with the interest of the state, the comfort, security, and happiness of the cultivator. A few years' experience would, we imagine, serve to afford ample data for an equitable assessment, which should be subject to revision at intervals of five, ten, fifteen, twenty, twenty-five, thirty, forty, fifty, even to one hundred years; but never beyond that period; at the expiration of which a fair maximum, equal to contingencies on both sides might be fixed upon for a still longer period of lease. By the adoption of some such measure the rights and comforts of society would be secured, the government be protected from a fluctuating revenue, and our Zillah Courts freed from the greatest part of their troublesome and difficult duty. In forming such arrangements, government would of course adjust its leases, so as to leave the tenants merely sufficient to furnish stock, and defray labour, together with the ordinary profits of farming. If, therefore, the greatest possible advantage that can be derived from lands consistent with the well-being of the tenant, be the object of those states whose

income is derived from the land, it is evidently beneficial to make agreements with the cultivator, or to have as few mediums between the lord paramount and cultivator as the nature of the transaction will admit; for each mediator must have a profit to enable him to live, and each superior grade will naturally exact as much from its inferior as it can, until it comes down to the cultivator, who is left to languish in poverty, with a bare subsistence. That this must necessarily be the result of all Zumeendaree systems, is now indisputably known. An examination of Lord Cornwallis's settlement 1793 will prove the fact: by far the greater part of those who were vested with lands to which they had not the shadow of a right, have been obliged to sell, wholly or in part, their estates, to make good the defalcation of rents. In consequence of which, land, instead of remaining, as it had continued for ages, and as we found it, the property of the state, paying fees in lieu of labour to those who had charge of and cultivated it, was unjustly and forcibly made the personal property of an individual who was never any thing in the estimation of our Mahomedan precursors, but a collector. The almost universal exclamations which have been uttered against the Zumeendaree system would appear sufficient to warrant a deviation from it, where we have made no promise to the people, and where it does exist, it would prove advantageous to purchase the rights and allow the revenue branch of our system to resume its former character, as any devia-

tion from it is considered by the country to flow rather from ignorance than liberality. So long as our settlements are made through the medium of our European collectors, directly with the heads of villages, founded upon an exact knowledge of the arable, cultivated, and waste lands, will our assessments be susceptible of increase, till we arrive at the maximum rent the land can defray, which will not be till all the waste lands fit for cultivation be redeemed ; and as the population is infinitely below what the land can provide for, our revenue will not have arrived at its maximum for ages to come. In the Zumeendaree system, it is the object of the Zumeendar to receive the greatest rent he can derive with the least trouble ; and as there will always exist needy adventurers, ready to sacrifice the well being of others to their own ends, there will necessarily exist a competition for the farms ; and to secure the full benefit to be derived from such an unnatural state of things, short leases must be resorted to, and thus, every intermediate degree from the Zumeendar to the cultivator, is exposed to an extortion, and oppression, which ends only in poverty and ruin. The greater exertions the tenant makes to improve his lands, the more keen in proportion becomes the insatiable avarice of the superior ; the effect of which is displayed by the penury and misery of the actual cultivators. It hence follows, that as the lower classes are deprived of increased means, the increase of population is impossible. Let this vitiated policy

be changed, and increased means will be attended by an increased population; the consequence of which will be the redemption of waste lands, and an increased revenue to the government.

The dense population of Bengal may be set forth as a proof in contradiction of what has been stated; but it must be recollected, that Bengal is in a great measure independent of agricultural profits, and that it is full of British subjects, independent of the great landholders whose tenants they are, and whom they cannot oppress; and that the lower orders are generally labourers and mechanics, less connected with the soil than any other people in India.

There cannot, in reason, be any objection brought forward against such a course, as there is not a state in India, even among the Rajepoots, whose usages have been least affected by the Mahomedan conquest, where the sovereign has not assumed proprietary rights. The Bheels, Meenahs, and Goojers were the possessors of Central India previous to its conquest by the Rajepoots, and where are we to look for their unviolated rights as sovereigns? If abstract opinions of right are to govern our proceedings, let us restore the dominions we have subjugated to the Takoor of Beadlah, in Meywar, the lineal descendant of the renowned Pirthee Raje; and the sceptre of the great Mogul to the feeble grasp of his degenerate and nominal successor; and rest content with a free trade to the several ports in India. Or, let us cease to view this question in any other light than

as an amusing speculation, or historical research. Why investigate a question for the guidance of our conduct, that opposes no obstacle to our interests? Is it not sufficient to respect the usage we find in force? Why should we seek to act upon systems long since forsaken, or upon laws that have been obsolete or nugatory for ages? In considering the merits of each system separately, it would appear that the over-assessment of the Ryotwaree, with the vexatious interference consequent upon an annual arrangement, and the under-assessment of the permanent system, with the insurmountable difficulties the Zumeendars experience in realizing their rents, together with the gross oppression of the under Ryots by the middlemen, are evils which require a remedy. Hence it follows, that what we should attend to, is the interests of government, and the rights of the people, with a view to which we should so regulate our revenue measures, as to preserve both, and secure each a full enjoyment of its legitimate rights, leaning somewhat to the side of the latter. A substantial population is evidently the strength of the government; its opulence and well being is the source from which our exchequer is replenished. A middle course is obviously the one we should pursue.

“ Princes and lords may flourish, or may fade,
 A breath can make them, as a breath hath made,
 But a bold peasantry, a country's pride,
 When once destroyed can never be supplied.”

Next in magnitude, and importance to our land-revenue measures, come our salt and opium monopolies, the produce of which forms a considerable item of our receipts; they consequently merit sober deliberation. It is generally understood, and we believe justly so, that the manner in which our salt is procured, is productive of infinite misery to those employed in its manufacture. Mr. Tucker, in his review of the financial state of the East India Company, expresses his sentiments on our salt monopoly in language which bespeaks the statesman and philanthropist, and they will unquestionably attract the attention of parliament when the time comes for revising our present system.

Agreeably to this gentleman's statement, our profits upon this monopoly average an immense sum, which consideration induces him to advocate the tax, although he admits to a certain extent the objections to which it is obnoxious.

Salt, however, being an indispensable article, and one that must be procured at any hazard, by all classes, should, we think, be left unshackled to the public. Why not leave the greedy cupidity of the capitalist to bring it into the market, and by a fair competition, allow the lower orders a free and unrestrained use of this simple necessary of life. Would not a prohibition to sell the article without a licence suffice, and would not a tax upon such a licence answer our object?

Our opium monopoly is another lucrative branch

of revenue, and although not attended with the loss of life, and actual misery consequent on the other, is, notwithstanding, an oppressive evil to the inhabitants of our own provinces, and a source of certain destruction to the inhabitants of the territories of our allies, as well as a most vexatious interference with their legitimate rights, although guaranteed by ratified treaties. Central India is exclusively an agricultural country, depending entirely on the productions of the soil. The staple commodity is opium. Sugar, cotton, and grain are bulky articles, the exportation of which is attended with an expense which renders them but little, if at all, productive articles for external commerce, as they are under-sold by other districts nearer the sea, which have the advantage of water-carriage. Grain too, which in times of commotion was cultivated in small quantities, has, with the other blessings attending peace and security, become a drug; every district yielding tenfold the quantity required for consumption. In this dilemma, opium presented a certain source of profit to the states, and a comfortable independence to their subjects, till our necessities, aided by the irresistible influence of power, seized upon the only source from which they could with any certainty look to derive a profitable return. Monopolies in their very nature are bad; they are the resort of an unwise policy, and a thirst for gain. They are well described as being "the device of improvidence, which, for a present advantage, wastes the resources of futurity."

We are told that the measures here reprobated, are indispensably necessary for the Company to provide for the payment of a dividend at the rate of ten per cent. Against the validity of such an argument we must protest. Why should one body be pampered with an interest branded by parliament as illicit, and inadmissible to the rest of the nation ?

It is certain there has never been a case made out by the Court of Directors that would justify a dividend of ten per cent. ; because the reason assigned—the credit of the Company failing, and the stockholders selling out, and the Company thereby becoming insolvent,—is ridiculous, a mere bugbear to silence the ignorant and alarm the timid. Dividing ten per cent. will not supply funds to meet bills payable within a certain time ; it will rather deprive them of ultimate means, by taking away their present resources. The idea of foreigners becoming alarmed at there being no dividend, is so flimsy as not to merit a moment's thought. The debates in the House of Commons on the subject, proclaimed the true state of the Company's affairs, and afforded the nation at large, the best ground upon which an opinion approximating to truth can be formed ; added to which, preventing a dividend would be attended with more salutary and immediate consequences to the finances, than a dividend of fifty per cent. ; the one would serve to nurse and cherish the means, the other but serves, by lavish expenditure, to increase embarrassment ; ruinous in its consequences to the

corporation and the state. The idea that foreign proprietors would take alarm and sell out, is at once puerile and preposterous. The very circumstance includes a purchaser as well as a seller, and where lies the difference to the corporation who holds the share? Scandinavian, Turk, Jew, or Hindoo, it is the same to the state. The sale of shares by foreigners would obviously prove beneficial, inasmuch as the dividend, when shared, would be received and spent in England. Moreover, the dividend appears incompatible with a fair, efficient, and good government; contrary to the first principles of all associations, and substantial and reciprocal benefit. The principle of the dividend would seem to be as unsound, as its practice is pernicious. What advantage does a proprietor of Indian stock derive exclusive of his dividend? None; those about London may, and do, no doubt, derive great advantage by making their votes upon particular occasions serve as a provision for their offspring or connections; but the majority of stock is held by foreigners, or individuals away from London, whose inducement is the mere dividend, and nothing else. Hence it would appear that the sure passage into the Direction was through the favour of the proprietors; consequently the most obvious road to their favor is their interests, that is to say, keeping up or increasing the dividends. Let us see how this is accomplished, either by borrowing at a ruinous interest, or by forcing capital to provide investments from India, which yield little return, the principal

portion of the product being wasted through the countless, and endless ducts in which it flows from Leadenhall Street into every kingdom in Europe. Thus this unjust and vicious distribution is fraught with the most perilous consequences: it may justly be considered a nightmare which lies heavy on the bosom of our Indian possessions; and renders its breathing and the circulation languid unto death, requiring, at times, a gigantic struggle to shake off the torpor which threatens its existence.

COMMERCIAL.

As security for property, and unrestrained freedom of industry, are admitted to be essentially necessary to commerce, it follows that, as the system of our commercial intercourse with India assimilates, or differs from the above admission, it must be acknowledged good, or pronounced defective. To determine which of these results is the fact with respect to our Indian trade, it will be expedient to examine the principles by which it is regulated, and their effects. As we are not sufficiently versed in political economy to guide us through the labyrinth of exchange, labour, and all the arcana of this complex question, we shall avoid the discussion of a subject which can alone be set at rest by public opinion, and remain satisfied with drawing the observation of those interested in the question to a topic, above all others indissolubly interwoven with the general weal. We shall therefore, in this place, merely advert to the most obvious principles of this intricate, and important matter. We are informed by those acquainted with that science, that so long as the re-

venues of a state only, are applied to the production, it is evident it can never exceed a certain amount ; but that when the resources of another state are brought into action, the product must increase in a proportion equal to the increased means. Again ; if the industry of a nation is equal to its capital, the deterioration of the former will diminish the latter. It therefore follows, so long as capital increases, industry cannot deteriorate. We are further told that commercial countries derive benefit only from their imports, and that exclusive bodies, although supported by privileges and monopolies, are the worst media through which a nation can carry on its foreign commerce. It must never be forgotten that when such bodies come to lose in part, or wholly, their commercial character, and assume that of sovereign, they not only become a still more unfit medium, but obtain a power inimical to the best interests of the state to which they belong, and ruinous to that over which they preside. For it is not to be expected they will abstain from using their executive influence, in a manner subservient to their commercial objects. The love of gain is not only the motive for trade, but the life and soul of commercial enterprize, and where authority can be brought to aid it, we must not depend upon the precarious virtue of a trading corporation, that no injuries are committed, nor unjustifiable measures adopted, to secure the greatest advantage derivable from a possession held under an uncertain tenure. Indeed, the

history of all such bodies is fraught with matter amply sufficient to prevent us from dwelling with any thing like hope upon the expectation of finding a noble disinterestedness in the character of exclusive corporations. Hence it follows as a matter of course; that a free trade would prove beneficial to both England and India. Is not then the supineness of the British nation relative to Indian affairs, a surprising and melancholy instance of the entire absence of foresight, where we would be induced to look for the keenest discernment, roused into active being, for the purpose of applying a remedy for the starving condition of our manufacturing population, the encreasing embarrassment of our domestic commerce, and the generally prevailing distress obvious throughout the land? Indian commerce, if placed upon an equality with that of our other possessions, would prove valuable to England in a greater degree than all her colonies. Vast as is the importance of the subject, it appears to be treated with an indifference apparently the result of a questionable policy, at variance with the true interests of the British empire.

If the paralyzing duties laid upon the produce of the East Indies be necessary for the welfare of the merchants concerned in the West Indian trade, and the interests of those collaterally connected with it, it would appear to be a fair question, whether it would be more beneficial to the country at large to appropriate the million and a half which our colonies

cost the nation, to those who would suffer by throwing open our East India trade, and reducing the duties to a level with those of our other colonies, or allow it to remain as at present?

As the time is fast approaching, when this consideration will force itself upon the public attention, we earnestly hope the community at large will be prepared to argue upon the broad principles of common equity, a matter with which the best interests and dearest rights of the nation are inextricably blended.

We are told, by a recent writer of considerable experience and talent, that “It yet remains a problem, whether the possession of India should be considered as a source of treasure or weakness to the mother country.” We must, therefore, understand, (and yet it appears incomprehensible,) that the immense importation and considerable exportation by which a great demand for labour is occasioned, is of no advantage, but a mere speculative question — an ideal good — a theory not to be solved by the experience of more than half a century. It is high time that the legislature should inform itself well upon matters of such deep importance, and prepare to decide upon the course best calculated to produce the greatest benefit that England can derive from her connexion with India, and in return, to secure to our Indian subjects the utmost benefit they can reap from their connexion with Great Britain. That such an opinion as that just alluded to should exist

in this enlightened age, is a lamentable illustration of the existence of an ignorance which it is difficult to imagine. Our author, in continuation, observes, "The possession of British India has contributed mainly to augment the resources of England, and to give it weight and influence amongst the nations of Europe." If this remark be true, and apparently it is correct, it would naturally lead to the consideration of a very serious question — Whether England, in the present changed condition of things, could maintain her exalted position amongst the nations of the world if stripped of her Indian possessions? If it be granted that India is of such material importance, it is self-evident that her importance principally rests upon the benefits to be derived from commercial intercourse with her; and if she be the ventricle which supplies our country with the blood of life, we are bound, as we value our existence, to act upon the necessity of self-preservation, minutely to examine every part of our commercial policy, and make such changes as will render our trade beneficial in the highest degree it is capable of proving to both countries.

If the charge of unfitness brought against the Company, as an organ through which our traffic to the East is to be carried on, by the author of "Colonial Policy" be true, it is manifest the continuation of its exclusive privileges must prove highly injurious to the rights of the community, and consequently at variance with the true interests of the nation. If a

free trade would increase the imports of England and India, and if the gain of a nation depends upon its imports, as all political writers tell us, they must mutually suffer from restrictions which necessarily become impolitic, and should be removed. Experience has proved the genius of monopolies to tend to the contraction and perversion of the laws of nature. They confine the copious and bountiful stream intended by Providence for the general good of mankind, within the narrow limits prescribed by the selfish and aggrandizing spirit of corporations, through the medium of an apathetic legislature. If, upon the expiration of the present charter, the blessings of a free trade be given to India, she will, in some measure, be compensated for all the wrongs and injuries she has endured. The British nation, too, will largely participate in the good effects consequent on the throwing open of our Eastern commerce. Competition will be attended by a fall in price, which will naturally lead to increased consumption, and thereby enable us to revise and decrease our excise and custom duties without sustaining loss of revenue. The comforts and conveniences of life will then spread widely amongst an improved and grateful people.

Our possessions in the East Indies, although not really colonial, should, with respect to foreign nations, be considered as strictly so, and all communication with them be conducted upon similar principles. We should then become the carriers of

Europe for India, by which our customs and marine establishment would be infinitely increased. All national restrictions should be done away, and international ones imposed ;—this would render England in a great measure independent of the commerce of Europe, the nations of which would be compelled to purchase from her, and she would naturally become the medium through which the commerce of the continental nations passed to the East, and *vice versa*. Her fleets and merchants would thus spread over the world ; and, as she is the acknowledged mistress of the ocean, so she would become the emporium of all civilized nations : the palpable advantage of which is fully illustrated by the flourishing condition of our trade with the East Indies during the war, and its present deteriorated state. All our possessions should trade freely with each other and the mother country, receiving, through her, the produce of foreign states for internal consumption.

Few things can exceed in magnitude or importance the manner in which the national commerce is regulated ; for upon it the power and character of the nation depends. As it affects Great Britain and its dependencies, there cannot be a more interesting or a more serious question. From the time of Lord Bacon down to the present day, we have been told that monopolies and exclusive companies, although necessary to trade carried on with barbarous nations, are pernicious, in the highest degree, to the true interests of commercial intercourse. Nothing

can be more wantonly extravagant, nor more cruelly unjust, than commercial restrictions and heavy duties. They impoverish and stunt the natural energies and enterprise of the nation in their very source. They undermine alike the industry and morals of the people ; and whilst they impede the progress of the public in the acquisition of comfort, distinction and wealth, they foster and forward the natural tendencies inherent in us to every species of crime that can degrade and pollute the mind. Let the restrictions upon our commerce be removed, our excise laws revised, and the duties on trade be diminished : our revenues will then be secured ; smuggling and illicit trade, with their attendant enormities, will be banished from the land. Nothing can be more pernicious than the manner in which our trade with India is carried on ; the system is alike injurious and intolerable, and at once shamefully and gratuitously lavish of the rights of the public. If that which contributes most to the improvement of the human mind, and thence to the condition of society, be unquestionably that which calls for the most thorough investigation, and as commerce has been traced and proved to be the great source from which intellect and wealth, the foundation of all national glory, flow, it is obviously that to which we should look with the greatest anxiety and most scrupulous solicitude.

MILITARY.

“ It is not difficult to discover, that the present exalted situation of our Indian possessions has much less to hope than to fear from the chance of arms ; that in the prosecution of remote wars, the undertaking gradually becomes more difficult, the event more doubtful, the possession more precarious and less beneficial. The present character of our arms will add weight to the dignity of moderation, and we may preserve peace by a constant state of preparation for war.” Whilst we regulate our conduct by the principle of justice, we must shew to the nations upon our confines, that we are as little disposed to endure as to offer an injury. Under the influence of this principle we should look to the present condition of our army.

In contemplating the military branch of the present system, we should never forget that the British dominions in India have been achieved by our native army in conjunction with a very small European force, and that our sovereignty must be upheld by that army ; it consequently follows, that the honour,

comfort, and independence of the officers and men of which it is composed, are the principal, if not the sole means, by which its fidelity and devotion can be preserved ; and that these essentials, once tainted, the transition to discontent and indifference, and a conviction of having suffered wrong and of having been treated with ingratitude, is a natural and not improbable result. That such a disposition, or even a tendency to it, would be quickly discerned and taken advantage of by the native powers, requires no illustration ; but allowing, for the sake of argument, that it remained unheeded, the condition contains seeds within itself that must come, in the course of time, to a crisis, which could neither be averted by cajoling, nor removed by force. It matters little whether the officers or men, or both, are imbued with feelings that cannot but produce the most disastrous consequences, allowing even that they may not be attended by the immediate and utter annihilation of our dominion. Let us, therefore, a moment pause and dwell upon the former condition, and present state of our Indian army ; and, as we examine the changes which have necessarily taken place, endeavour to trace their effects. Such a course of proceeding is indispensable, if we are anxious to correct defects.

History informs us, that at the commencement of our career, when our superiority, being new, operated most powerfully, its influence was without limit, and without opposition. That the seat of war in these

early times was at the very doors of our soldiery, who were led by eminent commanders whom they idolized, and officered by distinguished men who were known, and beloved ; that both were associated with their interests, and glory, and participated alike in their dangers, fatigues, and privations. In times of peace their allowances were such as to enable them to lay by an independence, and in times of war ample for procuring every necessary and many comforts. Such was the condition of the men, and that of their officers was by no means less enviable. Present allowances ample, wealth and honors awaiting them, and an early return to their country with a wreath on their brow, and a fortune adequate to afford every rational enjoyment, was an object which cheered every man to exertion, and was not beyond the grasp of any who devoted their talents to their attainment. Let us now view the present condition of the army, and we shall see every thing reversed. Extended dominion naturally removes the soldiery further from home, fewer wars decrease the chance of advancement to rank, or independence, and increase in the opposite ratio the fatigue, and hardships of the field. The long continuance, too, of peace, at half batta stations,* deprives the soldier of the means of providing for the extra expense and

* There is not at present a single full batta station for our native soldiers on the Bengal establishment, and half batta ones are now established for our European officers, which has occasioned a feverish excitement throughout the army.

losses inseparable from a constant preparation for service, in which condition he must be; neither can it be concealed that Government was more scrupulously attentive to its native army in former times than it is at present. Troops going upon foreign service used to be provided, not with necessaries only, but with luxuries. At present no such attention is paid to their convenience or their wants.* In proof of this, let us look to some of the last volunteering detachments, and see how our troops were used at Ceylon under General *****, who made our Hindoos go to church, and tried to make them feed on salt provisions from our ships! Let us again look to our army that went to Java, and consider the terms upon which they went abroad, and the treatment they received, and we shall be constrained to acknowledge they were not well used. They went abroad under a promise, either given or implied, that their officers should not be removed from their corps; that they should, when the service was over, be immediately brought back. How was this pledge, that should have been considered sacred, and preserved inviolate, redeemed? Their officers were removed according to contingencies, and they were not relieved, when they might have been, nor so soon as they had reason to expect; the result of which was, they conceived their old officers to have been re-

* The conduct of the Madras Government, under the late Sir T. Munro, to the Madras troops in Ava, forms a happy contrast to that of the sister presidency.

moved for the purpose of clearing the way to their being kept upon the island altogether. This impression led naturally enough to the contrivance of means to effect their deliverance from what they considered banishment, which they viewed with feelings aggravated by their love of home, and religious prejudice. The most obvious road to the attainment of the inestimable object in view, in comparison with which life was below consideration, was joining the standard of the deposed Rajah, under a positive stipulation, that when they had restored him to his lost dominions, he should restore them to their native land. In such a compact the most microscopic eye cannot detect the slightest tendency to a spirit of turbulence or rebellion, and every act to which their feelings impelled them must in fairness be attributed rather to the temerity, and bad faith of Government, than to a violent and insubordinate disposition amongst themselves. Their intention was, however, happily discovered; the ringleaders were seized, tried for mutiny, condemned, and some of them executed. The next instance we shall notice shall be more recent, that it may come home to the feelings more than circumstances long past, perhaps scarcely known, or long since forgotten, can possibly do. Our Burman war, it is well known to every person, however slightly acquainted with Indian affairs, has been carried on under the severest trials and privations to which a soldier can be exposed. Some native troops stationed at Barrack-

pore were ordered to march to the theatre of war; a demand was made for the necessary aid, and not acquiesced with; obedience was peremptorily insisted upon; the troops remained sullen, and the dreadful catastrophe that followed is unhappily too generally known. They had no old officers with them, their colonel but just arrived from Europe, and previous to his joining them had long been employed upon the staff, and was of course a stranger. The other officers of the 47th were generally unknown to the men, in consequence of the many changes and removals attending the formation of the several battalions composing the army into regiments. At such a moment, and under such circumstances, would not the peculiarity of the exigency have warranted, if it did not imperatively demand, a minute and impartial investigation of a matter pregnant with present and future consequences of the last importance to our Eastern possessions? Were effectual means taken? If so, why not have published them, if they served to fix the brand of ingratitude and mutiny upon a refractory and licentious soldiery, that measures of such uncommon rigour might go forth into the world accompanied by some show of justice, and supported by some appearance of necessity? No such proceedings were ever published; nay, the Gazette of the following week announced to the world and the deeply injured army, the concession of what their slaughtered comrades had required. Is it possible to conceive an act of such

inconsistent imbecility? If the regiment had required that which was improper, it should never have been conceded; on the other hand, if it demanded a right or a requisite, it should have been freely acquiesced in, and the unwise proceeding would never have taken place, which at present sullies the reputation of an army, to whose valor and devotion we owe the conquest of our splendid empire, and whose deeds and fame must go down to posterity commingled with the glory of our country, so long as its remembrance shall endure.

The recollection of such fatal precipitation must continue to operate as an antidote against that affection and loyalty which is the very corner-stone upon which the mighty fabric we have raised in the East must be upborne. That the Indian army is entitled to the gratitude of our country cannot be denied, when we contemplate the deeds it has largely contributed to achieve, in perpetuation of the triumph of the genius of England in that distant land, the conquest of which bade defiance to the proud ambition of the Assyrian, the Greek, and the Roman. It therefore behoves us to recollect that an army, whose character has recently been exposed to obloquy, may at some and possibly at no distant day, be called upon to defend our sway against the gigantic efforts of the Czar of Russia. The policy of Peter the Great, and Catharine the Second, still continues to influence the councils of Saint Petersburg, and England may yet be compelled to meet

her in hostile array on the plains of Persia, or the shores of the Caspian. That this ill-timed concession was viewed by the army at large rather as a right forcibly wrung from unfeeling masters, than as a generous boon freely given by a liberal Government, careful of the welfare, and anxiously solicitous as to the comfort of its servants, cannot be doubted. Such acts are these quite enough to force a conviction upon the most sceptical mind, of the necessity of some radical change in the system by which the army is regulated and conducted. Let us see how the European part of it fare. For the perfect comprehension of its actual condition, it will be indispensable that we advert to its former situation, with reference to that of His Majesty's army serving in India. In former times the number of European officers in the army was comparatively few; and although their promotion was slow, they enjoyed the substantial equivalent of handsome allowances from the time they entered the service, neither was there any obstacle to their attaining the highest rank to which it was possible to arrive in the Company's service. At present the officers are trebled, their pay, allowances, and the advantages of staff situations reduced to a mere sufficiency for their necessities, — an insurmountable bar to their rise in the service established, and every avenue leading to the hope of being ultimately able, should they even survive the vicissitudes of an Indian climate and the common accidents of life for half a century, to visit

their native land in time to drop into the grave, essentially removed far beyond the reach of the most ardent spirit, and sanguine expectation.

Let us view the career of two young men proceeding at the same time to India, one an ensign in His Majesty's army, the other a cadet in the Honorable Company's service. The former of these can obtain the rank of a lieutenant-colonel in eight years, and that, too, by various means, either in the natural course of promotion, by purchase, family interest, or by brevet, which last includes three several roads to that rank, and two out of three even reach the rank of full colonel. Brevet is given for achievements in the field, so that it is not only possible, but sometimes occurs, that these young men commence their first campaign together. In the same field, within a few hundred yards of each other, they are both favored by fortune, and perform deeds which attract the notice of their commander-in-chief. One is rewarded by promotion to a lieutenancy, the other to a petty staff situation, such as the adjutancy of his regiment, when vacant, or a sub-assistant on the general staff. They again meet in the field under the partial influence of fortune, and are again distinguished above their associates in arms. Promotion to a company rewards the lieutenant; the ensign stands fast; he cannot be placed over the heads of those above him in the department; barren praise is his obvious and sole reward; he is however yet young, with a buoyant spirit, and a vigorous constitution,

which is sufficient to support the lofty aspirations of a noble mind. He again enters the lists, borne on the wings of hope, and impelled by emulation, and again meets his early but more fortunate companion in arms, and is again with him advanced in fame. A brevet majority and companionship of the Bath is the merited reward of His Majesty's officer, whilst his no less meritorious comrade continues stationary, or is possibly advanced in the regular course of promotion to a lieutenancy. The advance of the former is accelerated by the claims he derives from the honors he has achieved, and his nomination to a deputy adjutant-generalship, or of a deputy quarter-master-general, gives him the anxiously sought rank of lieutenant-colonel. He may then get the command of a regiment at home, and enjoy, in the spring and prime of life, independence in his native land, amidst his kindred and his friends, and look forward to reaching, in the summer of his days, the elevated and enviable rank of a general officer, by which period his early friend has reached, after a distinguished and honorable service of thirty years, the rank of a lieutenant-colonel; about which period another fortunate officer in His Majesty's army, who has served eight years, arrives upon the same day at the rank to which the Company's veteran soldier has just risen. What is the result that may now occur, and what is the result that must inevitably take place? The former is His Majesty's officer, and may, either by interest or a glorious chance, be promoted to be an aide-de-camp

to His Majesty, which gives him the permanent rank of colonel at once. What is now the second inevitable occurrence? Why, both officers being promoted to lieutenant-colonels' commissions on the same day, His Majesty's officer must take the precedence of the Company's whenever a brevet may be issued by the Crown, notwithstanding the latter arrived at his lieutenant-colonelcy in thirty, and the former in eight years. Here even this paralyzing supercession does not cease, but with a steady and un-deviating step pursues its victim till the scene is closed by a shattered constitution, superannuation, and a broken spirit, in which condition he is driven from an ungrateful service in a foreign land, to his native country, where, when he arrives, he will be an isolated being, without rank, and without fortune, full of years, and weighed down by misery. Let us see for a moment the situation of His Majesty's soldier, who retires from the active duties of his profession, for the purpose of enjoying in tranquillity the remaining years of his life. His name, although he may be out of the army, continues in the list, and he retains by courtesy the rank he obtained in the service, and is received accordingly at the court of his own sovereign, as also at every court in Europe. But as if this long string of irreparable grievances was insufficient for the Company's officer, he is, whilst he continues in the performance of the duties of his profession, exposed to every degradation that supercession and a naturally partial commander can heap

upon him. In illustration of which, let us refer to the two most recent occasions—the Burmese war, and the siege of Bhurtpore,—and it will be found that the complaint herein made rests upon a foundation that is not to be shaken. An assertion may be refuted, but a fact is irrefragable. Who were the commandants of the divisions under Colonel Sir A. Campbell? They were generally officers of His Majesty's army. If this be termed an unjust and a cruel partiality, and it be asked why such undue favor was shewn to the officers of one service in prejudice to the rights of those of the other, it may be replied that there was no officer of rank in the Indian army present in the country, to whose talents, experience, energy, physical capacity, and character, such an important trust and arduous undertaking could have been confided, with any reasonable expectation, that the result would prove triumphant. Such a preposterous and unjustifiable reason could not be brought forward, as General Sir John Doveton, of the Madras army, was upon the spot; and the qualities of this distinguished officer of known talents, energy, experience, physical capacity, and knowledge of the character of the elements of which the army was composed, pointed him out as an individual eminently conspicuous and qualified to lead our arms to conquest in a foreign land. But, alas! he was unfit, and rendered so by the commission which he bore; he was a Company's officer, and that alone was sufficient. It therefore followed as a matter of course that as the chief was, so must

his aids be of the royal army. With the merits or conduct of the war we have no business in this place; our object is to draw the consideration of the public authorities to the degraded condition of the Indian army. Let us now turn to Bhurtpore, and we shall find a system of favoritism as unworthy, unjust, and pernicious in its chilling effects upon the hopes and energies of the Indian army, as that we have just left. Two king's major-generals were selected to command, under the commander-in-chief; could there have been a Company's general selected of sufficient talent to entitle him to a command? To this cruel and galling query we can answer in the affirmative. General Sir Gabriel Martindell was on the spot, and commanded at Cawnpore at the time that General Nichol was brought from Calcutta, a distance of one thousand miles. If this is not sufficient, let the treatment which that distinguished and celebrated veteran, Colonel Adams, experienced, speak the rest. He was in command of the citadel, with native troops; precautionary means had been adopted by him; the peace, lives, and properties of the people, as well as the honor of the British arms, were secure under his vigilance. The distinction of such a command was deemed beyond the deserts of the colonel and his gallant band. His Majesty's 14th Foot, under Colonel M'Combe, (a junior colonel too) was selected; they marched in, with colours flying, the morning after the place had been taken. The natives under Colonel Adams marched out; the citadel and

part of the city was partially plundered. Such acts require no comment; the most culpable indifference is seldom blind to its own interests; and as those of the public are inseparable from the rights and honor of the Indian army, it is to be expected that the natural desire to preserve the one, will lead to the protection of the other. It is manifest our possessions were won by the valour and devotion of the army, and by it alone can our dominion be retained. Let it be divided, let dissensions be sown between it and His Majesty's army, and our empire will soon pass into other hands, or the numerous nations over whose destinies the genius of Great Britain presides, may be roused into action, and stimulated by the discord observed to reign throughout our army,—be induced to make a desperate struggle to regain an independence, the loss of which they have never ceased to mourn, and for the attainment of which they will never allow a favorable opportunity for making the attempt to pass by unheeded. The time therefore may arrive, and is probably not far distant, when the English nation (unless some remedy be soon applied to the existing evils) may be compelled to lament in the bitterness of unavailing repentance, its unaccountable apathy, and infatuated indifference to the unwise and invidious distinctions introduced into an army, upon whose unanimity and devotion it can alone repose in security.

In calling the notice of the public to this vitally important question, we shall insert in this place a

short extract from the speech of Colonel Cathcart, in the debate upon Mr. Chancellor Pitt's Bill in 1784, which every way merits the mature consideration of the statesmen, who preside over the councils which regulate the government of our Indian possessions. That able officer justly remarks, "Either, Sir, motives of humanity are to induce us to restore to the natives of India those territories which from avarice or ambition we have wrested from them, or motives of policy are to predominate, and we are to attempt by arms to preserve those distant provinces. What, Sir, upon this latter supposition, can be of more immediate consequence than the regulation of those armies which we must maintain, to secure the fidelity of many millions of subjects, whose hearts, God knows, have no reason to be impressed with gratitude for favours already received under our government?"

"Or, what, Sir, calls more loudly for the exercise of our humanity, than the consideration of what comforts we can point out for those soldiers who have embarked for that distant part of the world, in what it was their duty to consider their king's and country's cause? While we talk here of zeal for the welfare of the state, they have proved theirs by the sweat of their brows, and with their blood."

Our Indian army can never continue in its present state; it must either improve or deteriorate. It is now destitute of officers of rank, and will very shortly have nothing but old officers in subaltern

situations in its ranks. At present even, we are under the necessity of bringing lieutenant-colonel commandants into situations that should be filled by major-generals, in the possession of both mental and physical capacity. It is really melancholy to observe the systematic indifference with which the interests of our Indian army are treated ; neglect is fast eradicating every sentiment that should be cultivated in a soldier's mind, and every desire that should be cherished in his heart, — the love of fame, the desire of distinction, gratitude to his employers, and devotion to their service ; without these he will dwindle into a mere mercenary, and prove but a broken reed in the hour of danger. It is obvious, then, that the Indian army must either be reorganized or transferred to the crown, and which of these alterations is to be pursued should be examined with a deliberate, patient and unprejudiced judgment.

In arranging for the improvement of the European officers of our army, the situation of our native officers should not be passed over. We should profit by the example we have before us in the French army previous to the revolution, in which the gentry of the land were debarred rising to rank, emolument and command. The European portion of our Indian armies may be, in some measure, likened to the noblesse of the old French armies ; and assuredly, the day will come, unless timely provision be made, when the native gentry of India and the subordinate

native soldiers of our Indian army, will avail themselves of an opportunity to acquire by force, rights in which our policy denies them participation.

We shall conclude this part of our subject by recommending to the consideration of those whose duty it is to watch over our Indian interests, the maxim said in Montesquieu's *Persian Letters* to have existed in France in his time. "We have a maxim in France," replied he, "never to promote officers whose patience hath languished in subaltern offices; we regard them as persons whose understandings are straitened by a narrow sphere of action, and who, accustomed to little things, are become incapable of greater."

Never was there a wiser maxim, nor can there be a more obvious reason for accelerating promotion instead of thwarting it, as we do in our Indian army. We should court its affections, and conciliate its feelings, rather than alienate the one and violate the other, as is done every day by supercession and neglect.

The foregoing sheets were ready for the press before we happened to take up the 70th Number of the *Quarterly Review*, in which, to our astonishment, we read as follows, in page 490.

"That the Sepoy officers and soldiers were afraid of the Burman, there cannot be the smallest doubt; and, indeed, throughout the campaign they never could be safely trusted to lead in an attack, although, in defending a post, they always behaved

well. In the defence of Kemmendine they deserved great credit for their steady behaviour ; but in the attack of the stockades on the 15th December, after their retreat from before Rangoon, when ordered to the assault, the whole battalion actually laid themselves down, and the British troops marched to the assault over them." Again, in the same page, we find the following :— " Colonel Smith was ordered on an expedition a few miles from Rangoon, and from his high opinion of the Native troops, he requested that they alone might be employed in the enterprize. Sir Archibald Campbell indulged him, and the consequence was, that the Burmans, seeing there were no white faces, fought most courageously, and the Sepoys, unable to stand the assault, were panic struck and totally defeated." In page 500 we find stated, " We have strong grounds for believing that the unfortunate business at Barrackpore was, in a great degree, owing to the superstitious dread of the Burmese and their charms, nay, that this idea was not confined to the regiments then and there present, but at the time pervaded the Native soldiery to a very extraordinary extent. Yet these are the troops to whom we mainly owe, and by whom we hold an empire over seventy or eighty millions of people."

We fairly put it to the public. Is it probable that such an act of pusillanimity as is above asserted as a fact, could have occurred in the face of an army and escape observation ? Is it probable that, being

known, it would have been kept concealed? Is it probable that a public staff-officer, in the family of the commander-in-chief, his assistant in the political department, in detailing the proceedings of the army, in which an act, casting indelible disgrace upon the service, occurred, would have been silent upon it, or dared to refrain from expressing the indignation felt by the whole of the troops at such dastardly and ignominious conduct, feeling, as he must have felt, had it taken place, that concealment, in some cases, is as gross a dereliction of the duty of a narrator, as falsely asserting that which he knew to be untrue? Is it probable that a general officer, commanding an army in which a circumstance, pregnant with the utmost danger, threatening even the existence of the state, would presume to keep government in ignorance of that which it deeply concerned it to know, and which it was his paramount duty to report? Or is it probable that government, upon being made acquainted with an act which must necessarily have shaken the confidence hitherto placed in an army whose reputation for zeal and courage had never been questioned, would have connived at its own ultimate annihilation, by abstaining from visiting with exemplary severity a cowardly and debased body which had abandoned every claim to consideration, and rendered itself obnoxious to disgrace and punishment? With so many concurring improbabilities opposed to the Quarterly Reviewer's *fact*, we shall leave it to its fate.

The next incident, Colonel Smith's having requested native troops alone to be sent on an expedition a few miles from Rangoon, is given on authority that may "be relied on," in a manner so totally different from the dispatches as published by government, as to render any elaborate notice of it in this place worse than useless. If we are not mistaken, the expedition a few miles from Rangoon was at a distance that occupied a march of twelve hours, the road, for the most part of the way, lying under water; that the enemy, in numbers, were found in a fortified position, and that Colonel Smith's detachment was unfurnished with guns, ladders, or any necessary for an escalade; and that, instead of a few miles, and in a known spot, the enemy was found at so great a distance, that the troops must have been exhausted by their fatiguing and distressing march before they were exposed to the enemy's fire from behind inaccessible stockades. Is the disastrous result of this expedition, or the successful one of the next day, composed entirely of Europeans, equipped with guns and ladders, a matter of astonishment, or a fit occasion for decrying the failure of an expedition which it was morally impossible could succeed under the circumstances of the case? This was, we believe, the second time the native troops had been detached by themselves, and without guns or ladders, to dispossess Burmese troops in positions strongly fortified.* Sending

* See the account of Colonel M'Dowell's expedition.

troops on a service in which defeat is nearly certain, would appear an admirable method of depriving them of confidence in themselves, and inspiring "a more than superstitious dread" of the result of attacks which it must have been evident could not succeed. We need not say any thing more upon Colonel Smith's affair. Let the authority that "may be relied on" be produced, until which time the public will pause before it yields credence to mere assertion.

We now come to the last charge brought forward upon "strong grounds," not indeed against any particular body, nor any particular presidency, but an unqualified accusation against the whole "native soldiery," and a more heartless libel never issued from the press.

The affair at Barrackpore had better not have been alluded to. It is wise to abstain from agitating circumstances that cannot but produce evil consequences; and (to use the words of the late Mr. Huskisson) "not to descend into the arena where honour is not to be won, and where to be vanquished would be disgrace indeed." It behoves those who have had any active concern in participating the tragic event, so cruelly and unjustifiably perverted, to check the folly that would force a discussion, fatal in its effects to the characters of more than those who fell in that calamitous catastrophe. We shall take our leave of this accusation with the remark, that an enquiry into the cause of the occurrences of that fatal day

was instituted. Let the proceedings be given to the world, and if the memory of those who paid the penalty of their crime, with their lives, deserves the opprobrium so lavishly poured upon them and their brethren in arms, we shall retire with sorrow and humiliation from a cause justly meriting the brand of eternal disgrace.

We now come to the climax so exultingly put forth, “ Yet these are the troops to whom we mainly owe, and by whom we hold an empire over seventy or eighty millions of people !” We can only reply, Yes, they are the troops, by whom England won, and with whom she must maintain her mighty dominion over seventy or eighty millions of people ! Let the above exclamation, issued in the imagined triumph of arrogance, emanate from whence it may, it can only be viewed as a puerile attempt to traduce the reputation of those, who, as soldiers and men, are beyond their imitation, and above their reproach.

It is but lost labour to attack the unsullied honor and gallantry of the native soldiery ; for the descendants of men who followed a Clive, a Lawrence, a Coote, a Cornwallis, a Lake, and a Wellington, contemn scurrilous abuse, and may fairly challenge the admiration of all whose applause is worth a soldier’s ambition.

Yes, these are the troops who followed those renowned captains with a spirit upon which they could and did rely ; and their descendants of the present day, would follow with unabated ardour,

and undeteriorated qualities, any commander who understood their character, respected their prejudices, or regarded their affections.

But let Government, under the fatal spell of infatuation, select officers to command them, whose characters are different from those of the great men, the recollection of whose fostering care, personal worth, and splendid deeds, is fondly cherished by a grateful and admiring posterity; and England may yet have to chaunt a requiem over the departure of that affection to which she owes her dominion in the East.

Sensible of the difficulty of restraining the expression of feelings wantonly violated, we would willingly obey the dictates of a natural repugnance to refute party writers; but when the misrepresentation of a meritorious and highly distinguished body, whose services and blood have raised a proud monument to our country's glory in a distant land, is abruptly forced upon us, we cannot refrain from expressing our abhorrence of such aspersions.

THE END.

Wilberforce

Speeches on Religious
Instruction for
Natives of India
1813

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SUBSTANCE
OF THE
SPEECHES
OF
WILLIAM WILBERFORCE, ESQ.
ON THE CLAUSE
IN THE EAST-INDIA BILL
FOR PROMOVING
THE RELIGIOUS INSTRUCTION
AND
MORAL IMPROVEMENT
OF
THE NATIVES OF THE BRITISH DOMINIONS
IN
INDIA,

On the 22d of JUNE, and the 1st and 12th of JULY, 1813.

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1813.

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P R E F A C E.

THE Writer of the following pages has been induced to publish them, partly by a wish that his sentiments on the important subject of them, and the premises which led him to the conclusions which he has formed, should not be misunderstood; and partly, he confesses, because he finds, with concern, that notwithstanding all the light which has been thrown on the moral state of the natives of India, many respectable and intelligent men still entertain very mistaken notions on that great question. It appeared to him best, to put together, in the form of one Speech, the substance of what was said on at least two

different occasions. He is conscious, that, owing to his not having been able, from various hindrances, to execute his task till long after the discussion, his recollection, even of what he himself said, has become imperfect, and therefore that his publication may be in some respect an inaccurate statement of what he actually uttered. In one or two instances he has intentionally enlarged on topics on which, in speaking, he was more concise. But the inaccuracies of his publication, he believes, are none of them important; and more especially, it is correct in that particular which he deems by far the most worthy of attention, and of which, therefore, he entreats the reader's most serious consideration—the extracts from various documents taken from the East India Company's records, which have been laid before the House of Commons during the progress of the late Parliamentary Discussions. The subject itself he deems to be of a degree of importance which it transcends the powers

of language to express; and he trusts that they, whose sentiments he has opposed, will forgive the warmth with which he has felt it his duty to condemn their opinions. He believes that they are actuated, no less than himself, by a sincere desire to promote the welfare of their country.

S P E E C H,

&c. &c.

I HAVE listened with no little pleasure to the Honourable Gentleman (the Hon. F. Douglas), who, for the first time, has been just delivering his sentiments; and I cordially congratulate him on the manifestation of talents and principles which, I trust, will render him a valuable accession to this House, and to his country; but before I proceed to the more direct discussion of the question before us, he will allow me to express my dissent from his opinion, that it might be advisable to employ our regular Clergy as Missionaries. It was a proposition, indeed, which naturally recommended itself to the mind of any one, who, like my Honourable Friend and myself, being attached, on principle, to the Church of England, and being deeply impressed with a sense of the blessings which we ourselves derive from it, are of course desirous of communicating the same blessings to others of our fellow-subjects.

I grant that, it is much to be regretted, and among the Roman Catholics it has been the reproach of the Protestant Churches, that they have taken so little interest in the conversion of the heathen nations; and I may take this opportunity of declaring it as my opinion, that it is much to be regretted, that our excellent Church Establishment contains within itself no means of providing fit agents for the important work of preaching Christianity to the heathen. Nor is this a new opinion: on the contrary, I had the honour of stating it many years ago to two venerable and most respected Prelates, the late Archbishop of Canterbury and the late Bishop of London; and they expressed themselves favourably of a proposition which I submitted to their consideration, that there should be a distinct ordination for Missionaries, which should empower them to perform the offices of the Church in foreign Countries, but should not render them capable of holding Church Preferments, or even of officiating as Clergymen in this kingdom. It is obvious, that the qualifications required in those who discharge the duties of the ministerial office in this highly civilized community, where Christianity also is the established religion of the land, are very different from those for which we ought chiefly to look, in men whose office it will be to preach the Gospel to the heathen nations, which they will find unacquainted with the first principles of religion and morality;—from the qualifications which we should require in Instructors who

will probably be cast among Barbarians, and, besides having to encounter the grossest ignorance and its attendant vices, will also have to endure great bodily hardships and privations. But this is not the time for enlarging farther on this point, or on the suggestion of my Honourable Friend. It will not, I know, escape him, passing over other objections to the measure, that it necessarily implies, that the Missionaries who are to officiate in India, are to be expressly commissioned and employed by the state, or by the East-India Company; whereas, I am persuaded, we shall all concur in thinking, that it ought to be left to the spontaneous benevolence and zeal of individual Christians, controuled of course by the discretion of Government, to engage in the work of preaching the Gospel to the natives in our Indian territories; and that the Missionaries should be clearly understood to be armed with no authority, furnished with no commission, from the governing power of the country.

Allow me, Sir, before we proceed farther, to endeavour to do away a misconception of the thirteenth Resolution, which appears generally to prevail, that the only object it has in view is, to secure, to such Missionaries as the Board of Controul shall sanction, permission to go to India, and to remain there, so long as they shall continue to exercise the duties of their office in a peaceable and orderly manner. This undoubtedly is one object of the Resolution, but by no means, the only, perhaps not the principal, one. I beg you to observe, that the very terms of the Resolution,

expressly state, that “ we are to enlighten and inform the minds of the subjects of our East Indian empire.” And after much reflection, I do not hesitate to declare, that, from enlightening and informing them, in other words, from education and instruction, from the diffusion of knowledge, from the progress of science, more especially from all these combined with the circulation of the Holy Scriptures in the native languages, I ultimately expect even more than from the direct labours of Missionaries, properly so called,

By enlightening the minds of the natives, we should root out their errors, without provoking their prejudices; and it would be impossible that men of enlarged and instructed minds could continue enslaved by such a monstrous system of follies and superstitions, as that under the yoke of which, the natives of Hindostan now groan. They would, in short, become Christians, if I may so express myself, without knowing it.

Before I enter further into the argument, more especially, after what we have lately heard from several of my opponents; it is due to myself, as well as respectful to the House, to state, that though I cannot, like them, speak of India from my own personal observation, yet that I do not presume to address them on this important question, without having studied it with the most strenuous and persevering diligence. That my attention has been long directed to the subject, will indeed sufficiently appear, when I remind the House, that I had the honour, in 1793, of moving the Resolu-

tion or late so often referred to, which declared it to be the duty of the Legislature, to diffuse among our East Indian fellow-subjects the blessings of useful knowledge and moral improvement; a Resolution which, with little or no opposition, was repeatedly sanctioned by the approbation of the House: and I can truly declare, that I have never since lost sight of this great object, though various circumstances concurred in preventing my again bringing it before the House: above all, that of my being, for almost the whole of that period, engaged in the pursuit of an object of a kindred nature.

Before I enter into the argument, let me also clear away another misconception which has sometimes prevailed, by distinctly and most solemnly assuring the House, that, in the work of conversion, I abjure all ideas of compulsion; I disclaim all use of the authority, nay, even of the influence, of Government. I would trust altogether to the effects of reason and truth, relying much on the manifest tendency of the principles and precepts of Christianity to make men good and happy, and on their evident superiority in these respects, more especially when the minds of the natives shall become more enlarged and instructed than they are at present, over the monstrous and absurd superstitions of their native faith.

And now, Sir, let me enter into the discussion, by assuring the House, that there never was subject which better deserved the attention of

British Parliament than that on which we are now deliberating. Immense regions, with a population amounting, as we are assured, to sixty millions of souls, have providentially come under our dominion. They are deeply sunk, and by their religious superstitions fast bound, in the lowest depths of moral and social wretchedness and degradation. Must we not then be prompted by every motive, and urged by every feeling that can influence the human heart, to endeavour to raise these wretched beings out of their present miserable condition, and above all to communicate to them those blessed truths which would not only improve their understandings and elevate their minds, but would, in ten thousand ways, promote their temporal well-being, and point out to them a sure path to everlasting happiness.

But our opponents confidently assure us, that we may spare ourselves the pains; for that the natives of Hindostan are so firmly, nay, so unalterably, attached to their own religious opinions and practices; however unreasonable they may appear to us, that their conversion is utterly *impracticable*.

I well know, Sir, and frankly acknowledge, the inveterate nature of the evils with which we have to contend; that their religious system and customs have continued with little alteration, for perhaps thousands of years; that they have diffused themselves so generally throughout all their institutions and habits, as to leave, as it were, the

whole mass both of their public and private lives: but, nevertheless, Sir, I boldly affirm, that this position, that their attachment to their own institutions is so fixed that it cannot be overcome, is a gross error, abundantly falsified by much, and even by recent, experience. I beg the House to attend to this point the more carefully, because it serves as a general test by which to estimate the value of the opinions so confidently promulgated by the greater part of those gentlemen who have spoken of Indian affairs, both in this House and out of it, from personal experience. This is a persuasion universally prevalent among them; and if it can be disproved, as easily, as it will shortly I trust appear to you to be, it will follow, that those gentlemen, however respectable where their understandings have fair play, in point both of natural talents and acquired knowledge (and no man admits their claim to both more willingly than myself), are here under the influence of prejudice, and are not therefore entitled to the same degree of weight as if they were free from all undue bias.

And first, Sir, it might afford a strong presumption against the absolute invincibility of the *religious* principles and customs of the Hindoos, that great and beneficial reforms have been effected in various other most important instances in which their existing systems were, so far as we know, equally dear to them, and which were conceived to be equally unchangeable; for even in these, their religion was more or less implicated, because, as I before remarked, it has been

most artfully diffused throughout all their other institutions.

In proof of this assertion, it may be sufficient to specify that mighty change introduced about twenty years ago, by which the British Government granted to all classes of landholders an hereditary property in their estates; a privilege till then unknown in Asia: the rents to be paid to Government, which, as Sovereign of the country, was proprietor of the soil throughout all India, were equitably and unalterably settled; and I ought not to omit to state, that care was taken to secure to the inferior occupants, no less than to the great Chieftains, the secure possession of their properties without any increase of the rents.

Again: the most important reforms have been introduced into the judicial system; and in the military, even the most confirmed religious principles and habits have in some particulars been quietly overcome; and have fallen into disuse, with little or no observation. Nay, the general spirit of our Government, as it respects the natives, has for some time been such, as even that passionate lover of liberty, Sir William Jones, dared not to anticipate in the case of the natives of India; whom with pain, he, but a few years before, had pronounced to be given up to an unmitigated and unalterable despotism.

But it is not only where their religion has been indirectly concerned, that it has appeared that their institutions are susceptible of the same changes which have taken place in every other

country; but also, in many instances in which religion has been directly in question. How else can we account for that immense number of Mahometans, estimated at from ten to fifteen million, scattered over India, most of whom are supposed by the best judges to be converts from the Hindoo faith? And let me remind you of the stern and persecuting spirit of Mahometanism, and of the increased difficulty which would be thereby occasioned; since it is now an established truth, that persecution counteracts her own purpose and promotes the prevalence of the religion she would suppress.

Again: what shall we say of the whole nation of the Seiks, so numerous, as to be supposed able to raise 200,000 horse, who within a few centuries have forsaken the Hindoo faith, and freed themselves from its burthensome restrictions? *

The followers of Budha also, who reject Caste, are very numerous; and within the pale of the Hindoo faith itself, different sects spring up from time to time as in other countries. Mr. Orme says, "Every province has fifty sects of Gentoos, and every sect adheres to different observances."

But we have still surer grounds of hope; we have still better reasons than these for believing, that there is nothing in the nature or principles of

* Sir J. Malcolm's highly interesting publication concerning the Seiks, suggests many most important considerations respecting the mischiefs which, if not provided against by timely precautions, may hereafter result from the galling and severe pressure of the system of Castes on the lower orders of India.

a Hindoo which renders it impossible for him to become a Christian; for it is notorious, that from the earliest times there have been many churches of native Christians in India. For the whole of the last century, the work of conversion has been going on with more or less success; and at this moment, there are hundreds of thousands of native Christians in the East Indies.

But here again, in justice to my argument, I cannot but remind the House of the signal example which this instance affords of the utter ignorance of our opponents on the subject we are now considering: for a Gentleman of high character, of acknowledged talents and information, who had passed thirty years in India; and who having fairly made his way to the first situations, possessed for full ten years a seat in the Supreme Council in Bengal, stated at your bar, that he had never heard of the existence of a native Christian in India, until after his return to England; he then learned the fact, to which however he seemed to give but a doubting kind of assent, from the writings of Dr. Buchanan. Can any thing more clearly prove, that Gentlemen, instead of seriously turning their minds to the subject, and opening their eyes to the perception of truth, have imbibed the generally prevailing prejudices of men around them, without question, and have thus suffered themselves to be led away to the most erroneous conclusions.

Let me mention also another circumstance, which well deserves consideration. If the asser-

tion of our opponents were correct, that the sensibility of the natives of India in all that regards their religion is so extremely great that they can scarcely listen with temper or patience to any arguments that are urged against it, it would naturally follow, that the Christian Missionaries, if, even from the dread of punishment, their lives should be safe, would be universally regarded with jealousy and detestation; whereas, as if on purpose to confute the unreasonable prejudices of our opponents, the most zealous, laborious, and successful Missionaries have commonly been, among all classes of the natives, the most esteemed and beloved of all the Europeans; and, let me repeat it, this is not only true of the ever memorable Swartz, but of Gerické, of Kolhoff, &c., as well as of Ziegenbalg and his colleagues, the Missionaries of a preceding generation. Swartz's eulogium it is unnecessary for me to pronounce, because our opponents themselves are loud in his praise. And it is acknowledged that, during his long and laborious ministry, he was among the natives, from the greatest to the least, an object of the highest respect and warmest affection.

But an Honourable Baronet rather insinuates, that Mr. Swartz's popularity among the natives might arise from points in his character which were less estimable in a religious view. Swartz, says the Honourable Baronet, was a *politician*. Yes, Sir; I thank the Honourable Baronet for reminding me of it; *Swartz was a politician*, but not a volunteer in that service: he became a po-

litician at the earnest and importunate intreaty of the East-India Government; because, having to negotiate with Hyder Ally, they could find no one in whose integrity and veracity that chief-tain would confide, but Swartz the Missionary: he therefore became a politician, and an accredited envoy, because, as a Missionary, he had secured to himself the universal confidence both of Mahometans and of Hindoos.

But even Swartz's converts, it is alleged, were all of the lowest class of the people, wretches who had lost caste, or were below it; and the same assertion is generally made concerning the native Christians at this day. This again, Sir, is one of those wretched prejudices which receive easy credence, because they fall in with the preconceived notions of the receiver, and pass current from man to man without being questioned, in spite of the plainest and most decisive refutation. Even our opponents themselves will refer to Mr. Swartz's own authority; and that excellent man having happened to read in India much such a speech concerning Missionaries as the Honourable Baronet has this day uttered, which had been made in the India-House the year before, by Mr. Montgomery Campbell, he positively contradicted all those stale assertions in disparagement of the Missionaries and their followers, which had been so generally circulated; among the rest, this of the low degraded quality of their converts; by stating, that if Mr. Campbell had even once attended their Church, he would have observed, that more than two thirds were of the

higher caste, and so it was, he said, at Tranquebar and Vepery. In like manner, Dr. Kerr, who was officially commissioned by the Madras Government, in 1806, to visit the Malabar coast, for the express purpose of obtaining every possible information in regard to the establishment, &c. of the Christian Religion in that part of the Peninsula, after stating, that the character of the native Christians, whose numbers, according to the best accounts, are estimated at from seventy to eighty thousand, is marked by a striking superiority over the heathens in every moral excellence, and that they are remarkable for their veracity and plain dealing, adds, "They are respected very highly by the Nairs" (the nobility of the country), "who do not consider themselves defiled by associating with them, though it is well known that the Nairs are the most particular of all the Hindoos in this respect; and the Rajahs of Travancore and Cochin admit them to rank next to Nairs*."

Again: a letter from a respectable gentleman in India to the venerable and justly honoured Dean of Westminster, Dr. Vincent, published in the Report of 1799 of the Society for promoting Christian Knowledge, mentions the almost universal prevalence of the grossest misconceptions, concerning the native converts to Christianity, and strongly opposes them. After stating that the number is very considerable, he adds; "That they consist of the lower or Pariar cast is a vulgar

* See Dr. Kerr's Report to the Madras Government, dated November 3, 1806:

error; and instead of being, as is often asserted, despised and contemptuously treated by their fellow natives, they are universally respected." He proceeds, however: "You may ask five gentlemen out of six, who return from India, their opinion of the state of the native Christians; their reply will probably be, that they see no use in the endeavours to propagate Christianity there; and this will be followed by a repetition of the commonplace idea, transferred from one to another without examination, 'What can a black fellow know about Christianity?'" I dwell the more, Sir, on this topic, because, how little soever deserving of notice these prejudices may appear to the eye of truth and reason, they are in fact the most powerful enemies with which we have to contend. Dr. Vincent's correspondent truly remarks; "It is from this sort of cant and jargon of ignorance and indifference, that false ideas respecting the native converts have been instilled into the minds of many at home." Miserable, however, as this jargon may be in the estimation of Dr. Vincent's correspondent, it is not to be despised, when its tendency is to detain an immense region of the earth in darkness and degradation. What we have heard in this House may convince us, though it is with pain and shame that we witness the anomaly, that men of excellent understandings and of liberal and well-informed minds can be misled by these groundless prepossessions. Even the excellent historian, Dr. Robertson, did not escape this contagion. Though commonly he is most justly to be respected for the accuracy

of his statements, he seems, though reluctantly, to admit the impracticability of converting the natives of India; and states, that in two hundred years, the converts amount but to about 12,000 in number; whom also, if I mistake not, he represents to be of the very lowest of the people, and, in direct contradiction to the most decisive testimony, to be, even after their conversion, a disgrace to the Christian name. I could multiply facts and arguments; but I trust, Sir, I have already decidedly established, that this notion of its being *impracticable* to convert the Hindoos is a vain and groundless theory; and that, in maintaining the opposite position, my friends and I stand on the solid and sure ground of abundant and indisputable experience.

But our opponents, encouraging one another in their error, take still higher ground, and affirm, that if it were practicable to convert the Hindoos to Christianity, it is not *desirable*. The principles of the Hindoos are so good, their morals are so pure; better than our own, as we are told by more than one Honourable Gentleman; that to attempt to communicate to them our religion and our morality, is, to say the least, a superfluous, perhaps a mischievous, attempt.

This, by the way, is no new doctrine; but, considering its origin, it is not altogether without shame, as well as grief, that I find it receiving any countenance in this assembly. It sprang up among the French sceptical philosophers, by whom it was used for the purpose of discrediting Christianity, by shewing, that in countries which

were wholly strangers to its light, the people were in general more gentle and peaceable, and innocent and amiable, than in those countries which had for the longest period professed the Christian faith. After the practical comment, however, which a neighbouring kingdom has afforded of the doctrines of the French philosophers, the opinions of our opponents will not experience a more favourable reception in this House, or in this country, on account of their issuing from such a source.

But really, Sir, I can only say, that if the principles and morals of our East Indian fellow-subjects were indeed so admirable, if they were even better than our own, it would be a fact that would belie the experience of all other times and countries. When was there ever yet a nation on which the light of Christianity never shone, which was not found in a state of the grossest moral darkness, debased by principles and practices and manners the most flagitious and cruel? Is not this true of all the most polished nations of antiquity? Did not more than one practice prevail among them, sanctioned often by the wisest and the best among them, which in all Christian countries would now be punished as a capital crime? But, Sir, have not moral causes their sure and infallible effects? Is it not notorious, that the nations of India have, from the very earliest times, groaned under the double yoke of political and religious despotism? And can it then be maintained, that these must not have produced a proportionate degradation of

their moral character? And is it in a British House of Commons, above all other places, where such a doctrine as this is maintained? Are we so little sensible of the value of the free constitution and religious liberty which we enjoy, and so little thankful for them, as to tolerate such propositions? No, Sir: I trust we shall be protected by our feelings, no less than by our understandings, against being carried away by any such delusions. No, Sir: the common sense of mankind, in this country at least, is not to be so outraged; and, in truth, we find the morals and manners of the natives of India, just such as we might have been led to expect from a knowledge of the dark and degrading superstitions, as well as of the political bondage, under which they have been so long bowed down. To which I may add, that, such is the nature of their institutions and customs, that not religion only, but common humanity, should prompt us to exert all legitimate methods for producing the discontinuance of them.

But Honourable Gentlemen have read us passages from their religious books, some of which breathe a strain of pure and even sublime morality. The Institutes of Akbar also have been quoted upon us, and a learned work by a Bengal Officer has been published, resting almost entirely on this basis, with large extracts from the sacred writings of the Hindoos.

Let me beg the attention of the House, while I ask such of our opponents as urge this argu-

ment, whether they did or did not know that which is an undeniable fact (I refer to Mr. Halhed's translation of the Hindoo laws), that if a Soodra should get by heart, nay, if he should read, or even listen to the sacred books, the law condemns him to a most cruel death. If our opponents were ignorant of this, it shews how little they are qualified to be safe guides to us in the road we are now travelling: if they knew it, was it candid, nay, Sir, was it fair, to quote these passages of sublime morality, in proof of the superior moral state of the bulk of the East Indian population? Why, Sir, it is much the same in India (only worse) as it was among the most polished nations of the Pagan world. There, they had their exoteric and their esoteric doctrines: and while, in the writings of their philosophers, we meet with passages of high moral excellence, we know, that the moral opinions and practice of the bulk of the people were such as would appear to us at this day almost insufferably depraved, absurd, and monstrous. Where can we find more elevated strains than in the lofty speculations of the Imperial Philosopher Antoninus? And in return for the Institutes of Akbar I might name those of Tamerlane, justly declared by one of our opponents to be one of the most bloody tyrants that ever disgraced a throne, which are yet declared by Mr. Gibbon to form one of the most perfect systems ever published on the basis of absolute monarchy.

The topic we are now considering is of so great importance, that in justice to my argument, I must be permitted to enlarge upon it; though, after all, I must leave much unsaid, in order that I may not trespass on the indulgence of the House too largely; and as the authority of several gentlemen, long resident in India, is urged upon us in proof of the probity and superior morality of the natives of India, I must beg leave to bring forward my authorities also. And when the House shall have heard all I have to adduce, I am confident, that not a doubt will remain in their minds, that my representation of the moral character of the natives of India is borne out by an irresistible weight of unobjectionable testimony. And first, Sir, let me quote to you some general opinions of the moral state of the Hindoos, which have been given by authors of established credit, as well as by others whose authority is still higher, persons who held high stations in the Company's service for many years, and who, from having lived so long, and having had so much intercourse with them, must be supposed so have been perfectly acquainted with their real character. Several of the passages which I am about to read to you, are contained in a most valuable document lately laid before the House, the work of a dear and most honoured friend of mine, a Member of this House*, whose ex-

* I refer to a Memoir, by Mr. Grant, on the Moral State of India, the causes which have produced, and suggestions for improving it. The Memoir was principally written as long ago as 1792, soon after his return from India, and was laid before the

cellent understanding and acknowledged worth entitle all his opinions to be received with the utmost deference, and whose long residence in India, and familiar acquaintance with its inhabitants have rendered him peculiarly competent to form a correct judgment on the point which we are now considering.

The first witness I shall bring forward is the traveller Bernier, an author of such established credit that his work was allowed to be received as evidence at Mr. Hastings's trial. He, who travelled among the natives about one hundred and fifty years ago, places the character of the people in general, and more especially that of the Brahmins, in the most unfavourable light; but as he no where gives a summary view of it, I will only refer generally to his high authority. The same unfavourable character of them, and more especially of the Brahmins, is also expressed by Mr. Scrafton *, whose instructive work was published about fifty years ago; and Mr. Orme, the excellent historian of the Carnatic, leads us to form a still lower estimate of their moral qualities. "Were not the Gentoos infamous for the want of generosity and gratitude in all the commerces of friendship; were they not a tricking, deceitful people

Court of Directors in 1797. It contains within a small compass, a large store of most valuable information concerning the religion and laws, the social and moral state and character, of the Hindoos. It is earnestly to be hoped, that his great modesty may not prevent his publishing to the world this valuable document, and thereby obtaining for it a more general perusal.

* Reflections on the Government of Hindostan, by Luke Scrafton, Esq.

in all their dealings; their charity could not be deemed to arise from the influence of superstition.”
—*Orme's India*, vol. IV, 4to. p. 434.

“ Every offence is capable of being expiated by largesses to the Brahmins, prescribed by themselves according to their own measures of avarice and sensuality.”

Orme's character of the East-Indian Mahomedans is still more unfavourable than that of the Brahmins. “ A domineering insolence towards all who are in subjection to them, ungovernable wilfulness, inhumanity, cruelty, murders, and assassination, perpetrated with the same calmness and subtlety as the rest of their politics, and insensibility to remorse for these crimes, which are scarcely considered otherwise than as necessary accidents in the course of life; sensual excesses, which revolt against nature; unbounded thirst of power, and a rapaciousness of wealth equal to the extravagance of his propensities and vices!” “ This is the character of an Indian Moor.”—*Orme on the Manners, &c. of the Indian Moors*, Ibid. p. 423*.

Governor Holwell gives a summary account of the native East-Indian character in such clear terms that his own words shall be quoted; and let it be remembered that Holwell's mind, to say the least, was not in any degree biassed by his attachment to the Christian system, as compared with

* Well might Mr. Orme exclaim, after so humiliating a picture of human depravity, “ How grateful, how noble, are the reflections inspired by such a retrospect, in favour of the cause of Christianity, and in favour of the cause of liberty!”—*Orme's India*, vol. IV. p. 430.

that of the natives of India:—"A race of people who, from their infancy, are utter strangers to the idea of common faith and honesty. The Gentoos in general are as dangerous and wicked a people as any race of people in the known world, if not eminently more so, especially the common run of Brahmins. We can truly aver, that during almost five years that we presided in the Judicial Cutcherry 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's* testimony is given in the same clear and compendious language:—"The inhabitants of this country we know, by long experience, have no attachment to any obligation."

An equally unfavourable character of them is given by Governor Verelst †, especially in respect of avarice, treachery, and ingratitude.

Mr. Shore ‡ (now Lord Teignmouth) paints their character in still darker colours:—"The natives are timid and servile: 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. 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

* See Bolt's Considerations, vol. III.

† See Verelst's View of the English Government in Bengal.

‡ See the Parliamentary Proceedings against Mr. Hastings, Appendix to Vol. II.

own interest is his guide." With other particulars of a similar complexion.

Sir John Macpherson*, who was Governor-General between twenty and thirty years ago, commenting on the foregoing description, thus confirms the accuracy of the delineation: "I am afraid that the picture which he (Mr. Shore) draws, and the low ebb at which he states the popular virtues of the Bengalese, are not fictitious representations."

Lord Cornwallis proved by his conduct that he considered the natives as unworthy of all confidence; for, contrary to the general usage of men occupying such stations as he filled, he never reposed any trust in any one of them, nor placed a single individual, either Hindoo or Mahomedan, about his person, above the rank of a menial servant.

It is not, perhaps, unworthy of notice, that a character equally unfavourable of the natives of Hindostan, was given four hundred years ago by their great conqueror Tamerlane. "The native of Hindostan," he says, "has no pretensions to humanity but the figure; whilst imposture, fraud, and deception, are by him considered as meritorious accomplishments."—The foregoing compilation of authorities is closed by my Honourable Friend, with the following compendious delineation of the native Indian character.

"Upon the whole, we cannot help recognizing in the people of Hindostan a race of men lamen-

* See the Parliamentary Proceedings against Mr. Hastings, Appendix to Vol. II.

tably degenerate and base; retaining but a feeble sense of moral obligation; obstinate in the 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; sunk in misery by their vices, in a country peculiarly calculated by its natural advantages to promote the happiness of its inhabitants."

But we are far from having laboured through the long and melancholy succession of witnesses, who attest the moral degradation of the natives of India. Several of the passages I have already recited are accounts of earlier times; and it might perhaps be hoped, that the moral character of the natives has been improved, in consequence of their having lived so long under our government. Alas, Sir! grieved I am to be under the necessity of stating, that this is by no means the fact. I might, I fear, go still farther, and affirm, that the moral standard of the natives has been even deteriorated of late years. The first witness whom I shall call in proof of the present depraved state of the natives of India, is a gentleman well known in this House for his talents and his eloquence, and whom there is reason, I trust, to believe, that we shall shortly have the honour of including in our number: I scarcely need explain, that I am speaking of Sir James Mackintosh. He, it is well known, lately presided on the Bench of Justice in Bombay; and in a charge to the Grand Jury at Bombay, delivered in the year 1803, he thus expressed himself: "I

observe, that the accomplished and justly celebrated person, Sir William Jones, who carried with him to this country a prejudice in favour of the natives, which he naturally imbibed in the course of his studies, and which in him, though not perfectly rational, was neither unamiable nor ungraceful, I observe, that even he, after long judicial experience, reluctantly confessed their general depravity. The prevalence of *perjury* which he strongly states, and which I have myself already observed, is perhaps a more certain sign of the general dissolution of moral principle than other more daring and ferocious crimes, much more horrible to the imagination, and of which the immediate consequences are more destructive to society."

Again, at a subsequent period, he remarks; "An offence, of the frequency of which I formerly spoke from information, but can now speak from *large and deplorable experience*, I mean perjury—"

A melancholy proof of the low standard of morals in the East was afforded on one of the occasions which drew from Sir James Macintosh the above remarks. A woman who was one of the witnesses, having prevaricated shockingly, was asked by the Recorder, "Whether there was any harm in false swearing, she answered, that she understood the English had a *great horror of it, but there was no such horror in her country.*" See the Bombay Law Reports, given in the Asiatic Register for 1804.

But, perhaps, the most decisive proofs of all

are contained in the answers to certain interrogatories concerning the moral state of the natives, which were sent round by Lord Wellesley, when Governor-General. Lord Wellesley, wishing to obtain the most authentic and complete information, would of course consult such persons as he conceived to be best qualified from the situations which they occupied, to give him the intelligence which he desired. He therefore applied to the Judges of Circuit, and also to magistrates permanently settled in the different provinces. A vain attempt, indeed, has been made to do away the effect of this testimony, by asking what judgment we should form of the moral character of our own people, if we were to take our estimate of it from the criminals who fill our gaols. I must say; I wonder that the Honourable Gentlemen who held this language, were not checked by recollecting that they were in reality reflecting strongly on the discretion of Lord Wellesley himself, for having applied for information to a description of persons which he ought to have known not to be qualified to supply it. But, Sir, you will observe, that it is concerning the general character of the natives that the gentlemen interrogated by Lord Wellesley were questioned; and I cannot conceive that there can be any set of men better qualified in all respects to form a correct opinion of the general character and conduct of the natives, than such of the Company's servants as are resident magistrates. I will not weary the House with the whole of the melancholy detail; but a few of the

answers I must lay before them. The first shall be the statement of Mr. Edward Colebrook, second Judge of the Patna Court of Circuit, dated Patna, 21st April, 1804. "Another not less heinous offence attaching to those affrays is perjury, to which recourse is invariably had, both for the prosecution and defence of such charges. To such a pitch of audacity has this crime long since reached in this province, *that a total distrust of human testimony, on every occasion, is the consequence. No rank, no caste, is exempt from the contagion.* A Zemindary Dewan, a Brahmin, who had circumstantially sworn to the nature and number and to the authors of the wounds on two of his cutcherry amla, alleged to have been murdered in an attempt to dispossess him from the cutcherry, scarcely blushed when the two men were produced alive and unhurt in court, and merely pleaded that had he not sworn as directed, he should have lost his employ."

Let me now read an equally humiliating extract from the answers of Mr. J. D. Paterson, Judge of Decca, Jellepore, &c. to the President, &c. Members of the Police Committee, 30th Aug. 1799. "As a picture of human degradation and depravity can only give pain to a reflecting mind, I shall be as brief as possible, consistently with the necessity of furnishing the required information. Their minds are totally uncultivated; of the duties of morality they have no idea; they possess in a great degree that low

cunning which so generally accompanies depravity of heart. They are indolent and grossly sensual; they are cruel and cowardly, insolent and abject. They have superstition without a sense of religion; and in short they have all the vices of savage life, without any of its virtues. If we look a step higher, we find the same total want of principles with more refined cunning; no attachment but what centers in self, for the ties of relationship seem only to render inveteracy more inveterate."

"Even the honest men," say the Judges of Circuit, in a report made on terminating their Session; "Even the honest men as well as the rogues are perjured. The most simple and the most cunning alike make assertions that are incredible, or that are certainly false."

"In the course of our judicial duties," says the Report from Moorshedabad, Court of Appeal and Circuit (26th Jan. 1802), "we still meet with the same barefaced disregard of truth which always characterised the natives of India."

"No falsehood," says Judge Stracey, "is too extravagant or audacious to be advanced before the Court of Circuit. Perjury is extremely common."

—*5th Report of Committee on East India Affairs.*

"They are probably somewhat more licentious than formerly. Chicanery, subornation, and fraud and perjury are certainly more common."

—*Judge Stracey's Answer to Interrogatories, 30th Jan. 1802.*

“The lower classes are in general profligate and depraved. The moral duties are little attended to by the higher ones. All are litigious in the extreme, and the crime of perjury was never, we believe, more practised amongst all ranks, than at present.”—*Answers of Magistrates of the 24 Pergunnahs to Interrogatories, &c.*

But perhaps the House may, with the least trouble, form a summary opinion of the result of the answers alluded to, by hearing an extract from a judicial letter from the Court of Directors to Bengal, dated 25th April, 1806, which will shew the impression which the information they had received had made on their minds; and I beg leave to recommend it the rather to the attention of the House, because it will shew what was then the Court of Directors' opinion of the moral character of the natives of India, however some of them may now have been led, I must rather say misled, into forming different sentiments. “The nefarious and dangerous crime of perjury we are much concerned to find continues to prevail in all directions, and even increases to such a pitch as to baffle and perplex the judicial proceedings of the courts, so that the judge receives all oral testimony with distrust, and is frequently obliged to investigate the character of the witness more closely than that of the criminal.” The Directors very judiciously go on to remark on the probable cause of this low state of moral principle:—“The little obligation attached by the natives to an oath seems to proceed, in a great degree, from

the nature of their superstitions and the degraded character of their deities, as well as the almost entire want of moral instruction among them; and this points to the necessity of other remedies, as well as to the most rigorous punishment of a crime so hurtful to society as perjury."

If such be the moral state of the natives in general, we might well expect, at least it would be expected by all who have a just sense of the intimate connection between virtue and humanity, and on the contrary between depravity and cruelty, that the crimes of actual violators of the laws, and not of an individual criminal, but of the class of robbers in general, would be extremely shocking; but I quote the following passage from Mr. Dowdeswell's Report on the Police of Bengal, in order to counteract that strange and most unjust persuasion, which has been attempted to be diffused, that the Hindoos are a gentle and humane people. "Were I to enumerate only a thousandth part of the atrocities of the Decoits (a set of hereditary robbers), and of the consequent sufferings of the people, and were I to soften that recital in every mode which language would permit, I should still despair of obtaining credit solely on my own authority for the accuracy of the narrative."—*Mr. Dowdeswell's Report on the General State of the Police of Bengal*, p. 603.

"Robbery, rape, and even murder itself, are not the worst figures in this hideous and disgusting picture. Volumes might be filled with the recital of the atrocities of the Decoits, every line

of which would make the blood run cold with horror." *Ibid.*

I could corroborate my general representation of the moral degradation of the Hindoos, by still farther extracts, selected from that massy volume on the table*. But I will adduce but one more, taken from a document I have already referred to, the letter to the Venerable Dean of Westminster, Dr. Vincent. Speaking generally of the morals of the natives, his correspondent says; "The state of morality among the natives is very low indeed. I have had transactions with many of those who have the character of most respectable men, rich, and of good credit. I declare to you, I never met with *one* who had any idea of the obligation of an oath, or who would not break it without scruple, provided the crime could be effected without discovery and punishment, and produce to him a pecuniary profit. There may be natives of a different character; all I can say is, that I never met with *one*. I am speaking of those who are not Christians. Now I am clear, that no man, in the course of his dealings in England with various characters for some years, could truly make a similar assertion."

Before we dismiss the long and melancholy train of witnesses whose estimate of the moral character of the natives of India I have been laying before you, let me beg that you will attend carefully to two considerations, which are

* Fifth Report from the East-India Committee.

applicable to almost all the opinions which I have adduced. These are, first, that the statements you have heard, are all of them the opinions of intelligent and respectable men, formed and given without reference to any particular question, which happened for the time to interest and divide the public mind; and still more, that they are the opinions of men who were upon the spot when those opinions were formed, and whose attention had been specially called to the subject of them, while the natives were actually under their view. These considerations, Sir, deserve the more attention, because, when we find conflicting testimony among men, all of whom we respect, we naturally look for circumstances which may explain the discrepancies which we witness. Without presuming to take upon me to estimate how much weight is to be assigned to this consideration, I am persuaded that our opponents themselves will frankly acknowledge, that in the two important particulars which I have just now noticed, they are oppositely circumstanced to the individuals whose testimony I have been laying before you. First, the favourable opinions of the people of India which they deliver, are such as occur to them in this country; which must render them peculiarly subject to the influence of that common cause of erroneous judgment of nations, the drawing of general inferences from individual instances; and secondly, they will not deny, that from the infirmities of our common nature, they cannot but be liable to have their

opinions in some degree; though imperceptibly, biassed by the particular occasion on which they are led to form them.

And now, Sir, after the decisive weight of testimony which I have laid before you, in proof of the general depravity of the people of Hindostan, what must we think of the soundness of the judgment pronounced by our opponents, that their morals are in general equal; nay, even superior, to those of the people of this country. We have been long accustomed, Sir, to read different characters of the same people from different travellers, of the intentions of all of whom, to speak the truth, we have entertained not the slightest suspicion; but a difference like this, I never before witnessed. In fact, however, Sir, we are relieved from our difficulty, by the very extent to which the assertion of our opponents is pushed. Had it been merely attempted to soften the colours in which we had painted the native character, you might have been more at a loss which was the correct representation. But when, instead of the dark hues which we have assigned to it, our opponents give it almost the fairest and loveliest tints of moral colouring, we are led infallibly to conclude that our opponents are either ill-informed, or that they are under the influence of prejudice; and happily, we are furnished, in the course of our discussion, with such flagrant instances of prejudice on this particular topic of religion, as to furnish a pretty clear explanation of those opinions of our opponents

which would otherwise appear the most inexplicable as well as extravagant.

I have already had occasion to shew, Sir, in one notable instance, that on this subject alone of religion and morals, as connected with the East Indies, men the most able and the best informed on all other topics are strangely and lamentably ignorant. There is a sort of inaptitude, if I may so term it, in what regards the subject of religion, which we discover in the generality of the Anglo Indians, which causes their judgments, however valuable on other occasions, to fail them egregiously in this. We have a curious illustration of this remark in the Fifth Report, which I quote the rather, because I understand the character of the writer to be excellent, and his authority beyond exception in all other matters. I speak of Mr. Dowdeswell. After that shocking account of the state of the police which I lately read to the House, suitably impressed with a sense of the evils of which he had been speaking, and very justly remarking also, that these dreadful practices must be severely punished, "but that a great deal more must be done in order to eradicate the seeds of those crimes, the real sources of the evil lying in the corrupt morals of the people," he adds, (and let me beg, that Gentlemen will observe that Mr. Dowdeswell very justly ascribes the perpetration of such crimes to general and moral causes, not merely to individual and accidental depravity;) "if" says he, "we would apply a last-

“ ing remedy to the evil, we must adopt means
 “ of instruction for the different classes of the
 “ community; by which they may be restrained,
 “ not only from the commission of public crimes,
 “ but also from acts of immorality, by a dread
 “ of the punishments denounced both in this
 “ world and in a future state *by their respective*
 “ *religious opinions*. The task would not, perhaps,
 “ be so difficult as it may at first sight appear
 “ to be. Some remains of the old system of Hin-
 “ doo discipline still exist. The institutions of
 “ Mahomedanism of that description, are still
 “ better known. Both might be revived, and
 “ gradually moulded into a regular system of in-
 “ struction for both those great classes of the
 “ community.”

We are led irresistibly, by this passage, to a
 conclusion, which, I confess, has been suggested
 to me by various other circumstances, that in the
 minds of too many of our opponents, Christi-
 anity and India are inconsistent, totally incom-
 patible, ideas. We cannot but be reminded of
 the expression of a former ornament of this House,
 (a name of high authority in this country), that
 “ the Europeans were commonly unbaptized in
 their passage to India.” I will not presume to
 adopt so strong a position; but Mr. Burke him-
 self could not have desired a stronger confir-
 mation of his assertion, than some, with which
 we have been supplied in the course of these
 discussions, more especially with this, wherein

* Fifth Report on East-India Affairs, p. 617. Mr. Dowdes-
 well's Report on the Police of Bengal, Sept. 22, 1809.

we find that a gentleman of intelligence and respectability, long resident in India, bewailing such a dissolution of the moral principle as rendered it difficult for the frame of society to hold together, and looking round solicitously for some remedy for the evil, never so much as thinks of resorting to Christianity, but proposes to resort to the revival of Hinduism and Mahomedanism, as the only expedient to which it is possible to have recourse.

Agreeing with him in my sense of the virulence of the disease, I differ entirely with respect to the remedy; for, blessed be God, we have a remedy fully adequate, and specially appropriate to the purpose. That remedy, Sir, is Christianity, which I justly call the appropriate remedy; for Christianity then assumes her true character, no less than she performs her natural and proper office, when she takes under her protection those poor degraded beings, on whom philosophy looks down with disdain, or perhaps with contemptuous condescension. On the very first promulgation of Christianity, it was declared by its Great Author, as "glad tidings to the poor;" and, ever faithful to her character, Christianity still delights to instruct the ignorant, to succour the needy, to comfort the sorrowful, to visit the forsaken. I confess to you, Sir, that but for my being conscious that we possessed the means of palliating, at least, the moral diseases which I have been describing, if not of effecting a perfect cure of them, I should not have had the heart to persevere in dragging you through the long and

painful succession of humiliating statements to which you have been lately listening. For, believe me, Sir, though I trust that to many in this House, I scarcely need to vindicate myself against such a charge, that it is not to insult over the melancholy degradation of these unhappy people, or to indulge in the proud triumph of our own superiority, that I have dwelt so long on this painful subject: but it is because I wish to impress you with a just sense of the malignity of their disease; that you may concur with me in the application of a remedy: for, I again and again declare to you, a remedy there doubtless is. God forbid that we should have only to sit down in hopeless dejection, under the conviction, that though these evils exist they are not to be removed. Sir, such a supposition would be absolute blasphemy; to believe that the Almighty Being, to whom both we and our East Indian fellow-subjects owe our existence, has doomed them to continue for ever, incurably, in that wretched state of moral depravity and degradation, in which they have hitherto remained! No, Sir, Providence has provided sufficient means for rescuing them from the depths in which they are now sunk, and I now call on you to open the way for their application; for to us, Sir, I confidently hope, is committed the honourable office of removing the barrier which now excludes the access of Christian light, with its long train of attendant blessings, into that benighted land, and thus, of ultimately cheering their desolate hearts with the

beams of Heavenly Truth, and Love; and Consolation. And therefore, Sir, I indignantly repel the charge which has been unjustly brought against me, that I am bringing an indictment against the whole native population of India; and "what have they done to provoke my enmity?"

Sir, I have lived long enough to learn the important lesson, that flatterers are not friends: nay, Sir, they are the deadliest enemies. Let not our opponents, therefore, lay to their souls this flattering unction, that they are acting a friendly part towards the Hindoos. No, Sir: they, not I, are the real enemies of the natives of India, who, with the language of hollow adulation and "mouth honour" on their tongues, are in reality recommending the course which is to keep those miserable beings bowed down under the heavy yoke which now oppresses them. The most able of our opponents has told us, that some classes of the natives are as much below others as the inferior animals are below the human species. Yes, Sir, I well know it; and it is because I wish to do away this unjust inequality, to raise these poor *brutes* out of their present degraded state to the just level of their nature, that I am now bringing before you their real character, and explaining to you their true condition. And am not I, therefore, acting the part of the real friend? For true friendship, Sir, is apprehensive and solicitous; it is often jealous and suspicious of evil; often it even dreads the worst concerning the objects of its affection, from the solicitude it feels for their well-being, and its earnestness to promote their happiness.

Animated, Sir, by this unfeigned spirit of friendship for the natives of India, their religious and moral interests are undoubtedly our first concern; but the course we are recommending tends no less to promote their temporal well-being, than their eternal welfare; for such is their real condition, that we are prompted to endeavour to communicate to them the benefits of Christian instruction, scarcely less by religious principle than by the feelings of common humanity! Not, Sir, that I would pretend to conceal from the House, that the hope which, above all others, chiefly gladdens my heart, is that of being instrumental in bringing them into the paths by which they may be led to everlasting felicity. But still, were all considerations of a future state out of the question, I hesitate not to affirm, that a regard for their temporal well-being would alone furnish abundant motives for our endeavouring to diffuse among them the blessings of Christian light and moral instruction.

And surely it cannot be necessary for me to attempt in this place to prove, that though much of the large mass of comforts which we in this country enjoy, beyond those, I believe, of any other nation in ancient or in modern times, is owing to our invaluable constitution, yet that it is in no small degree, also, to be ascribed to our religious and moral superiority; for it is with gratitude alike, and with pleasure, that I declare my firm persuasion, that the influence of Christianity is greater in this country than in any other upon earth.

the very idea of introducing such a system into this country. And are not the natives of India, our fellow-subjects, fairly intitled to all the benefits which we can safely impart to them? And if there be any which we cannot as yet venture to communicate, should we not at least belonging with eager and almost impatient expectation for the time when we can render them partakers of the best blessings which we ourselves enjoy? And here, Sir, in justice to my cause, I cannot but animadvert upon the spirit and tone with which our opponents have descanted on the impossibility of making the natives acquainted with the truths of Christianity, and of thereby effecting the moral improvement which Christianity would produce. I should have expected, Sir, if they were unwillingly compelled to so unwelcome a conclusion, as that all hopes of thus improving the natives of India must be abandoned as utterly impracticable, that they would form the opinion tardily and reluctantly, and express it with the most manifest concern. I need not remind the House with what an air of cheerfulness, not to say of levity, the declaration has been made. But it is fair to say, that one of the Honourable Members supplied the explanation, by plainly intimating, that in his opinion, all religions were alike acceptable to the common Father of the universe;—the same truth, a little differently expressed, as was taught by one of the Brahmins, who stated to one of our Missionaries, that heaven was a large palace, to

which there was a number of different roads, and that each nation or individual might choose his own at pleasure. But, as I have already stated, our opponents should remember, that Christianity, independently of its effects on a future state of existence, has been acknowledged even by avowed sceptics, to be, beyond all other institutions that ever existed, favourable to the temporal interests and happiness of man: and never was there a country where there is greater need than in India for the diffusion of its genial influence.

In reasoning concerning the happiness, no less than the virtue, of any people, all who consider how many of the charities of life, how large a portion of the greatest and best of our earthly comforts, arise out of our domestic relations, will think it difficult to overrate the sum of the evils produced, and the happiness impaired and lost, from the single circumstance of the prevalence of polygamy. Here again, to prove the effects of polygamy, I would refer to one who had no peculiar zeal for Christianity; though his understanding was too enlightened, and his mind too well-informed, for him not to recognize its superior excellencies; I mean, to the President Montesquieu. Would we see a lively picture of the jealousies, the heart-burnings, the artifice, the falsehood, the cruelty, the rage, and the despair of which polygamy is the fertile source, let us look to that great writer's Persian Letters. And here also, Sir, we may find a decisive settlement of the question, concerning which there has been some difference of opinion,

as to the rank in the scale of being which is assigned to the female sex among the natives of India. An Honourable Friend of mine (Mr. William Smith) has quoted some passages from their great lawgiver, which speak of women in general in the most disparaging and even contemptuous terms. We see the same estimate in many of the Hindoo customs and institutions; but this system of polygamy alone might have sufficed to prove, that the female sex could not possess in India that equality, in point of nature and rank, with ours, to which it is considered to be entitled in every Christian country, and on which, in fact, so much of the real dignity and happiness as well as so many of the benefits of the married state essentially depend.

Again in India, we find prevalent that evil, I mean Infanticide, against which we might have hoped that nature herself would have supplied adequate restraints, if we had not been taught by experience, that for our deliverance even from this detestable crime, we are indebted to Christianity. For it is not to philosophy, it is not to civilization; it is not to progress in refinement, or in the arts and comforts of social life; it is not even to Liberty herself, that the world is indebted for this emancipation. The friends of Christianity may justly glory in the acknowledgment of one of its greatest enemies, that infanticide was the incorrigible vice of all antiquity; and it is very striking, that both in India and in China, where the light of Revelation has never penetrated, this

detestable crime still asserts its superiority over nature itself, no less than over virtue. To this, in India, is added, the destruction of the sick and the aged, often by their nearest relatives.

There is another practice on the prevalence of which it is the rather necessary for me to insist, because it has been conceived by many gentlemen, otherwise well-informed on East-Indian topics, that whatever may have been formerly the case, the practice now exists in a very inconsiderable degree. The House must have anticipated my mention of the Burning of Widows on the funeral pile of their deceased husbands. A writer of great authority, Mr. Dow, many years ago, stated the custom to have become almost extinct. But sorry I am to say, that this is so far from being the truth, that the practice, which Bernier states to have been greatly discouraged, though not absolutely prohibited, by the Mahometan government, and which, in consequence, had considerably declined, has increased since the country came under our dominion. Great pains were taken by the Missionaries, a few years ago, to ascertain the number of widows which were annually burnt in a district thirty miles round Calcutta, and the House will be astonished to hear, that in this comparatively small area, one hundred and thirty widows were burnt in six months. In the year 1803, within the same space, the number amounted to two hundred and seventy-five, one of whom was a girl of eleven years of age. I ought to state, that the utmost pains were taken

to have the account correct; certain persons were employed purposely to watch and report the number of these horrible exhibitions; and the place, person, and other particulars were regularly certified. After hearing this, you will not be surprised on being told, that the whole number of these annual sacrifices of women, who are often thus cruelly torn from their children at the very time when, from the loss of their father; they must be in the greatest need of the fostering care of the surviving parent, is estimated, I think, in the Bengal provinces, to be ten thousand; the same number at which it was calculated, many years ago, by a gentleman whose uncommon proficiency in the native languages gave him peculiar advantages in his inquiries on this subject, the highly respected brother of the late Sir Robert Chambers.

Nor must we dare to flatter ourselves, though it would in truth be a wretched consolation, that, as has been sometimes stated, these sacrifices are spontaneous. Not to mention what Bernier himself relates from his own personal view, that the women are always carefully fastened down, sometimes with strong green bamboos, at others with thick strong ropes thoroughly soaked in water; which is done, as Mr. Marshman was frankly told, lest on feeling the fire they should run away and make their escape; Bernier goes on, "When the wretched victims drew back, I have seen those demons the Brahmins thrusting them into the fire with their long poles." Sometimes,

indeed, the relations and friends of the widow, exerting their utmost influence with her, succeed in persuading her to live; but too commonly, the poor wretches are forced into these acts of self-immolation by the joint influence of their hopes and fears. Their fears, however, are by far the more predominant of the two: and while the Brahmins delude them with the hopes of glory and immortality if they consign themselves to the flames, their only alternative is a life of hard fare, and servile offices; in short, a life of drudgery, degradation, and infamy.

Such, Sir, is the number of these human sacrifices, and such the principle on which they are made. As to their nature—I should shock the feelings of the hardest heart, if I were to read to you the authenticated statements of the horrid scenes of this kind which are continually taking place; to which the people are so accustomed, that, as I lately learned from a private friend of my own, who witnessed one of these dreadful transactions, a great concourse of spectators even in populous districts is not collected; and what is worse than all, the horrible scene is beheld with as much unconcern, and even levity, as we see among the lower orders in this country, when the destruction of one of the inferior animals is the subject of their savage mirth. But I will spare you the disgusting recital*; and yet I

* It would scarcely be justifiable to forbear inserting, what perhaps I was culpable in not reading to the House, the following account of one of these horrible scenes at which the Mis-

well remember what was said nearly in the place where I now stand on an occasion not dissimilar,

sionary, Mr. Marshman, was present a few years ago. I will extract his own words, only adding, that he is a man of the most established integrity, in the veracity of whose account entire reliance may be justly placed.

“ A person informing us that a woman was about to be burnt with the corpse of her husband, near our house, I, with several of our brethren, hastened to the place: but before we could arrive, the pile was in flames. It was a horrible sight. The most shocking indifference and levity appeared among those who were present. I never saw any thing more brutal than their behaviour. The dreadful scene had not the least appearance of a religious ceremony. It resembled an abandoned rabble of boys in England, collected for the purpose of worrying to death a cat or a dog. A bamboo, perhaps twenty feet long, had been fastened at one end to a stake driven into the ground, and held down over the fire by men at the other. Such were the confusion, the levity, the bursts of brutal laughter, while the poor woman was burning alive before their eyes, that it seemed as if every spark of humanity was extinguished by this accursed superstition. That which added to the cruelty was, the smallness of the fire. It did not consist of so much wood as we consume in dressing a dinner: no, not this fire that was to consume the living and the dead! I saw the legs of the poor creature hanging out of the fire while her body was in flames. After a while, they took a bamboo ten or twelve feet long and stirred it, pushing and beating the half consumed corpses, as you would repair a fire of green wood, by throwing the unconsumed pieces into the middle. Perceiving the legs hanging out, they beat them with the bamboo for some time, in order to break the ligatures which fastened them at the knees, (for they would not have come near to touch them for the world). At length they succeeded in bending them upwards into the fire, the skin and muscles giving way, and discovering the knee sockets bare, with the balls of the leg bones: a sight this which, I need not say, made me thrill with horror, especially when I recollected that

by a Right Honourable Gentleman now no more, (Mr. Fox), "that true humanity consists, not in a squeamish ear, but in feeling for the sufferings of others, and being forward and active in relieving them." And, Sir, I am perfectly sure, that people could not make up their minds to the quiet toleration of these practices; they would not suffer them, I mean, to go on, without using every lawful effort to put a stop to them; but for our having not yet learned to consider India as a part of the British Empire, and its inhabitants as our fellow-subjects. The vast distance also of the scene of these barbarities tends considerably to deaden the impression which they would otherwise produce. If these transactions took place in any part of England, instead of the indifference with which they have been too long

this hapless victim of superstition was alive but a few minutes before. To have seen savage wolves thus tearing a human body limb from limb, would have been shocking; but to see relations and neighbours do this to one with whom they had familiarly conversed not an hour before, and to do it with an air of levity, was almost too much for me to bear.

"You expect, perhaps, to hear, that this unhappy victim was the wife of some Bramin of high-caste. She was the wife of a barber who dwelt in Serampore, and had died that morning, leaving the son I have mentioned, and a daughter of about eleven years of age. Thus has this infernal superstition aggravated the common miseries of life, and left these children stripped of both their parents in one day. Nor is this an uncommon case. It often happens to children far more helpless than these; sometimes to children possessed of property, which is then left, as well as themselves, to the mercy of those who have decoyed their mother to their father's funeral pile!"

regarded by men, I am sensible, not inferior in humanity to ourselves, the public zeal would be called forth, and every possible endeavour would be used to put an end to them. But here again, Sir, we see the effects of that strange delusion by which our countrymen are led into adopting one set of morals, and principles, and even feelings, for this country, and another for India. And, although, after the proofs of the abilities of the Anglo-Indians which have been exhibited to this House in the course of this very inquiry, the grossest prejudice alone would deny that they are men of superior talents and intelligence; yet, I must say, this very consideration, that they have one rule of judging for India, and another for Great Britain, renders them judges against whose competency I must except, when the question is concerning the introduction of British religion, British morals, and British manners, among the inhabitants of British India.

And now, Sir, I shall do little more than allude to another class of enormities, which by that very enormity, are in some measure shielded from the detestation they would otherwise incur: I allude to the various obscene and bloody rites of their idolatrous ceremonies, with all their unutterable abominations. A vain attempt has been made in a single instance to do away this charge; but had the endeavour succeeded, instead of utterly failing, as it certainly did, what would it avail when the obscene and bloody nature of the Hindoo superstitions is established by a cloud of

witnesses; and I will add, when from our more intimate acquaintance with the language, books, and institutions of the natives, the light of day is at length beginning to shine into these dens of darkness, and to expose their foul contents to our disgust and abhorrence. We might easily anticipate, that the people's being accustomed to witness the most disgustingly indecent exhibitions*, in broad day, must have the effect of destroying all that natural modesty which the Almighty has implanted in us for the most beneficial purposes. And such is in truth the fact: and a gentleman, whose name, if it were mentioned, would at once establish the undeniable truth of any statement which is made on his authority, has assured me, that whole families of both sexes and different ages, will witness together a sort of theatrical or pantomimical entertainment of the most shockingly indecent kind:

* I will give one instance only, as a specimen. It is related by an unexceptionable witness. "I suppose, 2000 men, women, and children, might be assembled. I observed, that one of the men standing before the idol in a boat, dancing and making indecent gestures, was stark naked. As the boat passed along, he was gazed at by the mob; nor could I perceive that this abominable action produced any other sensation than those of laughter. Before other images, young men, dressed in women's clothes were dancing with other men, making indecent gestures. I cannot help thinking, but that the vulgarest mob in England would have arisen on these impudent beasts, and have almost torn them in pieces. I have seen the same abominations exhibited before our own door." *Ward's Account of Religion, &c. of Hindoos.* 4to. Note, p. 306.

Lord Cornwallis, much to his honour, shortly after his arrival in India, declined an invitation to an amusement of this indecent kind, to which he had been asked by the native of the highest rank in the settlement. Indeed, to all who have made it their business to study the nature of idolatrous worship in general, I scarcely need remark, that in its superstitious rites, there has commonly been found to be a natural alliance between obscenity and cruelty; and of the Hindoo superstitions it may be truly affirmed, that they are scarcely less bloody than lascivious; and as the innate modesty of our nature is effaced by the one, so all the natural feelings of humanity are extinguished by the other. Hence it is, that, as in other instances; as well as in that of the burning of widows, we often read and hear of spectacles and incidents, which would deeply interest the feelings of most Europeans, being witnessed by the natives with utter insensibility. Were all considerations of humanity to be left out of the question, the consequences of some of the prevalent enormities would deserve our attention, even in a political view, on account of the numbers which fall victims to these pernicious superstitions. A gentleman of the highest integrity, and better qualified than almost any one else to form a correct judgment in this instance; I mean Dr. Carey, the Missionary, has calculated, that, taking in all the various modes and forms of destruction connected with the worship at the Temple of Jaggernaut in

Orissa, the lives of one hundred thousand human beings are annually expended in the service of that single idol.

It has often been truly remarked, particularly I think by the Historian of America, that the moral character of a people may commonly be known from the nature and attributes of the objects of its worship. On this principle, we might have anticipated the moral condition of the Hindoos, by ascertaining the character of their deities. If it was truly affirmed of the old pagan mythology, that scarcely a crime could be committed, the perpetrator of which might not plead in his justification, the precedent of one of the national Gods; far more truly may it be said, that in the adventures of the countless rabble of Hindoo deities, you may find every possible variety of every practicable crime. Here also, more truly than of old, every vice has its patron as well as its example. Their divinities are absolute monsters of lust, injustice, wickedness, and cruelty. In short, their religious system is one grand abomination. Not but that I know you may sometimes find, in the sacred books of the Hindoos, acknowledgments of the unity of the great Creator of all things; but just as, from a passage of the same sort in Cicero, it would be contrary alike to reason and experience to argue, that the common pagan mythology was not the religion of the bulk of mankind in the ancient world; so it is far more absurd and groundless, to contend that more or fewer of the 23,000,000 of Hindoo

gods, with their several attributes and adventures, do not constitute the theology of the bulk of the natives of India. Both their civil and religious systems are radically and essentially the opposites of our own. Our religion is sublime, pure and beneficent. Theirs is mean, licentious, and cruel. Of our civil principles and condition, the common right of all ranks and classes to be governed, protected, and punished by equal laws, is the fundamental principle. Equality, in short, is the vital essence and the very glory of our English laws. Of theirs, the essential and universal pervading character is inequality; despotism in the higher classes, degradation and oppression in the lower. And such is the systematic oppression of this despotism, such its universal predominancy, that, not satisfied with condemning the wretched Soodras for life to their miserable debasement, (nay, death itself does not mend their condition), and endeavouring to make that degradation sure, by condemning them to ignorance as well as humiliation, the same inequalities pursue and harass their victims, in the various walks and occupations of life. If they engage in commerce, they are to pay 5*l.* per cent. interest for money, while a Bramin pays 1*l.*, and the other two castes 2*l.* and 3*l.* per cent. Their punishments are far more severe than those of the higher classes, for all crimes; although, with any but a Hindoo legislator, their inferior measure of knowledge might be held to extenuate their guilt. And are these systems which can

meet not merely with supporters, but even with panegyrists, in a British House of Commons? But, Sir, I verily believe, nay, I am fully persuaded, that our opponents would think and speak less favourably of the religious and moral system of the Hindoos if they knew it better; and when their eyes shall at length be irresistibly and fully, though tardily and reluctantly, opened to its real character, by that growing developement of its enormities which is daily effecting from the increased and increasing light cast on the subject by new publications, they will, I doubt not, be shocked to reflect of what a system they have been unwarily led to applaud the merits, and even contend for the continuance.

I beg the House, Sir, to observe, that in all the statements I have made either of the moral character of the natives of India, or of the nature of their superstitious principles and observances, I have not grounded any of my assertions on the authority of Dr. Buchanan; and that, because I knew that endeavours had been diligently, I hope not successfully, used, to call in question the accuracy of his representations; and therefore, if I could establish my positions by other witnesses, against whom no such prejudices prevailed as had been excited in Dr. Buchanan's instance, prudence suggested to me the expediency of preferring them. But, Sir, I should be shamefully wanting to the cause of justice and of truth, as well as of friendship, if I were not to protest against the prejudices to which I have alluded.

as utterly groundless. I beg the House to mark my assertion, that although Dr. Buchanan's statements have been scrutinised with jealous eyes, I am yet to learn one single instance in which any of his statements have been proved erroneous. But his character shall be laid before the House by a less questionable authority than my own. Lord Wellesley has publicly recorded his estimate of Dr. Buchanan's merits, not merely by selecting him for the important office of Vice-Provost of the College of Calcutta, but by the terms which he used in communicating to the Directors his having appointed Dr. Buchanan to that important office:—"I have also formed," says his Lordship, "the highest expectations from the abilities, learning, temper, and morals of Mr. Buchanan, whose character is also well known in England, and particularly to Dr. Porteus, Bishop of London; and to Dr. Milner, Master of Queen's College in the University of Cambridge."

I will not affirm that Dr. Buchanan is exempt from the ordinary infirmities of our common nature; and that he who has published so much, of course in some cases, on the authority of others, may never have been misinformed, or may never have been betrayed into the slightest inaccuracy: but this, Sir, I say, and I will even leave it to be determined by those who entertain the strongest prejudices against Dr. Buchanan, and who may complain the most loudly of the supposed inaccuracy of his statements, whether, at least, his

conduct was not that of one who was the most anxious and impartial inquirer after truth, and whether they themselves could have suggested any method by which the correctness or incorrectness of his statements could be more decisively ascertained than that which he adopted. He did not wait, as his opponents have done in calling in question his supposed inaccuracies, till his return to England; but he published his chief work while yet in India. In order to draw more attention to it, he presented it to Government; and it was in universal circulation for three years before he left Calcutta, on the very spot, and among the very people, whose opinions, institutions, and practices, were the subjects of his publication.

To those who have known as long, and as well as myself, the unblemished integrity of Dr. Buchanan in private life, this attestation to his character will be superfluous; but it is no more than paying a debt of justice to a man to whom India, I trust, will one day know, and, I doubt not, acknowledge, the unspeakable obligations which she owes him, for the degree of zeal and perseverance, scarcely to be paralleled, with which, in contempt of misconstruction and obloquy, he continues to promote her best interests, and to render her services, the amount of which no human language can adequately express:

And now, Sir, I am persuaded, that in all who hear me, there can be but one common feeling of deep commiseration for the unhappy people

whose sad state I have been describing to you; together with the most earnest wishes that we should commence, with prudence, but with zeal, our endeavours to communicate to those benighted regions, the genial life and warmth of our Christian principles and institutions, if it can be attempted without absolute ruin to our political interests in India. And if we were compelled by any irresistible urgency of political necessity, to abstain from the attempt, however cautiously and prudently it might be made, we should at least require this necessity to be clearly and indisputably established. For my own part, I confess, that nothing but absolute demonstration could convince me of the existence of such a necessity. For I should deem it almost morally impossible, that there could be any country in the state in which India is proved, but too clearly, now to be, which would not be likely to find Christianity the most powerful of all expedients for improving its morals, and promoting alike its temporal and eternal welfare. And I rejoice, Sir, in being able to assure you, that if we proceed with that prudence and caution with which all such measures should be conducted, the endeavour to communicate to our fellow-subjects in India, the benefits of Christian light and moral improvement may not only be made without danger, but, what is more, that there is no way whatever by which we should be so likely to promote our political interests in India; because there is no other way by which we should so

greatly strengthen the foundations of our government in that country. Here, Sir, as in the whole of our case, we stand on the sure and stable ground of fact and experience.

Our opponents represent the natives of India as of such a jealous sensibility, wherever their religion is concerned, that on the most reserved and cautious endeavours to convince them of the errors of their system, and to bring them over to our purer faith, their passions would be at once inflamed to madness, and some violent explosion would infallibly ensue. If this, Sir, were true, how is it then that, for more than a century, Christian Missionaries have been labouring in India, sometimes with considerable success, and yet we not only have heard of none of these tumults, but, as I before remarked, the Missionaries themselves, who, admitting the statement of our opponents to be correct, must necessarily be supposed to be the objects of universal jealousy and even antipathy, have been, on the contrary, not only the most esteemed, but the most beloved and popular, individuals in the country. No longer ago than in the year 1803, the Missionaries of the venerable Society for promoting Christian Knowledge, as we learn from its Report for that year, were eminently successful. Yet we heard of no insurrection, nay, of no discontent, in that part of the country; in short, we only knew of the proceedings at all, from the correspondence published by the Society.

In that only instance in which our opponents

have been enabled to find any just matter of complaint against any of the Missionaries, or rather against any of the converts of the Missionaries, (for it is only to them that any blame can be imputed), the transaction taken altogether, and with all its consequences, tends strongly to confirm our conclusions, and to invalidate those of our adversaries. The story is this—One of the native converts of the Baptist Missionaries, translated into Persian, and printed without the knowledge of the Missionaries, a sort of life of Mahomet, containing many abusive and highly objectionable passages. Of this book, 2000 copies were struck off, and 300 got into circulation in and about Calcutta, that is, in the very district where, of all others, the thickness of the population, and the consequent intercourse of the natives with each other, must naturally favour the diffusion of any popular discontent. Yet what was the result? Did the circumstance transpire in consequence of some sudden insurrection? Of all the three hundred copies, one alone was ever heard of. And what became of that? It was brought by the son of a native merchant to one of the Mahometan Professors in the College at Calcutta, with a request that he would write an answer to it, and vindicate the honour of their prophet and the truth of the Mahometan faith. Could any thing indicate less of that headlong violence which we are told we are to expect from the natives, whenever we attempt to call in question the tenets of their religion, or to inculcate our own?

Here was a case in which I grant there was imprudence; yet so far from producing any commotion, it scarcely excited the smallest attention; and in the only instance in which it was noticed, it was in that temperate and cool way of reason and argument, which can never tend to the disturbance of the public peace or to the endangering of our political interests. The true conclusion, Sir, from the incident, would be, that the natives were so tolerant and patient in what concerns their religion, that even the grossest imprudence could not rouse them to anger. But I ought not to close my account of this transaction without remarking, that no such incident can ever take place again; for it was settled, and indeed willingly conceded by the Missionaries themselves, that all publications should in future be inspected and licenced by a Government Officer, appointed for that purpose, before they should be sent into the world. Neither ought I to dismiss the subject, without remarking, that the whole conduct of the Missionaries on this occasion was in the highest degree honourable to their Christian character, and such as could not but obtain for them, as it did, the warm approbation of their superiors*. In truth,

* " 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," &c.— Letter of Aug. 1808, from the Court of Directors to their Presidency at Fort William in Bengal.

if they had behaved on this occasion otherwise than as they did, they would have acted in a manner wholly inconsistent with their own deliberate purpose; for among other general resolutions for the regulation of their conduct, into which they entered previously to their commencing their professional labours, there is one, the good sense and prudence, as well as the Christian meekness of which, ought to cover with shame those who speak of them as a set of hairbrained fanatics. A part of it is as follows:—"It is necessary," they say, "in our intercourse with the Hindoos, that, as far as we are able, we abstain from those things which would increase their prejudices against the Gospel. Those parts of English manners which are most offensive to them should be kept out of sight; nor is it advisable at once to attack their prejudices by exhibiting with acrimony the sins of their gods; neither should we do violence to their images, nor interrupt their worship*."

In truth, Sir, these Anabaptist Missionaries, as, among other low epithets bestowed on them, they have been contemptuously termed, are entitled to our highest respect, and admiration. One of them, Dr. Carey, was originally in one of the lowest stations of society; but, under all the disadvantages of such a situation, he had the genius as well as benevolence to devise the plan which has since been pursued, of forming a Society for communicating the blessings of Christian light to the natives of India; and his first care was

* See Baptist Missionary Society's Report.

to qualify himself to act a distinguished part in that truly noble enterprise. He resolutely applied himself to the diligent study of the learned languages; after making a considerable proficiency in them, he applied himself to several of the Oriental Tongues, more especially to that which I understand is regarded as the parent of them all, the Shanscrit: in which last, his proficiency is acknowledged to be far greater than that of Sir William Jones himself, or of any other European. Of several of these languages he has already published grammars, of one or two of them a dictionary, and he has in contemplation still greater literary enterprises. The very plan of one of them would excite the highest admiration and respect in every unprejudiced literary mind. All this time, Sir, he is labouring indefatigably as a Missionary with a warmth of zeal only equalled by that with which he prosecutes his literary labours. Merit like this could not escape the distinguishing eye of Lord Wellesley, who appointed him to be Professor of the Shanscrit, and of another of the native languages in the College at Calcutta.—Another of these Anabaptist Missionaries, Mr. Marshman, has established a Seminary for the cultivation of the Chinese Language, which he has studied with a success scarcely inferior to that of Dr. Carey in the Shanscrit.

On more than one occasion, at the annual examinations at the College at Calcutta, the highest eulogium was pronounced both on Carey and

Marshman, by the Governor General ; and the happiest consequences were predicted from the prosecution of their literary labours*.

It is a merit of a more vulgar sort, but to those who are blind to their moral and even their literary excellencies, it may perhaps afford an estimate of value better suited to their principles and habits of calculation, that these men, and Mr. Ward also, another of the Missionaries, acquiring from 1000*l.* to 1500*l.* per annum each, by the various exercise of their talents,

* I ought not to omit the honourable testimony which has been borne to these extraordinary men by the Rev. Dr. Marsh of Cambridge. After some account of their literary labours, he proceeds: "Such are the exertions of those extraordinary men, the Missionaries at Serampore, who in the course of eleven years from the commencement of 1800, to the latest accounts, have contributed so much to the translation and dispersion of the Scriptures in the Oriental Languages, that the united efforts of no society whatever can be compared with them. These are the men who, before the Bible Society existed, formed the grand design of translating the Scriptures into all the languages of the East ; these are the men who have been the grand instruments in the execution of this stupendous work ; these are the men who are best qualified to complete the design so nobly begun, and hitherto so successfully performed,—who in the knowledge of language which they themselves have acquired,—who in the Seminary at Serampore, designed for the education of future translators,—who in their extensive connections with men of learning throughout the East,—who in the Missionary printing office, so well supplied with types of almost every description,—and who in the extensive supplies afforded by the Baptist Society, augmented by their own noble contributions, are in possession of the means which are required for that important purpose. These are the men, therefore, who are entitled to the thanks of the British Public."

throw the whole into the common stock of the Mission, which they thus support by their pecuniary contributions only less effectually than by their researches and labours of a higher order.

Such, Sir, are the exertions, such the merits, such the success, of these great and good men, for so I shall not hesitate to term them.

Nor ought we to withhold from the Society with which they are connected some share of praise, for having selected and sent forth agents so admirably fitted for their important functions; and it fairly entitles the Society to our confidence in future. Sir, to have chosen with judgment the instruments to be employed in high stations, has ever been deemed matter for no mean applause. In one instance, indeed, it has been stated, that after Lord Wellesley's departure, one of the most eminent of them was publicly guilty of an act of gross imprudence; but his imprudence could not have appeared to the Supreme Government to be of any very serious import, because he was subsequently honoured by that Government with an additional mark of favour, by having another professorship conferred on him.

With the well-founded claims which I have stated, to your respect, it will not, I trust, be very injurious to them, to have received in this House the contemptuous appellations of Anabaptists and Fanatics. For my own part I have lived too long to be much affected by such epithets, whether applied to others or to myself. But I confess, Sir, that it was not without some

surprise, as well as concern, that I heard these Missionaries spoken of in a style like this, by any gentleman whose eloquent exhibition this day, certainly indicates a liberal education and an instructed mind. It has been truly stated by perhaps the greatest philosopher as well as one of the ablest writers of the present day*, that to have the mind occupied with little blemishes, where they are associated with real and great excellencies, is by no means an evidence of superior intellectual or moral acuteness or refinement, but that it rather indicates a contracted understanding, and a vitiated taste. And I confess, Sir, that if there had been any little foibles or infirmities (of none of which however I am aware) in men of such exalted merit as those of whom I am now speaking, it might have been expected that the eye of every generous observer would be so filled and captivated with their excellencies, as to have no power, no leisure, to perceive their defects. But what shall we say? What estimate shall we form of the judgment of some of our opponents in this cause, and of their candour towards those who support it, when in the want of any defect in character, or even in conduct, to be imputed to the Missionaries, such terms as Anabaptist and Fanatic are applied to them. It has justly been said to be a sign that men begin to find themselves lacking in arguments, when they begin to call names. But I

* Dugald Stewart.

own, Sir, I should have conceived, that let the consciousness of that want have pressed ever so severely, the Missionaries would have been shielded against such attacks as these, from any assailant of a cultivated mind, by their having conceived, and planned, and in the face of much opposition undertaken, and so long persevered in carrying on, at a vast expence of time and study and money, such dignified, beneficial, and disinterested labours*.

Anabaptists and Fanatics ! These, Sir, are men not to be so disposed of. Far different was the impression which they produced on the mind of the Marquis Wellesley ; far different the language he has bestowed on them. While in India, he patronised their literary labours ; and very lately, in another place, publicly and on a solemn occasion, after describing, with a singular felicity of expression which must have fixed his words in every hearer's memory, their claim to the protection, though not to the direct encouragement of Government, he did them the honour of stating, that though he had no concern with them as Missionaries, they were known to him as men of learning. In fact, Sir, the qualifications which several of them have exhibited are truly extraordinary. And while the thoughts of a Christian

* A part of what is here said of the Missionaries was stated by Mr. Wilberforce in presenting to the House of Commons the Petition of the Baptist Society in favour of the diffusion of Christianity in the East.

observer of them, and of their past and present circumstances would naturally dwell on that providential ordination by which such uncommon men had been led to engage in that important service, and would thence perhaps derive no ill-grounded hope of the ultimate success of their labours; even a philosophical mind, if free from prejudice, could not but recognize in them, an extraordinary union of various, and in some sort contradictory, qualities;—zeal combined with meekness, love with sobriety, courage and energy with prudence and perseverance. To this assemblage also, I may add another union, which, if less rare, is still uncommon,—great animation and diligence as Students, with no less assiduity and efficiency as Missionaries. When to these qualifications we superadd that generosity which, if exercised in any other cause, would have received as well as deserved the name of splendid munificence; and when we call to mind that it is by motives of unfeigned, though it had been misguided, benevolence, that these men were prompted to quit their native country, and devote themselves for life to their beneficent labours; is there not, on the whole, a character justly entitled at least to common respect? And may I not justly charge it to the score of prejudice, that the Honourable Gentleman can here find only objects of contempt and aversion? For my part, Sir, I confess the sensations excited in my mind are of a very different kind, and I would express them,

in the words, if I could recollect them with accuracy, which were used by a learned prelate* on a similar occasion, by acknowledging, that I can only admire that eminence of merit which I despair myself to reach, and bow before such exalted virtue.

But of all the ground that has been taken by our opponents, that on which they appear to conceive themselves the strongest is, the Mutiny at Vellore. On no subject has there ever prevailed more gross, and, among our opponents, more obstinate misconception. For I hesitate not to declare, that this sad transaction, fully reviewed and fairly considered, will shew, like the circumstance which I lately mentioned of the obnoxious Mahometan pamphlet, that the natives are very far from being as jealous and resentful of the most distant approaches towards any interference with their peculiar institutions as our opponents have represented them to be. Let me however entreat you always to bear in mind, that it is no rude attack on their native superstitions which we are meditating, but only that prudent and gradual communication of light and truth which will cause the natives themselves spontaneously to abandon them.

The leading particulars of the Vellore Mutiny are so generally known, that I need not give you the pain you would suffer from hearing a fresh recital of the melancholy detail. Indeed from

* Bishop Hurd,

motives of delicacy towards justly respectable individuals, I wish to forbear entering minutely into particulars ; the most detailed inquiry into which, however, would only serve to strengthen my conclusions.

But before I proceed to touch lightly on this melancholy subject, permit me to remark, that it has been the common infirmity of our species in all uncivilized and uneducated nations, to overvalue their own peculiar customs and institutions, and sometimes to be devoted to them with such an excessive fondness of attachment, that a degree of power which has been sufficient to sway the people at its will in more important matters, has been forced in these to feel and acknowledge its own inferiority. Peter the Great, we know, in all the plenitude of his power, in vain endeavoured to force the Muscovites into the shaving of their beards ; and the page of history furnishes other instances which inculcate the same lesson. But where the force of religion also intervenes, the principle becomes still stronger and more efficient. Indeed, in addressing an assembly so enlightened as this, I scarcely need remark, that men in general, in proportion as they have been uneducated and uninformed, have commonly been found to feel an extravagant attachment to the exterior symbols and observances of their various systems of religion ; and, in truth, that the religion of the bulk of mankind has too often consisted altogether in these exterior ceremonies. Hence it would be

the part of true wisdom, and I am sure, for I say it on the authority of Scripture, of true Christianity also, in communicating to any people the principles of a purer faith, to leave them in quiet possession of these petty distinctions, instead of attacking or outraging them, reasonably trusting, that when the judgments of their converts should be convinced of the falsehood of their old principles, these distinctive characteristics of them would drop off of themselves.

If this be true, nay, indisputable reasoning, verified by the experience of all times and all countries, what a comment on them shall we find in the proceedings which led to the fatal Mutiny at Vellore! Though in the progress of that unhappy affair, the deposed family of Tippoo Sultan were found very naturally to have fomented the disaffection which prevailed, yet I have the highest authority, that of the Governor of Madras himself, confirmed also by the deliberate judgment of the Court of Directors, pronounced after a full investigation of the whole business, for saying, "that whatever difference of opinion the dispute respecting the more remote or primary causes of the mutiny may have occasioned, there has always prevailed but one sentiment respecting the immediate causes of that event. These are on all hands, admitted to have been certain military regulations, then recently introduced into the Madras army." These regulations were, the ordering "the Sepoys to appear on parade with their chins clean shaved, and the hair on the upper

lip cut after the same pattern; and never to wear the distinguishing marks of caste, or ear-rings when in uniform," and "the ordering, for the use of the Sepoys, a turban of a new pattern *."

Such were the new regulations; and how were these obnoxious regulations enforced? How was the rising discontent treated which these changes began to produce? Was it by argument and persuasion, the only weapons in the Missionary armoury? The refractory non-commissioned officers were ordered to be reduced to the ranks; nineteen of the ringleaders (privates) were condemned to receive severe corporal punishment, and to be dismissed the Company's service, as turbulent and unworthy subjects; the greater part of these offenders, shewing strong signs of contrition, were indeed forgiven, but the sentence was executed in front of the garrison on two of them, each receiving nine hundred lashes. Can we wonder at the sequel? Though the flame appeared for a while to be smothered and suppressed, the fire burnt in secret with only the greater vehemence. Can we be surprised that secret oaths began to be administered, and

* It is due to the highly respectable officer who was at that time first in command in the Carnatic, to state, that he appears to have been misled by the erroneous judgment of some officers of long experience in the Indian army, as well as (in the instance of the new turban) by a Court of Inquiry, into conceiving that no bad consequences would result from the new regulations; and having once commanded them to be introduced, it became a matter of extreme doubt and difficulty to decide whether it would be best to retract or enforce the orders.

secret engagements to be made? While to these religious discontents, combined with all those bad passions which raged the more violently because they durst not shew themselves but raged in secret, was superadded a political cause of powerful efficiency. The adherents of the deposed Sovereigns of Mysore, who were in custody in that part of the country, fanned the rising flame, and used every method for increasing the general discontent. For a time the volcano burnt inwardly, until at length, on the 10th of July, the fatal eruption took place, the dreadful circumstances of which are too well known to need enumeration. Can we wonder, Sir, that such causes as I have stated should have produced such effects? That which may more justly excite our wonder is, that such discontents as these were so easily quieted. But so it was; for, though the obnoxious regulations, strange to say, being still persisted in, a repetition of mutinies, followed perhaps by the same dreadful consequences, appeared likely to ensue, yet no sooner were the offensive alterations abandoned, than all was order and obedience. "About the 21st of July the same regulations were ordered to be introduced in the subsidiary force at Hydrabad, when the urban the orders respecting the marks of caste, ear-rings, and whiskers, threw the whole of that force amounting to ten thousand men. into the utmost disorder. They resolved not to submit to the new regulations, and every thing was ripening for an open revolt, when by the revocation of

“the orders the tumult was instantly allayed, and the troops resumed their obedience.” “The tranquillity,” says the Governor of Madras, “which at that place instantaneously followed a revocation of the orders, sufficiently marked the true cause of disaffection. The revocation, as I have been assured by an eye-witness, operated on the troops with the suddenness and efficacy of a charm*.”—That when the troops

* Though for many reasons I wish not to enter more particularly than is absolutely necessary into the various circumstances which followed and were connected with the Vellore Mutiny, yet in justice to the great cause for which I am contending, it is fit that I should state, that after the Vellore Mutiny, an undue and unreasonable degree of suspicion and distrust prevailed for some time throughout all that part of India. This was naturally produced by the suddenness of the explosion, combined with a consciousness that it was commonly supposed that there had been a great if not a faulty want of vigilance and attention to various circumstances which preceded its actually breaking out, and ought to have suggested the necessity of precautionary measures for preventing that catastrophe. “Till that period,” says the Governor of Madras, “the confidence of the European Officers in the affection of their Sepoys had been literally unlimited, and indeed found more than its justification in a fidelity which had stood the proof of a series of years, and of a vast variety of fortunes. In the midst of this security a mine was sprung. The Mutiny at Vellore overthrew all reliance on received principles, and produced a violent though not unnatural transition from the extreme of confidence to that of distrust. The officers were tortured by the conviction of a general plot; and, from the detached manner in which the Indian troops were cantoned, found themselves left to the mercy of traitors. All was suspense and horror; and in one instance, the agony of these emotions actually ended in insanity.”

The noble writer himself illustrates the state of mind of which

were on the very point of breaking out into open mutiny, the revocation of the obnoxious order should in a moment calm the storm, is a decisive proof that the men who in such circumstances could at once hear and obey the voice of reason, were men of well-disposed and temperate minds, who had been slowly and with difficulty urged

he is speaking, by another still more general and more lasting delusion, the Popish Plot. "The progress of the alarm created by the apprehension of the Popish Plot in the reign of Charles the Second, as described by Hume (Vol vi. p. 275), corresponds to a degree of curious exactness with the public feeling at Madras. Hume writes, "While in this timorous and jealous disposition, the cry of a plot all on a sudden struck their ears. They were awakened from their slumber; and, like men affrighted in the dark, took every shadow for a spectre. The terror of each man became the source of terror to another. And an universal panic being diffused, reason and argument, and common sense and common humanity lost all influence over them." These generally prevailing apprehensions very naturally led to measures, which might have produced the very worst consequences if the native troops had been less attached to us at heart than they really were.—Many useful reflections, and of a nature highly favourable to our cause, will be suggested to the considerate mind by the preceding statement of Lord William Bentinck. I will only put it to every unprejudiced mind to declare, whether the above transactions do not account for the prevalence of a somewhat morbid degree of sensibility in many both of the civil and military gentlemen of India and their connections, when the probability and amount of the danger of interfering with the religious opinions of the natives are in question. That danger may perhaps have been estimated at too low a rate, and have been too little regarded, previously to the Vellore Mutiny. If so, nothing can be more natural than that overweening confidence should be succeeded by feelings of a contrary nature. We all know the proneness of the human mind to pass from one extreme to its opposite.

into resistance, rather than that they were men of the quick and eager, and irritable spirit which the natives of India are alleged by our opponents to display whenever their peculiar opinions and institutions are ever so temperately opposed.

And now, Sir, I have stated to you from the first authority the nature and causes of the Vellore Mutiny; and, in the first place, may I not ask, if there was ever any attempt more atrociously unfair than to charge that event on there having been a greater number of Missionaries than before, or on any increased diligence in the circulation of the Holy Scriptures? Yet, strange to say, such is the force of prejudice even in sagacious and honourable minds, that to these causes it has been in a considerable degree attributed*. To disprove this assertion I might refer even to military authority, from which it would appear that there had been no such increased measure of attention to the propagation of our religion in that part of India, as to have had any share whatever in the production of the effect. "In no situation," says the respectable Officer who was then Commander-in-Chief of the forces under the Madras Government (General Sir John Cradock), "have so few measures been pursued by British subjects for the conversion of the people to the

* It is clearly proved in a pamphlet, written by Lord Teignmouth, and published in 1808, *On the Practicability, Duty, and Expediency of endeavouring to diffuse Christianity throughout India*, that there had been no increase in the numbers of the Missionaries or of the translations of the Scriptures.

“ religion which we profess. No Englishmen have
 “ hitherto been employed on this duty in the pro-
 “ vinces of the Peninsula; and from the almost
 “ total absence of religious establishments in the
 “ interior of the country, from the habits of life
 “ prevalent among military men, it is a melan-
 “ choly truth, that so unfrequent are the reli-
 “ gious observances of officers doing duty with
 “ battalions, that the Sepoys have not, until very
 “ lately, discovered the nature of the religion
 “ professed by the English *.”

And now, Sir, let me again ask you, after you
 having heard this brief account of the unhappy
 transactions connected with the Vellore Mutiny,
 and I will confidently put the question to every
 unprejudiced mind, whether they afford any rea-
 sonable foundation for the inference which has
 been so precipitately drawn from them, that the
 morbid irritability of the natives in all that con-
 cerns their peculiar opinions and institutions is so
 great, as to render it infinitely dangerous to en-

* It is right to state, that this neglect of the common offices
 of Religion was by no means chargeable on the military gentle-
 men themselves; and to the honour of the military character it
 should be stated, that General Macdowall addressed a letter to
 the Madras Government for the purpose of effecting a reform in
 that particular. In this letter he stated as his opinion, that the
 indifference manifested by the European inhabitants of India in
 the adoration of the Supreme Being, which was ascribed to the
 want of places exclusively appropriated for Divine Service, was
 so far from being favourable even to our political interests that
 the constructing of convenient chapels at a moderate expence,
 at all stations where European troops might probably be quar-
 tered, would render the British character more respected by
 the natives, and would be attended by no evil consequences.

deavour, even in the most temperate and guarded manner, to propagate among them a purer system of religion and morals. Be this however as it may, you will at least see, I am confident, and I beg it may be carefully kept in mind, that the persuasion of this morbid irritability did not exist in the minds of our military officers, when they issued their new regulations. Those ordinances rather indicated a persuasion of a directly opposite sort; —that the natives were, even in their peculiar usages, so patient of provocation as to be very tardily and with great difficulty roused into resistance. But have we no reason to believe that this last impression, rather than that which now possesses the minds of our opponents, prevailed among the *civil servants* of the Company also, till their views were lately changed by their extravagant dread of Missionaries? For has not my Honourable Friend (Mr. W. Smith) stated to you an incident which is decisive to this point; that they were not afraid of seizing the Car and the Idol of Jaggernaut himself for the payment of a deficient tribute? And as my Honourable Friend truly remarked, are we, after this transaction, to hear with patience, men, who in the way of business, when the raising of some paltry tax was the object in question, could treat thus contemptuously the most sacred religious usages of the natives, and that in the very moment and circumstances in which the insult would be most keenly felt:—can we, I repeat it, with patience hear the same class of men speaking the language we now hear, of the tender sensibility of the natives, in all that concerns their re-

igious opinions and practices, being such, that our opposing them, even by argument and persuasion, would be too hazardous to be attempted; and this, when the object in view is no less than that of rescuing sixty millions of our fellow subjects from the lowest depths of moral degradation. There is a grossness of inconsistency here which would be beyond all precedent ridiculous, if the serious effects to be apprehended from it were not such as to excite in us the graver emotions of indignation and astonishment. I have dwelt the longer on the Vellore transactions, because I am convinced that, though most groundlessly, they have operated very powerfully in producing, in the minds of many well-disposed persons, strong prejudices against the question for which I am now contending.

But the fair statement of these Vellore transactions, combined with the seizure of Jaggernaut and his car, will by no means have produced its just and full effect, if, besides dashing to the ground that superstructure of unjust prejudices which has been raised on the basis of this particular incident, it does not also contribute powerfully to strengthen the persuasion, which so many other circumstances concur to produce in us, that our opponents are absolutely run away with by their prejudices and prepossessions on this subject of Christianizing, if for brevity's sake I may so term it, the natives of India. In every controversy, it is highly important to be furnished with a standard, by which

to judge of the soundness and correctness of the reasonings of the contending parties respectively. Now it fortunately happens, that in the Vellore business, on which our opponents have rested so much of their case, we are able to ascertain on what foundations they ground their opinions, to discover from what premises they draw their conclusions; and, as in this instance, in which that foundation and those premises can be scrutinized, we plainly see, that their opinions and conclusions are altogether unwarranted, we may fairly conclude it to be highly probable, that in other cases also, in which we have not the same opportunity of closely examining the grounds of their persuasions, those persuasions are equally unwarrantable. In short, Sir, our opponents shew us, that though, in other cases, men even of superior understandings and intelligence, we ought, on this subject, to except against their authority, because they are not so much under the guidance of their reason, as of their passions and their prejudices. Hence, like all men who are under the influence of prejudice, though otherwise reasonable and intelligent, they draw conclusions from slight and insufficient premises; they shut their eyes to unquestionable facts, and are led into gross errors and inconsistencies. In truth, we see good reason to suspect, that when this contest commenced, our opponents were almost wholly unacquainted with the subject; that their minds were never called to it, till it had become a strongly-contested question, in which, as men are

apt to do, they then took their side from the influence of their preconceived opinions.

But, Sir, as if to do away every remaining doubt which might still adhere to the most apprehensive minds, respecting the reasonableness of the alleged danger of our endeavouring, even temperately and cautiously, to enlighten and improve the natives of India, we are happily furnished with some particular instances in which the pernicious institutions of the natives have been combated and overcome. Indeed, the many improvements we have introduced among them, whether in our civil, judicial, financial, or military system, are all examples of this kind; for in all these we had to contend against that formidable principle of unchangeableness, which attaches to all the Indian institutions, and has been supposed to indicate their sacred source; and to forbid our presuming to question their wisdom or expediency. But there are two remarkable instances of our successful endeavours to root out inveterate and pernicious practices, which from their being complete within themselves, and being therefore more detached than those which are parts of a large and complicated system, may be more advantageously brought under our review. For a more minute detail of the cases I am about to lay before you, I refer to the papers on the table.

In the first of the instances which I am about to mention, I am happy to state, that the benefactor of India was a nobleman whom I may take

the liberty of calling my noble friend*. That noble man who, greatly to his honour, in the midst of all his political and military concerns, found leisure to attend to the internal improvement of his government, and who, as if eager to avail himself of an opportunity of inculcating the real superiority of the honour to be obtained in bloodless victories over ignorance and error to those laurels that are reaped in the field of battle, founded the College at Calcutta, as a trophy to commemorate his success in the Mysore war. The Marquis Wellesley was informed, that a practice prevailed of sacrificing, at the change of every moon, many victims, chiefly children, to the river Ganges. He wished to put an end to this horrid practice; but he was conscious, as all men of sense must be in such cases, that he must feel his way cautiously and tenderly. To those who had adopted the principles of our opponents, it would have been sufficient, I fear, to make them acquiesce in the continuance of this practice, to be told, that it had subsisted for many hundreds, perhaps even for thousands, of years. But my noble Friend consulted no such advisers: he took counsel with his own excellent understanding, and humane heart; and the consequence soon followed—The practice was at an end. He conferred with some of the learned natives who were attached to the College, concerning the origin and principle of these horrid murders, and ascertained, that they were

* The Marquis Wellesley.

prescribed by no ordinance of religion, and that, probably, no objection would be made, no discontent produced, if they should be prohibited. They had gone on, from time immemorial, from the habit which had prevailed in India of suffering all such wicked and cruel practices to prevail, without question or opposition. A law therefore was issued, by the Governor-General in Council, declaring the practice to be henceforth murder punishable by death. The law was obeyed without a murmur: and not only have all the wretched victims, who would otherwise have been sacrificed, been since saved to the state; but this cause at least has been taken from the number of those which injure the community in India more than in proportion to the direct loss of life they occasion, by their hardening and depraving effects on the hearts and practice of the whole population.

But the second instance in which we are able to speak of a conquest already achieved over the native superstitions and cruelties of India, is of a still more striking nature, and where originally, the obstacles were of a far more formidable character. It is now more than twenty years since Mr. Duncan, afterwards Governor of Bombay, then Resident at Benares, learned that a custom existed, among a tribe of the natives in that neighbourhood, of murdering their female infants; and he was able, through the influence of the British Government (for the influence of Government was in that instance used not only in-

nocuously but successfully), to prevail on the tribe (the Rajkumars of Juanpore) to enter into a positive engagement, to abstain in future from such detestable acts ; and that any of their number who should be guilty of them, should be expelled from their tribe.

Thus the practice was abolished in Juanpore. But it had been suggested by Captain Wilford to Mr. Duncan, in his former inquiries concerning Infanticide in India, that the Greek Historians had stated it to prevail in the neighbourhood of Guzerat. Accordingly, recollecting the success of his former humane endeavour, he was animated by the benevolent desire of extending in that quarter also the triumphs of humanity. After some inquiry, he ascertained, that the practice of murdering the female infants was very general among the tribes of Jarejah and Cutch. And so firmly had this detestable custom rooted itself, and so powerfully was it established, as to have overcome the strongest of the human instincts, a mother's love of her infant. Not only did these mothers assist in destroying their offspring, but even when the Musselman prejudices (Musselman prejudices observe, Sir ! it is with shame that I pronounce the words !) occasionally interfered to preserve their offspring, they held these females in the greatest contempt, calling them by a name which indicated that their fathers had derogated from their military caste, and were become pedlars. Governor Duncan's humane designs against this horrid

practice were most ably and effectually furthered, and at length accomplished, by the Resident, Colonel Walker, who displayed on this occasion a sagacity, address, and firmness, as well as humanity, which are beyond all praise. The whole progress of this admirable enterprise is published to the world; and the leading particulars, in Moor's Hindoo Infanticide, are now, on my motion, upon your table. Observe therefore, Sir, that here, as in other instances, I ground my arguments on attested, indisputable facts, and undeniable experience. Colonel Walker's attempt, at first, wore a very unpromising aspect. In return to a letter which he wrote to one of the chieftains of the tribe, reasoning with him on the cruelty of the practice, and urging him to discontinue it, he received an answer which would have been sufficient not only to discourage, but to intimidate, a less zealous, and, I may add, a less able adventurer. He was told, that it was "notorious that the Jarejahs had been in the habit of killing their daughters for 4,900 years; and that no doubt he was aware that all of God's creation, even the mighty emperors of Hindustan, Shāh Jehan, Aurenzebe, and Akbar, had always preserved friendship with his court, and had never acted in that respect (female Infanticide) unreasonably. Even the king of the world had never once thought of putting a stop to the custom which prevails amongst the Jarejahs, of killing their daughters."

After much more in defence of the practice, he concludes with a declaration, which, if somewhat ambiguously mysterious in its outset, is clear enough as to its meaning before it ends:—"God is the giver, and God is the taker away; if any one's affairs go to ruin, he must attribute his fortune to God. *No one has until this day wantonly quarrelled with this Durbar, who has not in the end suffered loss.*"

"This Durbar wishes no one ill, nor has ever wantonly quarrelled with any one."

"Do not address me again on this subject."

Such, Sir, was the reception of Colonel Walker's first application to the chieftains of the Jarejahs. And even one of the mothers returned him an answer of the same hopeless tenor.

Now, Sir, let me fairly put it to the House, whether such an answer as this, to any application which had been made for putting an end to any instance of native superstition, would not have been deemed such a decisive proof that it was dangerous to proceed in the attempt, that any one who had advised that the endeavour should be still persevered in, would have drawn upon himself the epithets of fanatic and enthusiast: and it would perhaps have been thought, even by candid and humane men, that an excess of zeal only could prompt any one to a continuance of efforts which appeared not only hopeless, but even highly dangerous. Colonel Walker might even have obtained the praise of having engaged and done his best, in this work

of humanity, though he had not been able to achieve it. But Colonel Walker, Sir, was not so easily to be disheartened: Colonel Walker's humanity was not satisfied with enjoying this barren and unprofitable triumph: he persevered, but by the only prudent, the only just and legitimate, means: he took frequent occasions of discussing the subject in the court of justice, and of exposing the enormity of so unnatural a practice: and, that I may hasten to so welcome a conclusion, within twelve months of the day on which the letters which I lately quoted had been written, the very writers of those letters, together with the Jarejah tribes in general, formally abjured for the future the practice of Infanticide, and declared themselves highly satisfied with the engagement which they made to that effect. To a man of principles and feelings such as Colonel Walker's must be, how delightful must have been the recompence which about two years afterwards he received. He took the opportunity afforded by his being in that neighbourhood, of causing to be brought to his tent, some of the infants which had been preserved: and let all who are now opposing us, listen to Colonel Walker's account of the scene. "It was extremely gratifying on this occasion, to observe the triumph of nature, feeling, and parental affection, over prejudice and a horrid superstition: and that those who but a short period before would (as many of them had done) have doomed their infants to destruction without compunction, should now glory in their preserva-

tion, and doat on them with fondness. The
 "Jarejah fathers, who but a short time back
 "would not have listened to the preservation of
 "their daughters, now exhibited them with
 "pride and fondness. Their mothers and nurses
 "also attended on this interesting occasion.
 "True to the feelings which are found in other
 "countries to prevail so forcibly, the emotions of
 "nature here exhibited were extremely moving.
 "The mothers placed their infants in the hands
 "of Colonel Walker, calling on him and their
 "gods to protect what he alone had taught them
 "to preserve. These infants they emphatically
 "called, 'his children.' And it is likely that this
 "distinction will continue to exist for some years
 "in Guzerat."

Why, Sir, with but one such incident as this,
 with but one such cordial, to cheer us on our
 progress, we should be indeed faint-hearted, we
 should be indeed chargeable with being wanting
 in the zeal and spirit of perseverance which such
 a cause as ours inspires, if we could faint by the
 way, and not determine to go forward in the
 face of every obstacle, prudently indeed and cau-
 tiously, but firmly and resolutely, pressing on
 towards the great object of our endeavours. In
 fact, Sir, here, as in other cases, when you are en-
 gaged in the prosecution of a worthy end, by just
 and wise means, difficulties and obstacles disap-
 pear as we proceed; and the phantoms, not to
 call them bugbears, of ignorance and error, melt
 away before the light of truth.

Had the noble Lord, whom I have already

mentioned, continued in India, it is highly probable that he would have achieved other conquests over the cruel practices of the natives of India. It is highly probable that he would have been able to put an end to the barbarous custom of widows destroying themselves; a custom which has been the disgrace of India for above two thousand years. But had the doctrines of our opponents continued to govern the practice of all the East India Company's servants in India, those two barbarous practices, the termination of which has been already effected, would still have carried on their destructive ravages. For let me ask our opponents, were these practices in any degree less firmly established, or of a later date, than various others which still continue? And with these instances before our eyes, in which the success of the efforts of humanity has been more rapid and more complete than probably our most sanguine expectations could anticipate, shall we suffer all the other detestable practices of India to prevail without the slightest attempt to put a stop to them? And shall we at once admit the assertions of those who thus, in defiance alike of reason and experience, inculcate on us that it is infinitely dangerous, though ever so prudently and cautiously, to endeavour to substitute the reign of light and truth and happiness, for that of darkness, delusion, and misery?

But, Sir, it is time to speak out, and to avow that I go much further than I have yet stated, and maintain, not only that it is *safe* to attempt, by

reasonable and prudent methods, to introduce into India the blessings of Christian Truth and moral improvement, but that true, aye, and imperious and urgent, policy, prescribe to us the same course. And let me not be misunderstood on this subject: I do not mean that I think our Indian Empire rests on such firm foundations as to be shaken by no convulsions, and that therefore we may incur the risk of popular ferments with impunity: no, Sir; I frankly acknowledge, that I have long thought that we hold our East Indian possessions by a very precarious tenure. This is a topic on which it would be painful to expatiate, and perhaps imprudent to be particular; but the most cursory survey of the circumstances of our East Indian Empire must be sufficient, in the minds of all who are ever so little read in the page of history, to justify the suspicion which I now intimate.

On the most superficial view, what a sight does that empire exhibit to us! A little island obtaining and keeping possession of immense regions, and of a population of sixty millions that inhabit them, at the distance of half the globe from it; of inhabitants differing from us as widely as human differences can go! differences exterior and interior—differences physical, moral, social and domestic—in points of religion, morals, institutions, language, manners, customs, climate, colour, in short in almost every possible particular that human experience can suggest, or human imagination devise! Such, Sir, is the partnership which

we have formed; such rather the body with which we are incorporated, nay, almost assimilated and identified. Our Oriental Empire indeed is now a vast edifice; but the lofty and spacious fabric rests on the surface of the earth, without foundations. The trunk of the tree is of prodigious dimensions, and there is an exterior of gigantic strength. It has spread its branches widely around it, and there is an increasing abundance of foliage and of fruit; but the mighty mass rests on the ground merely by its superincumbent weight, instead of having shot its roots into the soil, and incorporated itself with the parent earth beneath it. Who does not know that the first great storm probably would lay such a giant prostrate?

This, Sir, I fear, is but too just a representation of the state of our East Indian Empire. Various passages in the papers on the table clearly illustrate and strongly confirm this position; sometimes they distinctly express it. In truth, Sir, are we at this time of day still to be taught that most important lesson, that no government can be really secure which does not rest on the affections of the governed; or at least on their persuasion that its maintenance and preservation are in some degree connected with their own well-being? And did we want the papers on the table to inform us, as, however, in more than one place, they do inform us, that, notwithstanding the vast improvements we have introduced among the people of India, and the equity and humanity with which our government is administered, the native

population is not attached to us? It might easily be shewn also, that many of the peculiar institutions of India, more especially that of its castes, greatly favours the transference of dominion from one conqueror to another. Then, the situation and neighbourhood of India! Regions which have been again and again the prey of those vast Tartar hordes which at different times have descended like some mountain torrent, and have swept all before them with resistless fury! Sir, would we render ourselves really secure against all such attacks, as well as against any, less perhaps to be dreaded, which our great European enemy may make upon us in that quarter, let us endeavour to strike our roots into the soil, by the gradual introduction and establishment of our own principles and opinions; of our own laws, institutions, and manners; above all, as the source of every other improvement, of our religion, and consequently of our morals. Why, Sir, if it were only that we should thereby render the subjects of our Asiatic Empire a distinct and peculiar people; that we should create a sort of moral and political basis in the vast expanse of the Asiatic regions, and amidst the unnumbered myriads of its population, by this change we should render our East Indian dominions more secure, merely from the natural desire which men feel to preserve their own institutions, solely because they are their own, from invaders who would destroy them. But far more than this; — Are we so little aware of the vast superiority even of European laws and institutions, and far more of British laws and institutions, over those

of Asia, as not to be prepared to predict with confidence, that the Indian community which should have exchanged its dark and bloody superstitions for the genial influence of Christian light and truth, would have experienced such an increase of civil order and security; of social pleasures and domestic comforts, as to be desirous of preserving the blessings it should have acquired; and can we doubt that it would be bound even by the ties of gratitude to those who had been the honoured instruments of communicating them?'

Here again, Sir, we can answer this question from experience. We have a case precisely in point; by which, on a small scale, we are enabled to judge what would be the effects of the same experiment tried upon a larger. All around me have heard of the great Albuquerque, one of those extraordinary men who, nearly three hundred years ago, raised to the highest pitch the glory of the Portuguese name in India*. The commentaries

* For the above curious fact I am indebted to the kindness of Mr. Southey, who has also been so obliging as to furnish me with the following curious and important fact, which from forgetfulness I omitted to mention in the House of Commons. When Joane de Barras wrote (a man who, for the extent of his researches, is worthy to be ranked with Herodotus), a fourth part of the population of Malabar consisted of native Moors; and the reason which he assigns for their rapid increase is, that they had obtained privileges from the king, and put themselves upon a level with the high castes, "for which reason many of the natives embraced their faith." He says in another place, that "the natives esteemed it a great honour when the Moors took their daughters to wife." The above fact plainly shews what has

of his son Bras de Albuquerque contain the following curious passage. "When Alf. de Albuquerque took the kingdom of Goa, he would not permit that any woman from thenceforward should burn herself; and although to change their customs is equal to death, nevertheless they rejoiced in life, and said great good of him, because he commanded that they should not burn themselves." It is added, in proof of the veneration in which this great man was held by the natives, "that long after his death, when a Moor or Hindoo had received wrong, and could obtain no redress from the Governor, the aggrieved person would go to Goa, to Albuquerque's tomb, and make an offering of oil at the lamp which burned before it, and call upon him for justice."

And now, Sir, if I have proved to you as I trust I have irrefragably proved, that the state of our East Indian Empire is such as to render it highly DESIRABLE to introduce among them the blessings of Christian light and moral improvement; that the idea of its being IMPRACTICABLE to do this is contrary alike to reason and to experience; that the attempt, if conducted prudently and cautiously, may be made with perfect *safety* to our political interests; nay more, that it is the very course by which THOSE INTERESTS MAY BE

been abundantly confirmed to me by private testimony, that the real cause which renders the natives of India afraid of losing caste is not any religious scruple, but merely the dread of the many and great temporal evils which proceed from the loss.

MOST EFFECTUALLY PROMOTED AND SECURED; does it not follow from these premises as an irresistible conclusion, that we are clearly bound, nay, imperiously and urgently compelled, by THE STRONGEST OBLIGATIONS OF DUTY, to support the proposition for which I now call upon you for your assent. But what is that proposition? Its only fault, if any, is, that it falls so far short of what the nature of the case requires. Is it that we should immediately devise and proceed without delay to execute, the great and good and necessary work of improving the religion and morals of our East Indian fellow-subjects? No; but only that we should not substantially and in effect prevent others from engaging in it. Nay, not even that; but that we should not prevent Government having it in their power, with all due discretion, to give licences to proper persons to go to India and continue there, with a view of rendering to the natives this greatest of all services. Why, Sir, the commonest principles of toleration would give us much more than this. . . Where am I standing? Where is it, and when, that I am arguing this question? Is it not in the very assembly in which, within these few weeks, nothing but the clearest considerations of political expediency were held sufficient to justify our withholding from the Roman Catholics the enjoyment of the fullest measure of official as well as political advantages, and when you yourself, Sir*, though

* The Speaker.

you felt yourself bound to continue some few official disabilities, acknowledged that it was with reluctance and even with pain? And shall we now lay the religion which we ourselves profess under such a restraint in any part of our own dominions? No, Sir: it is impossible: you will not, you cannot, act thus. But, in addition to what I have already said, it deserves well to be considered, that if we should fail in our present endeavour, and if Christianity should be, as it then would be, the only untolerated religion in the British dominions in India, the evil would not stop here. The want of toleration would not be merely a negative mischief; the severest persecution must infallibly ensue. For, assuredly, there are, and by God's help I trust there ever will be, both European and native teachers prepared in the face even of death itself, to diffuse the blessed truths of Christianity.

But let it never be forgotten, it is toleration only that we ask: we utterly disclaim all ideas of proceeding by methods of compulsion or authority. But surely I need not have vindicated myself from any such imputation. The very cause which I plead would have been sufficient to protect me from it. Compulsion and Christianity! Why, the very terms are at variance with each other: the ideas are incompatible. In the language of Inspiration itself, Christianity has been called "the law of liberty." Her service, in the excellent formularies of our Church, has been truly denominated "perfect

freedom ;" and they, let me add, will most advance her cause, who contend for it in her own spirit and character.

I have often been reminded, Sir, during the course of these discussions, of the similarity of the present case to another great contest of justice and humanity, in which, with many confederates far abler than myself, I was perseveringly and at length, blessed be God, successfully-engaged some years ago. The resemblance I see is acknowledged by my Honourable Friend near me (Mr. William Smith), who is still faithful to the great principles which animated us in our former struggle, during the whole of which he was among the ablest as well as the most zealous and persevering of my associates.

On that occasion, let it be remembered, it was our ultimate object, by putting an end to those destructive ravages, which, for centuries, had produced universal insecurity of person and property along a vast extent of the coast of Africa, and had thereby protracted the reign of darkness and barbarism in that quarter of the globe, to open a way for the natural progress of civilization and knowledge ; of Christian light and moral improvement : so now, likewise, we are engaged in the blessed work of substituting light for darkness, and the reign of truth and justice and social order and domestic comfort, of substituting all that can elevate the character, or add to the comfort of man, in the place of the most foul, degrading, and bloody system of superstition that ever depraved at once,

a few short years have expired, not a single man can be found to lift up his voice in its favour.

And now, Sir, if we suffer our imaginations to follow into its consequences the measure in which we are now engaged, and to look forward to the accomplishment of those hopes which I trust will be one day realized, what a prospect opens on our view! In the place of that degrading superstition, which now pervades those vast regions, Christianity, and the moral improvement which ever follows from its introduction, shall be diffused with all their blessed effects on individual character, and on social and domestic comfort. Surely, we here see a prize which it is worth contending for, at any cost of time and labour. And I can assure our opponents, that they are greatly deceived, if they imagine that we are likely to give up the contest, even if we should fail in our present attempt. Happily, Sir, it appears from the unprecedented number of petitions now on your table, that the importance of the question is duly appreciated by the public mind. And let it not be imagined that these petitions have been produced by a burst of momentary enthusiasm; that the zeal which has actuated the petitioners is a mere temporary flame, which will soon die away, and be exhausted. No, Sir: I am persuaded, that in proportion as the real condition of our Asiatic fellow-subjects shall be more generally known, the feeling which has already been so forcibly expressed, will prevail

still more extensively. If, therefore, our opponents really apprehend the greatest evils from discussing the subject, in common consistency with this opinion, they should suffer our question to pass, as the only way by which that discussion can be terminated. For they may be assured; that otherwise the public voice will call upon this House still more loudly than even it has now done. And assuredly, my friends who are associated with me in this great cause are animated with the same determination as myself, never to abandon it, either till success shall have crowned our efforts or till it shall appear utterly unattainable.

But after all, Sir, at the very moment when my friends and I were ready to raise the shout of victory, a proposition has been made to us by an Honourable Baronet, of which, though offered to us in the language, and by him, I do not deny, with the meaning, of good will to our object, I must confess I am more afraid than of all the other modes of opposition we have experienced in the course of these discussions. I am the more afraid of it, because the plausible and specious appearance with which it comes forward is likely to render its hostility so much the more efficient and destructive. It accosts us with a language of this sort—“We all mean the same thing: we all wish Christianity and moral improvement to be communicated to the natives of India: but we are afraid of the effects which will be produced in India by the appear-

ance of your proposed clause on the statute book. Government may grant licences to persons to go over to India for religious purposes, as well as any others, under the general powers to be granted to them by the Bill. We must, therefore, resist your clause."

If what has been already stated to the House should not have sufficed for dispelling any apprehensions of a dangerous ferment being produced in the public mind of India, by the existence in the statute book of the clause we have now proposed, all such fears will, I think, be removed, when I shall have read an extract from one of the volumes on your table, concerning the extreme difficulty that is experienced in India, in diffusing the most interesting intelligence throughout the mass of the people. Our opponents will assign more weight to the extract, because it is taken from Judge Strachey's answers to Lord Wellesley's interrogatories. "I take this opportunity," says he, "of remarking, that to render generally known any penal law, is extremely difficult, particularly among the lower orders of the people. Till they see the effect of it, they remain ignorant of it; and this, in spite of advertisements and proclamations. News and information of all kinds are, in Bengal, slowly and inaccurately transmitted from one to another. Among us, events obtain publicity through the means of periodical prints, of epistolary correspondence, and of verbal communication. Among the

“ natives, there is nothing of the two first, and
 “ even of the other hardly any *.”

After hearing the above extract, the House will not, I think, participate in the apprehensions which some gentlemen seem to entertain, that the mere insertion of this clause into our statute book may produce a dangerous commotion among the native population of India. Besides, Sir, as has been well remarked by my Noble Friend †, who, in truth, has treated the whole of this subject with extraordinary discretion and ability, the natives, if they should read the clause, which, however, is a highly improbable occurrence, will find in it, and find I believe for the first time expressed in terms, a clear recognition, an effectual security, of their right to preserve their religious principles and institutions sacred and inviolate. The clause, thus framed, will therefore produce satisfaction among them rather than discontent, on that very subject of religion.

But, Sir, it is an additional argument, and with me I confess a very powerful one, for retaining this clause, that though the general power of granting licences with which the friends of the Honourable Baronet's motion would have us be satisfied, might provide sufficient openings for the sending over of Missionaries to India, and for the employment of them there, so long as they should

* Answer from Judge Strachey to Interrogatories, 30th Jan. 1802.

† Lord Castlereagh,

conduct themselves properly ; which, however, I utterly deny ; yet I beg the House ever to bear in mind, that my friends and I have far more in view in the measure we have been recommending, than merely the sending over and maintenance of Missionaries. I beg they will recollect what I stated in one of the first sentences which I addressed to you, that it is not merely for the purpose of enabling Government to grant licences to Missionaries that I support the present clause, but because, especially when taken in conjunction with the Resolution on which, according to the usage of Parliament, it is founded ; by affirming the duty of enlightening the minds and improving the morals of our East-Indian fellow-subjects, it establishes the principle ; it lays the ground for promoting education among them, and for diffusing useful knowledge of all kinds. When truth and reason, so long excluded from that benighted land, shall once more obtain access to it, (and we are this day engaged in the great work of breaking down that barrier which has hitherto substantially and practically excluded them), the understandings of the natives will begin to exert their powers ; and their minds, once enlightened, will instinctively reject the profane absurdities of their theological, and the depraving vices of their moral system. Thus they will be prepared for the reception of Christianity, for “ Christianity is a reasonable service,” and then, we may appeal to the moral superiority of Christian Europe in mo-

dern times, in comparison with that of the most polished pagan communities, for the blessed effects which may be expected to follow on their moral, their social, and, above all, their domestic comfort.

But, Sir, to return to the question concerning the necessity of retaining our clause; I cannot but hope, after all we have heard in the course of our discussions; and more especially after what has passed subsequently to the Honourable Baronet's motion for leaving out our clause; after all this, I repeat it, I cannot but indulge the hope, that all those at least, who were disposed to leave our clause out of the Bill, on the ground of its being unnecessary, if not dangerous, will at length discover, that some such clause as this is absolutely indispensable for accomplishing the desire, which they profess in common with us, of furnishing the means of introducing Christianity into India. Indeed, it ought to open their eyes to the real practical effect of their own amendment, that they who are the most decidedly hostile to the introduction of Christianity into India, so readily assent to it, or rather so warmly support it.

But, Sir, let me ask, do they not see that if the clause be left out, the Act of Parliament will contain no mention whatever of religion or morals? no recognition of its being our duty to endeavour to communicate to our East Indian fellow-subjects the blessings of Christian light and moral improvement? That recognition will still, I

grant, be contained in the Resolution of the House of Commons, as well as in that of the House of Lords; but let me ask, will not this be precisely the situation in which the cause has stood, and stood, alas! to no purpose, for the last twenty years? For on the renewal of the Charter in 1793, both Houses of Parliament, as has been repeatedly stated, passed, and have ever since kept on their Journals, a Resolution similar to that which we have now adopted. But, as was unanswerably urged in defence of the Court of Directors, by one of the ablest and most active opponents of all attempts to convert the natives of India, this recognition, being only contained in the Votes of the two Houses, but not in the Act of the Legislature, the Executive Body, whose business it was to carry into execution what Parliament had prescribed by that Act, could not be chargeable with neglecting any duty which that statute had ordained, when, so far from favouring, they rather thwarted and hindered the attempts of the Missionaries. The guilt, as was irresistibly argued by the writer just alluded to; the guilt, if any, of not having favoured the endeavours of individuals to convert the natives of India, was not justly chargeable on the East India Company's Directors, nor yet on the Board of Controul, but on the Legislature, which prescribed to both the principles on which the government in India was to be conducted, but said not one syllable about religion or morals. And if the present Act, like the former, were to leave religion and morals un-

mentioned, the same inference might fairly be drawn from the silence of the Legislature; but with greatly increased force, since the enemies of East India Missions would truly state, that the subject, which had formerly attracted little attention, had now been long under the consideration of Parliament; and that, in the House of Commons especially, it had occasioned much debate. They would allege, that the advocates for the religious and moral improvement of India had maintained, that the moral degradation of our East Indian fellow-subjects, and their pernicious and cruel institutions, rendered it eminently desirable that we should endeavour to impart to them a purer system of faith and morals; that the attempt was perfectly practicable, and that it might be made with safety, nay even with advantage to our political interests;—that, on the other hand, our opponents had maintained, that we were bringing forward an unnecessary, nay a most pernicious project; that the principles of the Hindoo religion were eminently pure, their practice superior to our own; but, were this more doubtful, that the endeavour could not be made without endangering the very existence of our empire in India. Such, I say, it would be alleged, had been the state of the argument, and it would be added irresistibly, that Parliament had shewn, by rejecting the clause which had been offered by the advocates for Christianity in India, that it disapproved the project they had proposed. If any thing more could then be needed to supply

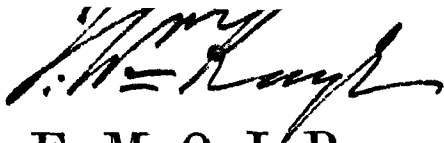
additional force to the above argument, it would be the language which has at length been used by the ablest of our opponents. For happily, Sir, in the progress of our discussions, they have warmed in their course, one of them especially, to whose abilities and eloquence I pay no unwilling testimony, though I must say that he has imposed on himself a task which exceeds his, or indeed any human abilities, in undertaking to reconcile the manifest inconsistency of feeling the highest respect for Christianity, and of preserving at the same time any measure of reverence for the Hindoo religion, which, both in its theology and its morals, Christianity utterly abjures and condemns. The Honourable Gentleman, however, has spoken out; (I thank him for it;) and has relieved the question from all ambiguity,—speaking in terms of high admiration of the excellence and sublimity of the Hindoo religion, and pretty plainly intimating that we, who are endeavouring to substitute Christianity in the place of it, are actuated by a zeal the most fanatical and absurd. Indeed, he frankly acknowledged to us, that he had it once in contemplation to move a clause, expressly forbidding all further attempts of Christian Missionaries, leaving us to conclude that he abstained from so doing merely on prudential grounds. All this may be right, or it may be wrong; but after such sentiments have been uttered, and after the exulting approbation with which they were received by our opponents in general, let it no longer be said that we are all of one mind, all

wishing alike for the diffusion of Christianity in India, but only differing as to the mode of accomplishing that desirable event. No, Sir; the question is now put on its true basis, and it clearly appears to be no other than this, whether, as Christianity is the religion of the British Empire in Europe, the religion of Brahma and Vishnoo is not to be the acknowledged system of our Asiatic dominions.

I beg pardon, Sir, for having trespassed so long on the indulgence of the House: but the subject is one, the importance of which can scarcely be over-estimated. If, Sir, a British judge and jury, the former often at an advanced period of life, after a long course of professional labours, will sit patiently for more than an entire day to decide whether the life of some criminal shall be forfeited to the offended laws of his country; nay, even to settle some doubtful question of property; how much less will you grudge, even to me, a still larger portion of your time and attention than I have unwillingly presumed to occupy, when you consider, that the question which we are now deciding involves not the prosperity, not the life merely of an individual, but the religious and moral interests, the temporal at once and the eternal well-being, of sixty millions of our fellow-creatures!

FINIS.

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A M E M O I R

OF THE

PUBLIC SERVICES

RENDERED BY

LIEUT.-COLONEL OUTRAM, C.B.

“The Bayard of India—*Sans peur et sans reproche*”—Major James Outram, of the Bombay Army.”

SPEECH OF LIEUT.-GEN. SIR C. J. NAPIER, NOV. 5TH, 1842.

LONDON:

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TO

MRS. JAMES OUTRAM,

THESE

Memoranda

OF

SOME OF THE SERVICES

RENDERED

BY HER HUSBAND,

ARE AFFECTIONATELY INSCRIBED

BY

THE COMPILER.

P R E F A C E .

COLONEL OUTRAM'S friends have frequently requested him to publish a narrative of his eventful career in the East. To these requests he has invariably turned a deaf ear ; but, in deference to the strongly expressed opinions of those to whose judgment it was his duty to defer, he at length gave his consent to the preparation, for private circulation, of a few Memoranda of some of his more important services. And it was the Compiler's intention to have kept the circulation private ; but at the urgent request of a warm friend of Colonel Outram's, he has consented to the Memoir being published. In pursuance of the wishes of Colonel Outram's friends, the Compiler of the following pages has had submitted to him a mass of documents, consisting of copies

of the official records of Colonel Outram's public proceedings during the last thirty years, which have, from time to time, been furnished to him by the authorities, and of his correspondence with eminent Indian functionaries.

Beyond giving his sanction to the general plan of this little book, Colonel Outram is answerable for none of the statements or opinions it contains. The Compiler studiously avoided submitting it to him either in manuscript or proof. And though the proofs of two sheets were placed in Colonel Outram's hands by a gentleman to whom they had been submitted for criticism, during their passage through the press, the final corrections had been made, ere this circumstance became known to the Compiler.

London, March 1853.

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The following pages have been in type for many weeks. The delay has been caused by the preparation of the appendices—certain recent discussions having led the Compiler to believe that it would be his duty to enter at some length into the questions of Bombay and Baroda corruption. He is advised that this is unnecessary. No time, therefore, will be lost in completing such appendices as may illustrate the text.

March 8th, 1853.

MEMORANDA OF THE PUBLIC SERVICES

OF

LIEUT.-COLONEL OUTRAM, C.B.

I.

SERVICES AS A REGIMENTAL OFFICER.

1819—1825.

IN April 1819, Mr. James Outram was appointed to the Military Service of the Hon. East India Company, on their Bombay Establishment.

On his arrival in India, in the following August, he was promoted to the rank of Lieutenant. And when, in 1820, the Twenty-third Regiment of Native Infantry was raised, he was entrusted with the Adjutancy of the new Corps.

Soon after their enrolment at Poona, in the winter of 1820, the Twenty-third were sent overland to Baroda. After spending a monsoon at that hot and sickly station, where a fever, of almost unexampled severity, prostrated nine-tenths of their number, they were ordered into the Mye Caunta on field service. On the satisfactory completion of the operations there entrusted to them, they were marched across to

B

Born in 1805

Kattywar: and thence, after the performance of various harassing duties, they were, early in 1824, despatched to the turbulent Province of Candeish.

It was Lieutenant Outram's good fortune to be placed in temporary command of his Regiment for some months during its service in Kattywar. And, while holding this responsible position, he was, on the occasion of the annual review, very highly complimented by the Reviewing Officer, on his merits, both as an Adjutant and as a Commander. Before leaving Kattywar, the Twenty-third were again reviewed by the Commander-in-Chief, Sir C. Colville, who, in glowing terms, eulogized their high state of efficiency and discipline, extolled the merits of their Commanding Officer, Major Bagnold, and conferred on their Adjutant the most gratifying compliment he had it in his power to bestow. The Regiment had been ordered to move on Candeish by wings; and to the command of one of these, Sir Charles specially nominated Lieutenant Outram, though junior by many years to several other officers then present with the Corps.

After a few months' residence in Candeish, his medical advisers deeming a change of climate necessary for his health, Lieutenant Outram proceeded to Bombay, where an expedition was being organized against the Fort of Kittoor, in the Southern Mahratta Country. He accompanied the force as a volunteer; and, on its arrival at the scene of operations, sought and obtained from the General Commanding, permission to lead the storming party. But the opportunity so earnestly desired, of displaying that undaunted courage and military ardour which at a

later period of his career became proverbial, was denied him on this occasion—the garrison having capitulated just as preparations were being made for the assault.

On the return of the *Kittoor Expedition*, Lieutenant Outram rejoined his regiment. And ere long, an opportunity was afforded him of earning distinction in the field.

Towards the end of March 1825, an insurrection suddenly broke out in the Western Districts of *Candeish*, which threatened to extend throughout the Province. The rebel leader, at the head of 800 men, attacked and plundered *Untapoor*, carrying off his spoil to the *Hill-Fortress of Moolair*. He there established his *Head-Quarters*; and, raising the seductive banner of the *Peishwa*, he vauntingly proclaimed his intention to revive the glories of the *Mahratta Confederacy*.

The British Troops at *Surat*, *Jaulnah*, *Ahmednuggur*, &c., were ordered to hold themselves in readiness for immediate service; and, in the mean time, the Deputy Commissioner (*Mr. Graham*) was instructed to lose no time in procuring from the local authorities such military assistance as could be spared for the defence of *Zye Keira*, the chief town of the *Moolair District*—the seat of the district Treasury—and situated only twelve miles distant from the rebel stronghold.

Two hundred men of the 11th and 23rd Regiments were accordingly despatched from *Malligaum*, on the evening of the 5th of April, under the command of Lieutenant Outram, who, after effecting a forced

march of thirty-five miles, reached Zye Keira early next morning. In the course of the day, he received information which led him to believe that, though the enemy were more formidable in point of numbers than previous accounts represented them to be, the works on the further side of their fortress were susceptible of escalade. And he, therefore, proposed to carry the place by a *coup-de-main*—to rout the insurgents under the panic of a sudden surprise—and, by thus destroying the prestige they had already acquired, to dishearten the allies that were flocking to their standard. This proposition was enthusiastically received by his companions, Ensigns Whitmore and Paul of the 11th Regiment; but it so far exceeded the discretionary powers which their written instructions vested either in Graham or Outram, that it was a matter of serious deliberation with the former whether he was justified in giving his consent. The result of his inquiries, however, satisfied him that a rapid and alarming extension of the insurrection could only be prevented by offering a prompt check to the rebels. He accordingly sanctioned the proposed measures; and, soon after nightfall, Outram marched forth to carry them into execution.

As he neared the hill on which the fortress was situated, he sent Ensigns Whitmore and Paul, with 150 men, to make a false attack in front; while he, himself, with the remaining fifty sepoy of his detachment, turning off to the left, proceeded to assail the rear.

The operation was completely successful. Both parties effected the ascent before day-break. And

while the rebels had their attention drawn to their front, by the assault of an enemy whose strength it was impossible to ascertain in the dark, Outram dashed in upon them from behind. The panic-stricken garrison fled with scarcely an attempt at resistance. And at the head of his reunited detachment, and some horsemen whom Mr. Graham had in the mean time collected, Outram followed them up so closely that they could neither rally, nor discover the weakness of their assailants. Their leader was cut down; many of his adherents shared his fate; and the rest made for the neighbouring hills, in a state of complete disorganization.

As the Infantry had now marched upwards of fifty miles, in little more than thirty-six hours, Outram found it necessary to halt them soon after dawn. But the horsemen continued the pursuit so far as the nature of the ground permitted; scouts were despatched to ascertain the point of rendezvous selected by the scattered foe; and, at night, the chase was resumed. The insurgents were a second time surprised; many were slain; numbers were taken prisoners; and the rest, throwing down their arms, fled to their respective villages. A rebellion which had caused much anxiety to the authorities was thus crushed, ere the troops intended for its suppression had been put in motion. And the plunder of Unta-poor was restored to its lawful owners.

For these services, cordial thanks and commendations were bestowed on Lieutenant Outram and his gallant companions, as well by the Government, as by the Commander-in-Chief, and the Divisional General.

And these were the last services that Outram was called on to render as a Regimental Officer. For the Governor of Bombay—the Honourable Mountstuart Elphinstone—had in the mean time resolved on instituting a grand moral experiment which required, for its successful conduct, more than ordinary zeal, energy, and tact. And in the young Adjutant of the Twenty-third, he had discerned the man specially qualified to give effect to his views.

On resigning his Adjutancy, to enter on his new sphere of action, Lieutenant Outram received a warmly expressed and publicly recorded eulogy from his Commanding Officer, Colonel Deschampes, who was pleased to attribute the high estimation in which the new regiment was then held at Army Headquarters, in a great measure to the merits and exertions of its Adjutant.

II.

SERVICES AMONGST THE BHEELS OF CANDEISH.

1825—1835.

OF the various provinces which, on the subjugation of the Peishwa, were annexed to the Anglo-Indian Empire, one of the most important, but decidedly the least promising, was Candeish. Once populous and fertile, "Mahrattas, Arabs, Bheels, and Pindarries, had combined to desolate it. And it came into our hands a desert—its towns in ruins, its villages destroyed, its soil uncultivated, its roads broken up, and myriads of its populations swept off by famines, plagues, and battles."* Nor, for long, did it seem that the British supremacy was destined to bring repose to this stricken land.

The Pindarries were no more; the power of the Mahrattas had been dissolved; the marauding Arabs had been driven out; and the mild sway of a paternal Government had taken the place of misrule, and rapacious tyranny. But the inhabitants of Candeish found not peace. Their plains were still ravaged by the wild Bheels who occupied the neighbouring mountains. And in vain did they invoke the protection of

* History of the British Conquests in India, vol. ii. p. 79. By Horace St. John, Esq. Colburn and Co., 1852.

In peaceful times, and under the powerful rule of the Mahomedan Government, certain of these wild savages had become so far civilized as to settle in the plains. And while their brethren in the hills (to use the words of Sir John Malcolm) "passed their time between crime and debauchery," these men had been induced to take service as village watchmen, and, more rarely, to engage in agriculture. But, for many years antecedent to the British occupation of Candeish, the "village" and "cultivating" Bheels, had returned to their predatory pursuits.

This retrogression, which had proceeded almost *pari passu* with the decadence of the Mahomedan sway, was complete in 1803. In that year, the scourge of war was succeeded by a most unusual and withering famine, which extended from the Vindhya Hills to the City of Hydrabad. Candeish became for a time deserted; many of its cultivators fled to Berar and Guzerat; the few remaining Bheels abandoned the plains, and returned not again. "And now," to quote the words of Major Douglas Graham:—

"Commenced the Bundumul—that period of utter anarchy and confusion which so long reigned throughout this unhappy land. Organized gangs (of Bheels) started up in every direction; and the mountain-ridges were quickly studded with Hutties, from the tiny hamlet of the freebooter, to the grand encampments of the powerful Naicks, who, assuming the state of petty princes, despatched their armies of a thousand men to sack and lay waste the surrounding country.

“ On the occupation of the Province of Candeish by the British Government in 1818, anarchy and lawless oppression had reached a fearful height, and murder and rapine stalked openly and unrestrainedly through the land. Fifty notorious leaders infested this once flourishing ‘ Garden of the West;’ and their every command was implicitly obeyed by upwards of 5,000 ruthless followers, whose sole occupation was pillage and robbery, whose delight alone consisted in the murderous foray, and whose subsistence depended entirely on the fruits of their unlawful spoil. Smarting under the repeatedly broken pledges of the former Native Government, and rendered savage from the wholesale slaughter of their families and relations, the Bheels were more than usually suspicious of a new Government of foreigners, and less than ever inclined to submit to the bonds of order and restraint.

“ From Kokurmunda to Booranpoor, the whole range of the Sathpoora mountains teemed with the disaffected. The Sathmalla and Ajunta Bheels, under thirty-two leaders, were in arms in numerous parties, carrying fire and sword over the Southern parts of the Province; and the petty Rajahs of Peint and Abhena having united with the powerful Naick, Govinda, the work of desolation was urged with a bloody hand through the entire range of the Western Ghauts. The roads were impassable; villages in every direction were plundered; and murders daily committed. Cattle and hostages were driven off from the very centre of the Province; and these ravages

rose to such a height that the Ryots refused to receive Tuccavee, whilst their property was thus insecure.*

“The first plan adopted by Colonel Briggs, on the occupation of Candeish by the British Government, was to stop the supplies of food, which were chiefly drawn from the plains—to cut off any parties of Bheels that attempted to issue for plunder—and to make vigorous attacks on the points within the hills to which the Chiefs had retired.

“During the second year of British Administration, many of the Chiefs, by the prompt decision and praiseworthy efforts of the British Troops, were either seized or killed in battle; but these chiefs were, in most cases, succeeded by others equally powerful and ferocious with themselves; and beyond the immediate influence of the British Troops there was little protection for life and property in Candeish. Proclamations were in vain issued that former crimes would be forgotten, and that in future those Bheels who returned to the plains should be fed at the expense of the village. The amnesty was unheeded and rejected, and not one of the tribe repaired to take advantage of the liberal offer.

“No regular Police existed at this time. The Bheels, who formerly had been the village watchmen, were in arms against the State. And reports daily arrived of robberies, murders, and house-breakings,—

* “Ryot” means “cultivator.” “Tuccavee,” is the advance made by Government to enable the cultivators to purchase seed, prepare the soil, &c.

upwards of one hundred complaints of this nature being made, during the course of one month, from the single district of Nundoobar. An Irregular Corps of Turree Bheels was at length attempted, on the principle of confirming hereditary Naicks as the superiors of the legion; but the experiment entirely failed, the men being constantly in a state of intoxication. And their grovelling habits proving incapable of restraint by native officers, who were equally licentious with themselves, this body was ultimately disbanded as totally useless.

“Amongst the many plans which were agitated to restore peace to the Province, the Political Agent proposed to pension every marauding Bheel in Candeish on a monthly allowance of two rupees, together with a certain quantity of grain. Military operations were, however, finally resorted to; and parties of Sebundies* and regular troops were despatched to protect the passes. But they were shortly obliged to quit, leaving two-thirds of their number victims to the malaria; and the charge of these outlets were again handed over to the loose control of the hereditary Naicks on double their former allowances; but with no happier effect than before.

“During the four succeeding years, the same successive arrangements were pursued, with equally unsuccessful results. Conciliatory measures were first adopted; settlements of the most liberal nature were entered into with many. And, these entirely failing, recourse was had to arms, which only for a time and in the immediate vicinity of the force, had the

* “Sebundies” are irregular foot.

temporary effect of apparently subduing these untameable spirits.”*

Avoiding, as far as possible, any general engagement with the troops sent to attack them, the Bheels waited till the invaders, baffled in their object, commenced their homeward march; and then, hanging on their flanks and rear, cut off their stragglers, harassed and often plundered their baggage trains. To the troops employed against them, the service was one of fatigue, hardship, and peril. Independent of the casualties of warfare, vast numbers annually fell victims to the deadly miasms of the jungle; and of those who escaped with their lives, more than a third had their constitutions irreparably injured. We learn from Captain Graham that every Regiment of the Line, at the close of its usual tour of three years in the Bheel districts, was compelled “to discharge to their homes upwards of a hundred men as unfit (from the effects of climate) for further (active) service; whilst a like number, entirely disabled, swelled the list of Government pensioners.”

Such a state of matters as has just been sketched was felt to be intolerable. But how was it to be remedied?

Mr. Elphinstone’s predecessor in the Government of Bombay had looked to the utter extermination of the Bheels as the only measure by which peace could be re-established in Candeish.† But, so far as past ex-

* “A Brief Historical Sketch of the Bheel Tribes inhabiting Candeish,” prepared by Capt D. C. Graham, Sept. 1843, and printed by order of the Hon. Court of Directors, pp. 4-5.

† Vide Mr. Giberne’s Report on Bheel Civilization, subsequently quoted.

perience enabled men to judge, this gubernatorial dictum must have seemed to imply little more, than that one impossibility could only be effected through the performance of another.

Very different from those of his predecessor, were the views entertained by Mr. Elphinstone, who recognized in the wild and degraded Bheel a brother man, in whom dwelt affections that might be won, and were worth the winning—sympathies through the skilful management of which, he might be guided within the pale of civilized life—and faculties that would repay culture. To elevate the proscribed race in the scale of moral being appeared to him a feat of easier accomplishment, and far more glorious than their extirpation. And he resolved that it should be done. Nor was it enough that the Bheels should be gained over from their habits of crime, debauchery, and brigandage—taught the arts of civilization—and made to appreciate the blessings which civilization bestows. He was determined to render them “*the protectors of the peace they had so long disturbed*” !

For the achievement of these noble objects, he devised two schemes. One was the establishment of Agricultural Colonies of Bheels ; the other, the organization of a Regiment of Bheel Soldiers to be armed and disciplined like the Battalions of the Line, and commanded by a British officer. To most men the proposed plan appeared an inversion of the natural order of things—to imply the pre-existence of that very reform it was designed to effect ; but Mr. Elphinstone knew better. The “Colony” experiment he confided to Captain (now Colonel) Ovans ; the organization

of the "Bheel Corps" was assigned to Lieutenant Outram. Both schemes were sneered at by the "practical" men of the day as visionary and absurd; both were, however, gloriously successful; and it was hardly necessary for Sir John Malcolm to record that the success of both "depended on the selection of the officers to whom the execution was confided."*

The nature, extent, and value of Colonel Ovens' philanthropic services—the difficulties he surmounted—the consummate skill and knowledge of human nature he displayed—and the peaceful triumphs he achieved, are well known to the Indian authorities, and to all who have carefully studied the history of Modern India. And they are deeply engraved on the memories of those reclaimed savages amongst whom he toiled. But they are not understood as they ought to be, by the general public. And to sketch them is a pleasure which the compiler of these "Memoranda" promises to himself at an early date, should he not be anticipated by some one better qualified for the task. But, in the mean time, he has to deal, exclusively, with the services of Lieut. Outram.

The organization of a Bheel Corps, under a European officer, had been frequently proposed by Mr. Elphin-

* The anticipations of failure, so generally and so confidently expressed, in reference to Mr. Elphinstone's schemes, were the less justifiable, from the fact, that the superiority of a conciliatory over a coercive policy had been already demonstrated by Mr. Willoughby, in respect of the wild tribes inhabiting the Rajpeemla hills; whom he had pacified by gentleness, and equitable measures, without firing a musket, or drawing a sabre.

stone. But so great was the disfavour with which the scheme was received; so many were the objections started to it; and so full of hazard to the officer who should be entrusted with its accomplishment was it on all hands allowed to be, that, up to the date of the Moolair rebellion, it was not enforced. On the occurrence of that insurrection, however, Mr. Elphinstone resolved that, if he could find an officer to take it in hand, his plan should be no longer delayed.

Outram's friends strongly remonstrated with him against sacrificing his professional position and prospects, and, almost to a certainty, his life, by entering on so insane a project. But the very dangers with which the proffered appointment was beset tended to enhance its value in his eyes. And, requesting Colonel Robertson to communicate to Mr. Elphinstone his glad acceptance of the hazardous commission, he made haste to enter on its exciting duties.

Proceeding to the Head Quarters of his Regiment, he obtained permission to lead a detachment against the Bheels of the Sathmalla Hills, who had, for some months, been playing at bo-peep with his commanding officer. He attacked and routed them with considerable slaughter; and followed them up, from fastness to fastness, till all had submitted—services for which he received high commendation from the Government, and the Commander-in-Chief.

Having thus satisfied the Bheels that their jungles, and rocky defiles, were not impregnable, he sent back his detachment, and throwing himself amongst his recent foes, unarmed and unattended, and therefore completely at their mercy, he claimed and received a

reciprocity of the confidence thus reposed in them. He accepted their hospitality, which he repaid with feasts and entertainments. He listened with profound attention to their wild tales and mythological legends; taught them many simple but useful mechanical devices; dressed their wounds; prescribed for their ailments; joined in their pastimes; and, accompanying them in pursuit of the tigers, and other large game, with which their mountains abounded, won their admiration by showing in the chase, as he had previously displayed in battle, his superiority in those very qualities which they valued most highly in themselves.*

After a while, he persuaded some high-caste Native non-commissioned officers and privates of his own regiment, to co-operate with him in his undertaking. And such was the devotion of these noble soldiers to their late Adjutant that, grievously as it shocked their prejudices, they associated on terms of equality with the abhorred, and hitherto contumeliously treated Bheels, joined in their rude sports, and accompanied them in their hunting expeditions.

Many English gentlemen afterwards stepped forward to aid him in a similar manner. Whenever, in the course of his migrations round the province, his rough levies came in contact with Native Regiments of the Line, the European officers were readily induced to give them a warm and cordial reception, and to treat them with the respect shown, under ordinary circumstances, only to high-caste Hindoos. And, to the honour of the Bombay Army

* Vide Mr. Giberne's, Major Douglas Graham's, and other official reports on Bheel Reform

be it said, that the conduct of the officers was imitated by the men, who, not satisfied with displaying mere negative civility, presented their "out-caste" visitors with betel-nut and sweetmeats, and gave entertainments in their honour. The violence they thus rendered to their own feelings, from affection for their officers, can be appreciated by those who understand the Hindoo system—and by them only.*

Persevering in the course which he had originally sketched out, Lieutenant Outram contrived to enthrone himself in the affections of his uncouth associates; to establish over their minds a moral ascendancy which was a source of profound astonishment to all who witnessed it; to inspire them with sentiments of self-respect; and to imbue them with an earnest desire to become participators in the civilization with which, from time to time, they were confronted.

In less than two years from the date of its adoption, the philanthropic and farsighted policy of Mr. Elphinstone had been completely vindicated. The Bheel recruits had ceased to "pass their time between crime and debauchery." Sober, gentle, obliging, and

* Conspicuous amongst the regiments who thus co-operated with Government in the elevation of the Bheels, and the first to do so, was Outram's own corps. Captain Graham thus writes:—"The reception of these wild recruits by the 23rd Regt. Bombay Native Infantry, in the camp at Malligaum, was greatly conducive to the good cause. Men of the highest caste behaved in a manner most flattering to the feelings of the mountaineers, visiting and presenting them with betel-nut, to the no small amazement of the guests, and to the gratification of Government, who complimented the regiment on their conduct." The 23rd was composed *exclusively* of HIGH-CASTE HINDOSTANNEES.

well-behaved, they had won the esteem of every English gentleman who had seen them; *and they had shed their blood freely in the cause of order, and in conflict with insurgent bandits of their own tribe!*

But though these gratifying results were obtained with a celerity that excited marvel, their accomplishment had been no easy matter. Numerous were the discouragements that beset Outram's path; often did his schemes seem on the eve of frustration; many times was his life in peril.

"Inveterate habits were not to be changed in a day; and, in addition to the natural repugnance to restraint and subjection to law, strange rumours and reports were afloat throughout the Province, regarding the intentions of Government in thus forming the Bheels into a Corps. They were told by the evil-disposed that the object was to link them in a line, like galley-slaves, and then to extirpate their race; that their blood was in high demand as a medicine in the country of their masters; that assemblage of the Bheels in the Corps would be followed by massacre as of yore, &c. &c. &c."*

They were reminded that, at the very place where their head-quarters were fixed, there had been a most treacherous and cruel slaughter of their tribe under a former Government. And, pondering on these things, they could not but deem it strange that an English officer should leave the comforts of a settled home, and the society of his countrymen, to rove through pestilential jungles and lead a life of hardship and fatigue, from no more credible motive than love for

* Mr. Giberne's Report on Bheel Civilization.

loathed and despised outcasts, whose kinsmen he had slain in battle. It was not in human nature—still less in the nature of suspicious savages against whom, for generations, every hand had been raised—to resist altogether the influences thus brought to bear on their minds, or to maintain undeviating fidelity to the man who, they were told, beguiled their affections only to secure their destruction.

It is not within the scope of these “Memoranda” to narrate the progress of the formation of the Bheel Corps, or to recite the numerous startling and romantic incidents which marked the career of its young Commandant, and discovered in him a presence of mind that never faltered, and a promptitude of action equal to all emergencies. Such details must be deferred to a future and more fitting occasion. But it will not be out of place, and may not be altogether uninteresting to the readers of this volume, if I briefly notice a few leading passages in the history of the Corps, and some of its more remarkable services.

In March 1826—that is, in less than eleven months after Outram commenced the “conciliation” of his Bheels, by attacking them in their haunts, and following them up to their fastnesses—Mr. Bax, Colonel Robertson’s successor in the Chief Magistracy of Candesh, reported to Government that the recruits amounted to 255 in number; that “rapid progress had been made in disciplining them;” that desertions were becoming “extremely rare;” and “that no complaints whatever had been preferred against any individual of the Corps, by the townspeople, since their arrival” at Malligaum.

In the following July, the same gentleman intimated that he should be "wanting in justice to Lieutenant Outram, and remiss in the performance of a gratifying duty, if he neglected to record the very great merit attaching to him in bringing the Corps to its present state."

"This," he added, "has been principally effected by great personal kindness, combined with decision on all proper occasions, whereby the Bheels (and I speak from personal observation) have learned to consider their Commanding Officer as the best guardian of their individual welfare."

In December of the same year, that is, within twenty months from the date on which he undertook its organization, Lieutenant Outram reported the Corps as fit to be entrusted, to a certain extent, with the maintenance of order in the Province. And, in handing up his report, Mr. Bax observed as follows:—

"I have great satisfaction in adding my testimony to the efficient and orderly state of the Bheel Corps; and in congratulating the Hon. the Governor in Council on the complete success of a system which, however difficult in operation originally, and doubtful in result, has been achieved by the indefatigable exertion and excellent management of Lieutenant Outram, assisted by a few meritorious Native officers, and sepoys of the Line.

"As to the progress of the Corps in military exercises, . . . I have the authority of Captain Ovans, who was also present at their parades, for stating that, in this respect, they were remarkably steady and accurate. But although this circumstance is, no doubt, a source

of much gratification to Lieut. Outram, the Hon. the Governor in Council will probably derive greater satisfaction from reflecting on the alteration which this submission to a mild system of military discipline is calculated to produce on the habits and feelings of the men of the Corps, and the advantage to which their reformation may be progressively turned, by creating an extended interest on the part of the Bheels and their connections, in supporting peace and good order throughout the Province."

And in the following month, the same functionary, after alluding to "the eminent success that had attended the plan under the able management of Lieutenant Outram," announced that the Corps was "already becoming an efficient arm of Police, and highly useful in presenting an established point of union and confidence for the unsettled and scattered Bheels of the Province."

On the 22nd April 1827, "the first opportunity was offered to these reformed Bheels of shedding their blood for their new masters ; and they freely risked it, and fought boldly, though opposed to their own caste, and probably relations." And in reporting this interesting action, in which "a small detachment of Bheel recruits" had routed with loss "a considerable gang of Bheels," Captain Hodges, then officiating as Chief Magistrate, expressed his conviction that while Government would derive much gratification from "the gallant and admirable conduct of the young Bheel recruits, . . . the high spirit and exertions of Lieutenant Outram himself, to whose example the meritorious conduct of his small detachment may be

fairly attributed, would be no less appreciated." Nor was he mistaken. Lieutenant Outram and his gallant band received the most gratifying and cordially expressed commendations of Government.

In the following September, on the eve of Mr. Elphinstone's departure from India, Mr. Giberne, Mr. Bax's successor as Chief Magistrate in Candeish, deemed it his duty to furnish to the benevolent and venerated author of "Bheel Civilization," a special report, on the subject of the new Corps. And as a proof of its success, he mentioned that 200 regulars were about to be relieved by Bheel soldiers—"men who once carried dread and terror in their very name throughout the country were now to become its defenders and supporters."

The Bheel Corps had, for wise and obvious reasons, been placed by Mr. Elphinstone under the exclusive control of the Civil authorities. But the latter, diffident of their own judgment in such matters, requested the General, commanding the Division, to have the military efficiency of the Regiment (now 600 strong) fairly tested, and fully reported on. Sir Lionel Smith accordingly deputed Colonel Campbell, the Brigadier commanding in Candeish, to review the Corps.

He did so on the 20th, 21st, and 22nd of September 1827; and reported that their performances were "such as would claim a favourable comparison with many of the best Native Regiments of the Line." That his eulogium was not unmerited will be readily granted by any one who may take the trouble to refer to Colonel Campbell's report contained in Appendix 1.

On the receipt of that Report, Sir John Malcolm,

who had succeeded Mr. Elphinstone in the Government of Bombay, issued a General Order expressive of the great satisfaction he derived from the success of "an experiment instituted with the view of reclaiming the Bheels from their wild and hitherto intractable habits." "The Governor in Council," the Order proceeded to state:—

"Has marked with peculiar interest the progress of this Corps to its present state of efficiency; for the prejudices, mistrust, and uncivilized habits of the Bheels, opposed no ordinary obstacle to its formation and organization, especially in the earliest stage of recruiting. But the able manner in which these obstacles have been surmounted by Lieutenant Outram, who raised and commands the Corps, has amply justified the confidence reposed in him by the Governor in Council, in selecting him to undertake this task, which could only have been brought to its present successful result by a peculiar combination of firmness and kindness of temper, and perseverance on the part of the officer to whom so important and delicate a charge was assigned.

"The valuable testimony contained in Colonel Campbell's report, with regard to the discipline, interior arrangements, and general efficiency of the Bheel Corps, affords the Governor in Council the highest satisfaction; and he cannot give a fuller proof of the confidence he reposes in this singularly-formed Corps, than in now authorizing its details to be employed in relieving the regular troops from some of the numerous and important outposts throughout Candeish, in such manner and to such extent as may

be considered expedient by the local authority of the district."

But, prior to the promulgation of this order, the Candeish authorities had, on their own responsibility, given effect to the measures which it sanctioned. Writing on the 18th January 1828, Mr. Giberne reported that, "immediately after the Review, the Corps broke up into detachments, and marched to relieve many of the posts occupied by the regulars." "Their extreme readiness" (he added) "and good-will to proceed upon this duty was truly gratifying; 360 are now on detachment and escort duty. Many of the unhealthy posts have been taken by them, thus rendering the force at the head-quarters of the district much more efficient. . . . The suspicion of what was to be their destiny, which, until lately, appeared to hang like a cloud on many a willing mind, has passed away, on their now finding themselves employed in a trustworthy and honourable duty. The most pleasing accounts have been received from the outposts; Bheels, who not long ago shunned and feared the idea of enlisting, are now most ready and anxious to come forward. . . . The deserving merits of Lieutenant Outram," &c. &c.

And on the 1st of January 1829, the same functionary reported of the Corps that:—

"Its services have, during the past year, been actively and continually employed either in pursuing these foreign marauders, or escorting prisoners, and on outpost duty in many of the wildest of our borders, opposing a front for the purpose of checking foreign aggressions. They have invariably shown a willing-

ness and readiness to act when called upon—ever on the alert—and anxious to obey the commands of their officers. In introducing *the discipline of a regular Corps*, a remedy has been at once applied to the root of all their evil, wild, and lawless habits, by which the latter have been completely arrested. Intoxication—a state they envied—has now, I may state, been thoroughly overcome; not an instance has occurred for a length of time. Not even the most trifling complaint against any one member of the Corps has been made to me during the past year. Government has thus obtained the services and labours of a body of men who had troubled the repose of the former as well as of the present administration. And to such lengths were their excesses carried, that the former Government looked alone to their extermination for repose, whereas the present, by their reformation, have added a strength to their executive power which few could have anticipated. Lieutenant Outram is respected, admired, and loved by the Bheels under him; at any future time, should a breach of the peace be attempted by the turbulent, I am satisfied that the services of this officer and his Corps will be of the greatest benefit.”

Nor were the anticipations of this warm friend and energetic promoter of Bheel reform destined to remain long unfulfilled. For, early in 1830, the Bheel Corps had an opportunity of displaying its soldierly qualities in the field; and it surpassed the expectations of even its most ardent friends.

“The DAUNG” is the name given to a strong, mountainous, and jungly country, dividing Candeish

from the Surat districts, and inhabited by a wild and, up to the date just specified, unsubdued race of Bheels, who preyed on the neighbouring British territory. Detachments of our Troops had, for years, been maintained on the frontier of the Daung;* but no effort had been made to conquer the tribes that occupied it; and any attempt to penetrate to their fastnesses had been avoided by Government, on account of the uncertain nature of the enterprise, and the proverbial unhealthiness of the country.

Lieutenant Outram, pledging the professional reputation he had already earned, and risking his future prospects on the success of his scheme, obtained permission to lead a force into the Daung. The expedition consisted of the Bheel Corps, detachments from four Native Regiments of the Line, a portion of the Poona Horse, and other Native auxiliaries. Within one month, all the Rajahs of the Daung (seven in number) were captured; their followers subdued; their whole country explored. And, in the achievement of these triumphs, the Bheel Corps took no slight or undistinguished part.

Sir John Malcolm was pleased publicly to record his thanks to Lieutenant Outram "for the zeal, activity, and judgment he had displayed on this occasion, to which is to be attributed the fortunate conclusion of the harassing service he has had to encounter." In a subsequent General Order, alluding to "the operations of Lieutenant Outram amid the wilds of Candeish," he observed that that officer "had

* On the Surat frontier, below the Ghauts; on the Candeish frontier above them.

had to encounter many difficulties which his local influence and personal character could alone have overcome ;” and he directed the attention of the Army to him and his friend Captain Mackintosh (of the Ahmednugger Local Corps) as “ examples of what may be effected by officers who add to knowledge of their duty as soldiers, acquaintance with the habits, prejudices, and languages of the natives ; and who, by conciliatory conduct to all ranks, secure their confidence, and are thus enabled to effect objects which, by military force alone, they could never accomplish.”*

The Bheel Corps continued steadily to increase in efficiency and reputation. And on the 1st of January 1831, Mr. Boyd, Mr. Giberne’s successor in the Civil control of Candeish, reported that it had “ within itself such a number of influential persons connected, or intimately acquainted with, every Chief, or Tribe of any importance in Candeish, that (provided a Bheel culprit remains in the Province) his name and

* The thanks of Government were communicated to “ the officers and troops serving under Lieut. Outram ” in the Daung expedition. There were thirteen officers ; their names I have, unfortunately, been unable to obtain. But the nature of the country in which they operated may be surmised, when it is mentioned that *everyone was seized with jungle fever*. Three or four died ; and the rest were obliged to fly from Candeish,—some to England, some to the Cape, some to the Neilgherries. Outram alone, of all the Europeans, escaped ; and it may be of use to some of the readers of this volume, to mention that his immunity on this, as on other occasions when he alone, of his party, resisted the malaria, seems attributable to his having made a point of covering his head and face with fine gauze, whenever he slept in jungly countries. His companions in the Daung could not bear the irksomeness of the “ fever guard,” and they had to put up with a grievous alternative.

village only being made known to the Commandant of the Corps, his apprehension follows, almost to a certainty."

During the hot weather of 1831, "most alarming atrocities" were committed by the Turree Bheels and Pardies in the north-eastern districts of Candeish, instigated by bandit insurgents from the territories of Holcar and Scindia. Mr. Boyd accordingly requested Lieutenant Outram "to exert his endeavours to suppress the gangs;" and thus did he report to Government the manner in which the Bheel Commandant had acquitted himself of the task:—

"Lieutenant Outram proceeded with a small detachment of the Bheel Corps, only twenty-five in number, and with their sole assistance (together with the few district Police and Horse), in the course of one month, *ascertained, apprehended, and guarded those concerned to the number of four hundred and sixty-nine generally desperate characters—Turree Bheels and Pardies; selected one hundred and fifty-eight of the most guilty for punishment, and committed them for trial, for thirty gang robberies, with such full and clear evidence, that all but eight were convicted and sentenced.*"

It is probably no exaggeration to say that these feats have been rarely paralleled; and it would seem that they were the means of averting the necessity of extensive military operations. For, in another communication to Government, the Chief Magistrate, after alluding to "the complete and satisfactory success of Lieutenant Outram's measures,"—"the judgment with which they were taken,"—and "the singular prompti-

tude and decision with which they were executed,"—proceeded to express his opinion that :—

“ If the numerous gangs, now apprehended and dispersed, had succeeded in baffling Lieutenant Outram’s exertions, they would no doubt have collected in the Vindhya Mountains, and have been certainly joined by more discontented persons from the Dhaung, Nimar, &c. than, even with considerable military assistance, in such a country, we would have found it easy to subdue.”*

As the pacification of Candeish advanced, fewer opportunities of distinguishing themselves were afforded to the Bheel Corps. And the last occasion of displaying their qualities as soldiers occurred in May 1833, when the Bheels of the Vindhya range broke out into insurrection, and commenced depredations, of a formidable character, on both sides of

* The compiler has taken the liberty of altering the name of the mountains alluded to in this and one or two of the following despatches from *Sathpoora* to *Vindhya*, at the suggestion of an eminent oriental scholar and geographer, to whom he is indebted for the following note :—“ The three great ranges of hills, separating Malwa from the Deccan, are collectively called, in the Puranas, Vindhya. But the term is specifically applied to the greatest of the ranges—that which separates the rivers Taptee and Nerbudda—Candeish (which means a cliff, or hollow, or great valley), lying south of the Vindhya range and the Nerbudda, and being bounded on the south by the Ajunta range. The range of the right bank, and therefore to the north of the Nerbudda, is not the Vindhya proper, and, in fact, is nothing more than the flank of the table-land of Malwa. The central range, or real Vindhya, you call Sathpoora, which is a modern name. All three ranges converge towards Booranpoor, and are then continued in the Govedghur range, or Gondwana.”

the mountains—in Candeish and in the valley of the Nerbudda.

The subjugation of the insurgents was confided to Lieutenant (who had now become Captain) Outram. With a portion of the Bheel Corps, aided by detachments of Bengal troops from Mhow, and Bombay troops from Malligaum (all of whom were placed under his command), he drove the enemy from their haunts in the Vindhya Mountains; chased them across the Nerbudda; compelled their submission; and captured their chief.

On receiving a report of these proceedings from the Chief Magistrate of Candeish, Government instructed their Secretary to write as follows:—

“I am directed to acknowledge the receipt of your letter of the 3rd instant, with its enclosure, and in expressing to you the great satisfaction of Government at the successful termination of the expedition undertaken against the insurgent Bheels, between the Vindhya and the Nerbudda, to request you will communicate to Captain Outram the high sense which Government entertain of his ability and judgment in concerting,—and of his zeal and activity in executing,—those measures by which the insurrection has been suppressed, and the neighbouring parts of the province of Candeish, preserved from plunder.” *

From this date, Candeish remained so tranquil under the able Civil and Political officers entrusted with its administration, that the Bheel Corps were not

* The thanks of Government were also communicated to the officers who served under Captain Outram,—Lieutenants Hart and Partridge, Ensigns Morris and Renny, and Jemadar Alliar Khan.

again called on to perform any military services of a striking nature. And their commandant's labours were thenceforth of a routine character. But it may not be amiss to observe that his "routine" duties were neither few nor trivial. Besides having to maintain the efficiency and discipline of the Bheel Corps—which was scattered over the country on outpost service and in expeditionary and convoy detachments—he was entrusted with the command of the division of the Poona Horse then stationed in Candeish. He had much to do in his capacity of magistrate. He was further invested with important functions as "Bheel Agent," and "Thug Agent." And, in the discharge of these multifarious duties, his presence was in requisition, and his influence exerted, in every district of the province; often far beyond its limits.

Towards the end of September in 1835, his services were required by Government for the pacification of another troubled country. He accordingly bade adieu to the singular corps which it had been his privilege and pride to organize and command; and he handed it over, 900 strong, and in a state of high efficiency, to his friend Captain Graham, in whose (and his successors') hands it has continued to maintain the reputation it so early, and worthily achieved. Outram's Bheel Corps has served as the model on which many others have been subsequently organized in India. And the present writer has reason to believe that,—had the suggestions of Sir George Arthur received that attention which seems due to the opinions of one of the most experienced and distinguished Colonial Administrators that England possesses,—the courage, sagacity, firmness and

conciliatory skill which converted the Bheels of Can-deish into "the protectors of that peace they had so long disturbed," would in all probability, long ere this, have given tranquillity to the Cape settlements, and provided the Colonists with an efficient frontier Police, organized from amongst the savages who now perplex and scourge them.

The nature of these "Memoranda" has necessarily precluded their compiler from noticing the valuable assistance rendered to the cause of Bheel Civilization by Colonel Ovans, Mr. Graham, Majors Graham, Rigby, Morris, and others. The services of these gentlemen will find their due recognition in every faithful history of "the Civilization of the Bheels." But the foregoing pages profess to contain no more than a rapid and very brief sketch of some of the successful efforts of one who bore no unimportant, or undistinguished part, in that wonderful reformation. It is not, however, superfluous to add that Outram himself has, at all times, been prompt to acknowledge the merits and services of the officers above enumerated; and that he has ever retained in grateful recollection the generous encouragement, and the moral and official aid he received from Colonel Robertson, Messrs. Bax, Giberne, and Boyd, but for whom his difficulties would have been of a truly disheartening nature.

III.

SERVICES IN THE MAHEE KANTA.

1835—1838.

THE distracted condition of the Mahee Kânta,—a province of Guzerat bordering on Malwa and Meywar,—had, for fifteen years, been a source of much anxiety both to the Bombay Government and the Court of Directors. Continuous mismanagement, on the part of its local officers, had at length brought it into a state of almost universal insurrection; and the British troops had sustained reverses which, in so strong a country, and amidst so warlike a population, it had been found difficult to retrieve. To quote the words of the Court of Directors:—

“Disorder had progressively increased, instead of diminishing, until at length, by the confession of all the local authorities, neither natives nor British officers could travel between Deesa and Ahmedabad without a strong escort. Our officers were subject to continual insult and ill-treatment, for which no reparation could be obtained; and the respect for the British name and character in that part of Guzerat was lower than at any former period.”*

* “Deesa” is evidently a clerical mistake. “Sadra” is pro-

Such was the country for the pacification of which Sir Robert Grant, who had now succeeded to the government of Bombay, put Captain Outram's services in requisition. That officer was directed to proceed to the theatre of outrage, and to report on the steps by which peace and order could best be re-established, and permanently maintained. And so urgent was this duty considered, that, deadly as were the jungles that lay in his way, he was obliged to start on his mission in the beginning of October—the sickliest season of the year.

Crossing the pestiferous Vindhya range, following the course of the Nerbudda, and traversing the Barriah jungle, through which no European had been known to pass in autumn without paying the forfeit of his life, he reached his destination; visited Hursole, and the petty courts of the Rajahs of Edur and Ahmednuggur; and, returning by Deesa and

bably the town indicated in the foregoing quotation. But as "Deesa" occurs in the copy of the Court's Despatch lying before him, the compiler has not ventured to make any hypothetical alteration in the text. In the Despatch here quoted from, the Court of Directors, while condemning the local officers who had successively (for fifteen years) mismanaged the Mahee Kânta, made special and honourable exemption of Mr. John Pollard Willoughby. But that able Indian functionary had been removed, by promotion, to a high appointment in the Government Secretariate ere time was afforded him to make any decided impression on the country; and the good he effected had been more than neutralized by the subsequent mismanagement of six years, which preceded Captain Outram's mission. Such readers as may not have been in India, are informed that the Mahee Kânta (or the littoral of the River Mahee) is pronounced as if it were written Mye-Caunta.

Ahmedabad, arrived in Bombay in December, when he proceeded to submit his views to Government.

That many of the insurgent chiefs laboured under real, and very serious grievances, he had little doubt. And he was desirous that every complaint should be patiently investigated; that ample redress should be afforded, wherever wrong had been sustained; and that the harsh and coercive policy, hitherto pursued with such signal unsuccess, should be replaced by one of gentleness and conciliation. But, at the same time, he deemed it of the utmost consequence to satisfy the rebels that the conciliatory measures which he advised were not inspired by fear, or by a sense of our inability to enforce obedience. Keeping in view the disastrous results of the efforts that had hitherto been made to reduce the insurgents, and the daring and unchastised insolence with which our troops had been treated, he was of opinion that submission should be demanded as a preliminary to the investigation of alleged grievances. And by the adoption of energetic and decisive military measures against the most powerful of the chiefs who might obstinately refuse to lay down their arms, he proposed to awe the rest into obedience, to restore our tarnished military prestige, and thus to place the Government in a position to display clemency, without incurring the suspicion of weakness.

These views were not fully concurred in by the Government. Sir Robert Grant was—if the expression may be used consistently with the profound respect due to the memory of so great and good a man—an exaggerated embodiment of the “Peace” principle;

and tender-hearted to excess. Full of sympathy for men whom harsh measures, and a denial of inquiry into their claims had driven to arms, he took not into account the demoralization which a decade and a half of lawlessness had effected in them. He had seen a purely conciliatory policy successful in another province of Guzerat; and, overlooking the difference in the condition of the two countries, he assumed that the measures which, under the masterly management of Major Walker, Captain Barnewell, and Mr. Willoughby, had given peace to Kattywar and Rajpeempla, must necessarily suffice for the tranquillization of the Mahee Kânta. He relied on professions of love, and promises of justice, to pacify semi-barbarians, who, exasperated by severity, and weary of making vain appeals for justice, had for years been in a state of open insurrection—devastating the country with fire and sword, assailing and insulting British officers with impunity, and mocking the military efforts made for their coercion. Nay, so confident was this estimable and benevolent governor of the omnipotence of gentle speech and singleness of purpose, that he actually diminished the strength of the force which had already found itself inadequate to control the insurgents; though Captain Outram had recommended that it should be temporarily increased, not necessarily for employment, but for purposes of demonstration.*

* That the Government of Sir Robert Grant failed to recognize the difference between the condition of Kattywar, and that of the Mahee Kânta, was distinctly implied by the Court of Directors, in the despatch in which they informed him that they gave a pre-

In January 1836, Captain Outram was again despatched to the Mahee Kânta, charged with the duty of re-establishing order, but instructed to modify his original plans so as to meet the more pacific views of Government.

Earnestly did he endeavour to fulfil these incompatible requirements. But, despite his anxiety to avoid the application of force, he found himself constrained to employ it. The arrogance and audacity of the Rebel Chiefs (whom our past failures had fully satisfied of our inability to coerce them) derived increased force from the policy which aspired to miti-

ference to the views of Captain Outram, who objected to the introduction into the latter country of the judicial machinery which had been found suitable for the former. That the excessive lenity of Sir Robert Grant, and his undue application to all men of that Christian charity of which he was himself a "living epistle,"—"thinking no evil . . . believing all things, hoping all things, enduring all things"—led to serious and lamentable consequences, will be readily admitted by all who may take the trouble to read the earlier portion of Colonel Outram's "KHUTPUT REPORT," contained in the Baroda Blue Book, page 1340 to 1484. That Sir Robert's ultra-peace policy went beyond the wishes of the Court of Directors, was practically admitted by that body, who subsequently observed that they "never thought the pacification of the Mahee Kânta a thing to be accomplished without the exhibition, and occasional employment of force." "We wished," they observed, "that persuasion should be first employed; but, that while terms were offered, troops should be also set in motion; that not our power alone, nor our justice alone, but both at once, should be made manifest; while even when it became necessary to use force, all due allowances should be made for the refractory—when taken, they should be treated with lenity rather than severity." As will be seen, such were the maxims on which Outram sought to base his policy and proceedings.

gate their hostility by diminishing the military resources available for their control. And, after vain attempts to bring one of the most influential of them to reason—but not till he had warned him of the certain results of his contumacy—Outram proclaimed him an outlaw, and called in the aid of his friend Captain (now Colonel) David Forbes, the gallant and able soldier then in command of the Mahee Kānta Field Detachments.

Following the outlawed Sooruj-Mull into the mountains which divide Guzerat from Meywar, these officers established their Head-Quarters in the very centre of the strongholds which the Rebels had hitherto deemed impregnable. And, penetrating fastness after fastness, till their wearied and disheartened foe submitted, they gave a new and salutary complexion to our military relations with the country. The clemency and proffered redress of all his grievances, which Sooruj-Mull had scorned, as begot of conscious weakness, he now gratefully accepted as the offspring of his victor's generosity. And his brother chiefs read in his abasement, and subsequent reception into favour, a lesson which they were not slow to profit by.

But, gratifying, beyond even Outram's anticipations, as were the results of his energetic measures, and truly merciful as events proved this early application of force to have been, it was viewed with disfavour by the Government. They deemed it inconsistent with the purely conciliatory policy they had prescribed; and they characterized it as unnecessarily severe.

They, however, congratulated Outram "on so for-

tunate a result of his spirited, though, in their opinion, somewhat harsh proceedings ;” and they admitted that “ the plan had been executed with a skill and decision worthy of Captains Outram and Forbes.” Expressing their “ hope that good might arise out of evil,” they declared their willingness “ that Captain Outram’s success should be ascribed not to his instructions but to his departure from them, provided only that the spirit of the instructions were henceforth carried into effect.” And, in modification of their censure, they added that, “ with the exception of the outlawry of Sooruj-Mull, the whole of Captain Outram’s proceedings reflect on him the highest credit, and entitle him to the warmest commendation of Government.”

But Outram, conscious that he had, throughout, acted in the *spirit* of his instructions, and with an earnest desire to reduce the application of force to the lowest practicable minimum, respectfully remonstrated against a reproof which, though slight, he felt to be unjust. And the Political Commissioner, to whom was confided the general superintendence and control of Guzerat, thus expressed himself, in handing up the remonstrance :—

“ In the situation I now fill,—both with reference to the talented officer whose despatch I now forward and the Government,—I cannot hesitate to state my opinion that I consider his conduct, under circumstances of great difficulty, as peculiarly adapted to the end in view. His firm and active measures combined (be it said, with all deference to the opinions of superior authority) with *conduct conciliatory to the very verge of excess*, entitle him to the warmest commendation.”

In reply to this communication, the Political Commissioner was directed to assure Captain Outram that he greatly erred if he supposed that he had lost the confidence of Government; that "the confidence of Government as it was not lightly given would not be lightly withdrawn." "And,"—thus proceeded the letter:—

"The Right Hon. the Governor in Council trusts that Captain Outram will go on cheerfully under the conviction that, though Government may dissent from his judgment in some points, it entertains the firmest general reliance on his zeal, enterprise, and sagacity; and confidently anticipates from his efforts under Providence, the ultimate achievement of one of its most important and favourite objects—the civilization of the Mahee Kânta."

In a few days, the Government again addressed the Political Commissioner, directing him to inform Captain Outram that the fuller information of which they were then possessed, induced them to qualify materially the opinions they had previously expressed regarding the outlawry of Sooruj-Mull. They characterized as "*very remarkable*" the success with which Outram had gained the confidence of his defeated foe; "*and still more remarkable*" did they pronounce the impression which his combination of energetic and conciliatory measures had "produced on the minds of the people in general." They viewed with satisfaction, and bright auguries of the future, "his efforts to pacify and conciliate the troubled and long mismanaged country in which he was serving;" and they begged to assure him that "the Govern-

ment which had declaredly selected him for his present post on account of the qualifications displayed by him in Candeish, was of opinion that, so far as his opportunities had allowed, the selection had already been in no small degree justified."

This letter was dated the 26th May 1836; just four months after he had been called on to give repose to a land that, for fifteen years, had been the theatre of outrage. On the 16th of June, the Government had again occasion to express their approbation of the manner in which Captain Outram acquitted himself of his difficult duties,—“strictly fulfilling his instructions, while, at the same time, maintaining the consistency of his own proceedings.” And, from time to time, they continued to render most gratifying tributes to his “judicious proceedings”—the “characteristic energy and effect” of his measures—his “judgment and discretion”—the “merciful” spirit of his arrangements—his “humane and judicious orders,” &c. &c. &c. To only one of his undertakings did they strongly object. And it may not be amiss to describe the censured measure, illustrating, as its sequel does, a singular feature in Outram’s career—the facility with which he invariably gains the confidence and affection of his conquered enemies, and the total absence of animosity displayed towards him by those—princes or people—whom he has found himself compelled to coerce, or punish. The circumstances were these:—

Early in 1837, the Chieftain of Aglore, a Guicowar subject in successful rebellion against his own Sovereign, established his head-quarters at the fortified

village of Runseepoor, situated on the very line of the British border. Separated from the Mahee Kânta only by the river Saburmuttee, he sent his emissaries among the Kholis of that province; and a rapid extension of the rebellion throughout our own territories was only averted by the promptitude with which Captain Outram proceeded to the frontier, and taking up a strong position within his own boundaries, adopted measures to prevent further intercourse between the insurgents and the people of the Mahee Kânta. In reporting to Government the precautionary arrangements he had made, he announced that the Commander-in-Chief of the Guicowar Army, feeling himself inadequate to the subjugation of the rebels, had earnestly implored our assistance. He solicited the early instructions of Government as to compliance or non-compliance with this request; intimating, at the same time, that while a successful insurrection was extending along our frontier, he could not calculate on the continuance of tranquillity amongst the still unsettled inhabitants of the Mahee Kânta, who were related to the insurgents by tribe — many of them by consanguinity. And he described the difficulties of his position to be such that, if by a certain date (which afforded sufficient time for an answer to his despatch), he was not prohibited from doing so, he would deem it his duty to co-operate with the Guicowar General, for the suppression of the outbreak.

Owing to some official accident, never satisfactorily explained, a delay occurred in placing this letter before Council. No answer, therefore, was received; and as the Political Commissioner had negatively sanctioned the

measure, Outram arranged with the Commander-in-Chief of the Guicowar Army, to make a combined attack on Runseepoor. After a stout resistance on the part of the insurgents, their position was carried; many were slain; the rest were dispersed; their leaders were captured; and the tranquillity of the Mahee Kânta was preserved.

The measure was however condemned by the Bombay Government. They considered that it was wrong to aid our ally in coercing his subjects, while we had no guarantee that their grievances would be investigated, or redressed. They did not feel inclined to make much allowance for the difficult position of the officer whom they held responsible for maintaining the peace of an imperfectly tranquillized, and highly inflammable country, and who saw all his efforts in risk of frustration, from the inducements to revolt held out to his people by the successful frontier outrages of their relatives, and tribal friends—men, who, whatever may have been their grievances, were self-constituted outlaws, spreading terror and desolation over the land. And, in reporting the circumstance to the Court of Directors, the Government, through their Chief Secretary, wrote as follows;—

“Capt. Outram, I am desired to observe, is regarded by Government as one of the first military officers under this Presidency. Being full of courage, resource, activity, and intelligence, at those periods when the British power was struggling for existence or for empire, he would have acted a brilliant part; but his fault is, that, *though perfectly fitted for the performance of civil duties*, he is essentially warlike. The capture of

Runseepoor was of easy accomplishment ; yet, so far as was compatible with operations on so minute a scale, those of Capt. Outram were, in the opinion of Government, perfect both in conception and execution ; and deeply do they regret that his great military talents should have been exercised on such a field."

On receiving the Despatch from which the foregoing quotation is taken, the Court of Directors deemed it their duty to prohibit the further employment of Captain Outram in the Mahee Kânta—"under the belief that his longer presence would keep alive feelings of mutual distrust and animosity amongst the parties concerned in these unfortunate transactions." But ampler information led the Court of Directors to modify their opinions.* On "*the earnest recommendation*" of the Indian authorities, and influenced by "the ample evidence now added to that already possessed of Captain Outram's extraordinary fitness for at least the executive part of the duty of re-establishing order and tranquillity in a country like the Mahee Kânta,"—the Directors withdrew their prohibition. And, in doing so, they acknowledged that NO "feelings of mutual distrust and animosity" had been excited "*even while the transactions were recent*"; and that the reports of the Government contained satisfactory evidence "*of the great confidence reposed in Captain*

* The Court, indeed, declared that "of Captain Outram's views they still entertained the same opinion." But on reference to the note at the foot of page 39, it will be seen that the views of the Court were, in reality, much more in harmony with those of Outram, than with those of Sir R. Grant.

Outram by all classes in the Mahee Kânta, and of the general feeling of respect which, through his exertions, is now entertained in that country for the British Government." The despatch proceeded :—

"That your disposition to grant terms to the outlaws was at first misconstrued, and imputed to inability to coerce them, is a result which might have been expected from former experience. The false impression it is admitted is now at an end. To have removed it so speedily is honourable, in the highest degree, to Captain Outram's talents and energy; nor do we doubt that it could only have been effected (as he states) by most arduous personal exertions on his own part, and on that of his able assistant Lieut. Wallace."*

So successful had been these exertions that, in June 1838—little more than two years after undertaking the pacification of the province—Captain Outram was, to "the high satisfaction of Government . . . enabled to dispense with the services of the Troops in the Mahee Kânta."

This reformation had been effected, as the Court of Directors subsequently observed, "*without taking a single life—except in the field, or depriving a single person of his estate.*" And its beneficial effects were experienced far beyond the sphere of Captain Outram's official authority. Thus in March 1839, the Judicial

* Now Captain Wallace, of the 18th Regt. N. I. This valuable officer afterwards earned high distinction in the Political department of Sind; subsequently he became Political Agent in the Mahee Kânta; and recently his services have been obtained for the general superintendence of the magisterial and Police arrangements of Western India.

Commissioner, in reporting to Government "the highly satisfactory and surprisingly tranquil and peaceable" state of the Ahmedabad districts during the preceding year, and their unwonted freedom from plunderers, remarked that he could not—

"Ascribe this to any improvement in the Police, for its stipendiary and hereditary servants are the same, and their inefficiency has lately been reported, and a radical change proposed by Mr. Jackson. . . . It is, then, to other causes we must turn; and there can be little doubt that these may be traced to the excellent arrangements, and judicious proceedings of Captain Outram, Political Agent in the Mahee Kânta."

The officer who could point to such results of his administration, was doubtless well entitled to the following eulogium from his superiors;—

"On the occasions on which he acted on his own responsibility, and received the commendation of Government, he has shown how judicious was the selection which placed him, from the experience of his most valuable services in Candeish, in the office of Political Agent for the Mahee Kânta. But if his energy and prompt decision have been often important in their consequences, *not less have his execution of instructions varying from his own impressions of what was best, and his scrupulous obedience, when unexpected events did not call for his assuming the responsibility of action.* The confidence of Government in the influence of this principle, not unfrequently recorded, . . . will be particularly pointed out to the Honourable Court as showing the very high opinion entertained of Captain Outram's military and political character."

Little do the people of England understand the multiform, onerous, and incessant duties that devolve on Indian officials—the amount of miscellaneous but accurate information they are required to gather and apply—the versatility of talent demanded of them. Extensive as are the requirements made on all our Indian functionaries, those exacted from the class of officers designated “Political Agents,” are such as almost to surpass belief. And the compiler of these “Memoranda” hopes, at no distant date, by a narrative of the progress of Civilization in the Provinces of Candeish, Kattywar, and the Mahee Kânta, to draw attention to the amount of administrative industry, energy, and talent, that is lost to this country and the colonies, by the disinclination of Her Majesty’s Government to employ the retired political officers of the East India Company, on Imperial services.

In the mean time, he can but briefly glance at a few of the more important of the functions discharged by Captain Outram, during the two and a half years he was engaged (to borrow the words of the Court of Directors) “in tranquillizing a country so long in a state of disorder—establishing a sense both of the power and of the justice of the British Government—and removing evils which length of time had rendered almost inveterate.”

As a magistrate, he had an amount of work to perform, the recital of which would cause surprise to all whose ideas of magisterial duties are derived from attendance on the police courts of this country. And for “the unremitting and laborious exertions” which

he made in this department of the public service, he received the warm commendations of Government.

Faithful to his promise to examine into and redress the wrongs of the Mahee Kânta chiefs, he undertook many delicate and intricate judicial investigations. And it was intimated to him by Government, that “the eminently successful results of these labours—the temper, skill, and patience of his investigation of claims and grievances—had often been brought to the favourable notice of the Honourable Court.”

Not satisfied with redressing the wrongs of those whom he had prohibited from taking the law into their own hands, he applied himself to their extrication from those pecuniary embarrassments which, originating in their former lawless habits, still kept them in bondage to usurers, and tempted them to oppress their subjects. Ere this could be effected, it was necessary to institute many intricate financial inquiries, and to elucidate the origin, trace the history, and investigate the practical results of several mischievous financial arrangements. And the Political Commissioner was directed, in 1838, to “convey to Captain Outram the high approbation of Government for the attention he had bestowed on this subject, and for the ability he had displayed in bringing to notice the ruinous effects of the present Nisha system.”

The establishment in the Mahee Kânta of regular tribunals for the administration of justice was another subject that occupied his attention. His views in reference to this matter differed somewhat from those of the Government, and were honoured with the preference of the Court of Directors.

In co-operation with Colonel Spiers, the active and able Political Agent for the neighbouring provinces of Meywar and Malwa, he applied himself to the settlement of the border feuds which had for long rendered that part of the country impassable to merchants and travellers. And by the conjoint labours of these two earnest officers, the roads were re-opened—arrangements were made with the various chiefs for the encouragement of traffic—full protection was secured to caravans—the transit duties were reduced—and a great annual Fair was established. For these not unimportant contributions to the cause of commerce, and the extension of civilization, Colonel Spiers and Captain Outram were warmly praised, and cordially thanked, by the Bombay Government, the Governor-General, and the Court of Directors.

As this little volume professes to give only a few “memoranda,” and not a detailed account of his services, it were out of place to enter into a more minute recital of Captain Outram’s performances in the Mahee Kânta ; but it may not be amiss to observe that, during his brief career in that province, his activity and persuasive abilities were called into requisition for the benefit of districts lying beyond his jurisdiction. One example shall suffice :—

The success of the Bheel Corps had suggested to Government the propriety of raising an analogous body from amongst the Kholis of Guzerat—a race that had hitherto proved nearly as intractable as the Bheels of Candeish—and Captain Leckie, who has since earned distinction as a political officer, was nominated as its Commandant. But though the corps was

destined for service in the Ahmedabad and Kaira districts, its organization was directed to be effected under Captain Outram's superintendence, from amongst the recently rebellious Kholis of the Mahee Kânta. And the latter officer received the cordial acknowledgments of Government for the manner in which he had promoted and facilitated the formation of the corps, and for the success with which he had influenced his own Kholi chiefs to persuade their kinsmen and clansmen, not merely to enlist, but to submit to discipline.

Not satisfied with having, from time to time, given utterance to his appreciation of Captain Outram's merits, Sir Robert Grant expressed himself as follows, in a Minute in Council, recorded on the 17th July 1838:—

“There is an exhibition of talent, and energy, and devotion to the service, in Captain Outram, which will not fail to be justly estimated by the Honourable Court; and in an officer who can appeal to the consequences of his measures, is creditable to the feelings which have actuated him in all his arduous duties. The success which has attended him in the pacification of the Mahee Kânta, he truly urges, has been effected by these exertions, ‘under the blessing of Heaven, on the humane intentions of the British Government.’”

And Sir Robert's colleague in Council, Mr. (now Sir George) Anderson, the present Governor of Ceylon, endorsed these remarks with the following additional minute:—

“I would beg to record that, in the short time I have been in the Government, I have observed in the despatches of Captain Outram great talent, and a mind

evidently earnestly engaged in carrying out measures for the welfare and tranquillization of the disturbed country committed to his charge.”

Circumstances had occurred which gave unusual value to these testimonials.

In the course of his Judicial investigations, Captain Outram discovered the general prevalence of a system, which, under the designation of “KHUTPUT,” has recently excited considerable sensation and scandal in Western India.*

He ascertained that a general belief pervaded all classes of the community that, by means of intrigues at the Presidency, the arrangements of the local officers could be upset—their judgments reversed—corrupt or incompetent native officials restored to the situations of which they had been deprived—and even convicted criminals released from punishment. He found that every post in the Political establishments of Guzerat, had become filled by members of the Nagur (or Snake) division of Brahmins, who, trading on this dishonouring and mischievous belief, had a direct interest in exciting discontent—in stimulating litigation—and in perpetuating those feuds which had spread terror, rapine, and bloodshed, over the land. And what grieved him most was the conviction, which could not be set aside, that the Government had itself, by a mistaken lenity, rivetted the belief in “Khutput” on the minds of the people. Over and over again had they discouraged inquiry into the alleged misconduct of native officials; over and over again had they set aside, as inconclusive,

* “*Making Khutput (illicit action) in Bombay.*” The term is a Mahratta one.

evidence which their Political and Judicial Officers deemed completely satisfactory ; often had they put in extenuatory pleas in behalf of the accused ; and when, at length, compelled to convict, they awarded punishments singularly mild.

Earnestly did Outram struggle against the monstrous system of corruption, by which the Chiefs and their subjects were plundered, under the pretence that the money which they paid to the native harpies of the Political offices, reached the hands of the Bombay Authorities. Urgently and forcibly did he plead with the Government for a reversal of the lenient policy which, by giving an air of verisimilitude to the boasts made by the corruptionists of their secret understanding with high functionaries, brought unmerited dishonour on the rulers, and demoralized the people of the country. And he ceased not from his efforts till he had, by a laborious accumulation of evidence, left the Government no alternative but to convict and dismiss the leading Nagurs, whose guilt they had been so slow to admit.

In the course of these services, led away by the warmth of his zeal, and wielding a pen that had not been trained to euphuistic exercises, he not unfrequently employed language which some men might perhaps have felt inclined to resent as "disrespectful." But it was Outram's privilege to serve under statesmen who could appreciate him. The matter not the manner,—the gold and not "the guinea stamp,"—were looked at in those days. And the Government never dreamed of taking offence at the plain speaking of their subordinates, while satisfied that their words were the utter-

ances of full, and generous, and truthful hearts, and that they drew their inspiration from a jealous tenderness for the honour of the British name. Strong as was the language in which Captain Outram addressed his superiors, embarrassing the *facts* he pressed on their attention, and uncomplimentary the logical conclusions he drew from these facts, the Government continued, as has been seen, to place on public record the esteem and confidence they reposed in him ; and they honoured him in private with their friendship.*

In October 1838, Captain Outram having fully accomplished the task assigned to him in January 1836, requested permission to relinquish his political appointment, that he might (at a pecuniary sacrifice of upwards of £700 per annum) join the military expedition that was then being organized for the purpose of deposing Dost Mahommed, and restoring Shah Soojah to the throne of Affghanistan. The Government acceded to his request, and directed their Chief Secretary to address him as follows :—

“In complying with your application, however, Government cannot help feeling the great loss to the public service which your temporary absence from your present important duties in the Mahee Kânta will occasion, but being impressed with the high qualifications which you possess for rendering the most valuable services on an occasion like the present for which your zeal has now prompted you to offer yourself, the Go-

* A reference to Colonel Outram's *Khutput Report*, in the Baroda Blue Book, will show how much stronger was the language employed by him in 1838, than that which was assigned as a cause for his removal from the office of Resident at Baroda in 1851.

vernor in Council has not thought it right to withhold his acquiescence in your wishes.

“I am further desired to inform you that your application has been brought to the notice of the Right Honourable the Governor-General of India, who, it is doubted not, will duly appreciate the laudable motives which have actuated you on this occasion.”*

And the Political Commissioner, under whose eye Captain Outram had more immediately served, and through whom this communication was transmitted, wrote in the following terms:—

“It is with feelings of unfeigned concern that I learn we are to lose the benefit of your most valuable services in the Mahee Kânta; particularly so, when, after a highly judicious management of a country in complete disorder at the time of your taking charge, your measures for its prosperity are coming to maturity. Much as I regret your departure, I beg you will accept of my best wishes for the promotion of your views in the new sphere of action into which your zeal for the service has led you; and where I feel confident the exercise of these qualifications for Government will ensure you the respect and esteem of those under whom you may be called upon to serve.”

* October 27th, 1838. In consequence of the death of Sir R. Grant, the Government of Bombay had then devolved on the Honourable Mr. Farish.

III.

SERVICES DURING THE INVASION OF
AFFGHANISTAN.

1838—1839.

ON the 21st November, 1838, the Bombay Division of the Army destined for the invasion of Affghanistan under Sir John Keane,* sailed from Bombay *en route* to Sind; and on the 27th it reached the Hujamry mouth of the Indus, in the confident expectation of being able, without delay, to prosecute its onward march. But it was doomed to disappointment. The nature of its embarrassments, and the manner in which it was extricated from them, are explained in the following passage from Dr. Kennedy's interesting narrative:—†

“Our halt on the banks of the Indus was prolonged to December 24th, solely from the want of camels and boats, which had been promised to be ready against our arrival. These were not only not ready, but the local authorities at Kurrachee had prevented the merchants from sending 800 camels which they had

* On whose staff Outram occupied the post of Honorary Aide-de-camp.

† “Narrative of the Campaign of the Army of the Indus in Sind and Cabool, in 1838.” By Richard Hartley Kennedy, M.D.; late Chief of the Medical Staff of the Bombay Division of the Army of the Indus. Bentley, 1840.—pp. 63—64.

engaged. . . . The unparalleled activity and energies of Captain Outram had, however, been devoted in aid of those who ought to have foreseen and provided against these difficulties. He left the anchorage at the Hujamry, and proceeded to Mandavie, whence he travelled to Bhooj, and laboured at the Cutch Durbar to carry points which should neither have been left to this late hour, nor yet left to his management. Having surpassed all expectation in what he was able to effect, he re-embarked at Mandavie, and sailed to Kurrachee, where he landed; and, travelling across the country, rejoined us at Tatta.

“To him chiefly, if not entirely, was it to be attributed that on the 22nd (December), it was reported that a sufficient number of camels had been collected; and orders were given for the Army to advance, in two divisions.”*

The Army was, however, soon brought to a temporary stand-still; for the Ameers of Hyderabad viewed with natural irritation and alarm the intrusion on their soil of an imposing British force, and hesitated to accept the harsh and oppressive treaty which, regardless of existing solemn compacts, their unwelcome visitors now proffered to them at the point of the bayonet. But until the ratification of that treaty, the army could not advance beyond the Capital of Lower Sind; and as we were too conscious of our strength to waste much time in arguing on the justice of our requirements, an

* See also Kaye's "History of the War in Affghanistan," Vol. I., p. 395; and the "History of the War in Affghanistan," by an Officer of High Rank in the Indian Army, edited by Charles Nash, Esq., p. 122.

ultimatum was, on the 16th of January, communicated to the Sindian Princes, by Captain William Eastwick, as the Deputy of Sir Henry Pottinger, the British Representative at their Highnesses' Court.* It was deemed fitting that, on such an occasion, the diplomatist should be accompanied by a representative of the military chief, who was at hand to enforce his demands; and on Captain Outram it devolved to stand sponsor for the warlike resolves of Sir John Keane.

Powerless to resist, the intimidated Ameers signed the treaty; and on the 10th of February the Army resumed its march, to effect a junction with the two columns that were advancing from the north—the one under the command of Sir Willoughby Cotton,—the other (the rabble “Contingent” of His Majesty Shah Sooja), ostensibly led by the King himself.

All three forces had many difficulties to contend with; their progress was slow, their privations numerous. And the hardships and sufferings of the Bombay Troops were greatly aggravated by the dishonesty of a native official, till Captain Outram brought him before a Military Court, and thus put a stop to malpractices that “fell heavily on the juniors of the officers, and ruinously on the native soldiers.”†

Though Outram had, to quote the words of Dr. Kennedy, “set the Army in motion,” by the energy and success with which he provided it with “car-

* Captain Eastwick is now an E. I. Director, and to his immortal honour, has availed himself of every opportunity of denouncing the wrongs of the unfortunate Ameers, and of urging their strong claims on us for sympathy and redress.

† Kennedy's Narrative, Vol I., p. 157.

riage,"* he could not prevent the camels from dying ; and such had been the mortality among these animals during the march, that, on reaching Upper Sind, Sir John Keane found it would be impossible for him to move his entire column up the Bolan Pass without an additional supply. This, it was supposed, could only be obtained by influencing the British Envoy (Sir William Macnaghten), who was in attendance on the King, to keep back a portion of Shah Sooja's highly-prized "Contingent," and transfer their camels to the Bombay Division. Such an arrangement, however, was only to be effected by adroit diplomacy ; for the self-complacency of His Majesty, and the official dignity of the Envoy, had been so seriously offended by the contempt for their unsoldierly levy, which Sir Willoughby Cotton undisguisedly evinced, and Sir John Keane barely affected to conceal, that Sir William Macnaghten, assuming a high tone, had insisted on a prominent place being given to the Shah, in the approaching operations.† And the Commander-in-Chief had cogent reasons for avoiding a rupture with the British Plenipotentiary. He therefore resolved to go through the form of offering a thousand of his own insufficient herd of camels for the use of the Contingent ; but he determined, at the same time, that the reverse arrangement should be carried out, if by skilful management it could be effected.

Shah Sooja and Sir William Macnaghten were 90

* The term used in India to designate the means of transporting stores and ammunition, whether carts, elephants, camels, horses, &c. &c.

† Vide Kaye's War in Afghanistan, Vol. I. p. 412.

miles off. And even if the delicate negotiations contemplated could have been conducted by letter, they brooked neither the delay, nor the risk of interruption attendant on epistolary correspondence, in a country utterly destitute of postal establishments, and overrun by marauders. It was necessary, therefore, that Sir John Keane should detach to the Shah's camp some officer in whose zeal, tact, and conciliatory talents he could repose confidence; and Captain Outram was selected for the service.

The duty confided to him he performed with a success beyond even the anticipations of his chief, who received, from Sir W. Macnaghten, a supply of camels more than double in number those he had offered for the use of the Shah's Contingent. And so favourable an impression did Outram make on the Envoy, that the latter invited him to take office on the Political Staff of the Expedition. But though grateful for Sir William's offer, Outram declined withdrawing himself from the Military Department while there remained a prospect of active operations in the field.

No sooner had he rejoined the Head Quarters of the Army, than he was called on to release Sir John Keane from another, and somewhat uncomfortable, embarrassment. On reaching Larkhana, the Cutch camelmen—between two and three thousand in number—had struck work. Threats, promises, expostulations, and entreaties, were all equally in vain. They positively refused to march another stage; and those who have campaigned in the East require not to be told what it is to have to deal with reculant camel-drivers in an unfriendly country. For four days were these refractory

characters, on whose aid and fidelity so much depended, unsuccessfully appealed to,—now in tones of intimidation, now in terms of cajolery. Matters became serious; and, at last, Outram was called in to quell the mutiny. By his stern determination, he did so effectually; and the camelmen did not again venture to dispute orders. They found they had one to deal with who never indulged in a threat which he was not prepared to execute.

Tedious continued to be the advance towards the Bolan Pass. Further negotiations had from time to time to be conducted with the Envoy; and to Outram were they entrusted, until he met with an accident, which it was, at one time, feared might permanently incapacitate him for the active duties of his profession.

“On the morning of the 21st (March 1839),” writes Dr. Kennedy, “I had the melancholy satisfaction of thinking that I was not the most unlucky wight in the Bombay Column. On riding towards the new encampment, I was met by Captain Outram, who told me, in the most consolatory tone and terms he could devise, that one of my Camels, with all its load of baggage, had been carried off by thieves. This was no jest. . . Great indeed was my vexation; but before it was half digested, a clamour and rumour, as of some accident, were heard; and I soon discovered that poor Outram, as I galloped one way to inquire into the extent of my disaster, and he the other, had met with a most serious accident, his horse rolling headlong and crushing him in the fall. He was dashed to the ground with the hilt of his sword under him, and had suffered the very unusual injury of a fracture of the pelvis bone, at

the crest of the ilium. And thus in a moment, and in the midst of a distinguished career of important usefulness, was this valuable officer to be a bed-ridden cripple, and the Army to be deprived of his energetic virtues, and profound knowledge. I felt ashamed to have repined at the loss of some paltry property when, at the instant, a calamity so much more distressing was occurring to one so peculiarly situated."

Borne on a litter, Captain Outram proceeded with the Army; and after a month's confinement, he resumed his duties.

Sir John Keane met with no opposition till he reached Ghiznee. On the 23rd of July that Fortress was taken; and on the evening preceding its capture, Captain Outram had an opportunity of rendering some good service, which is thus alluded to by one of the Historians of the Affghan war:—

"While arrangements connected with the coming night's proceedings were occupying the mind of the Commander-in-Chief, a spirited affair was going on in another part of the field. About noon, the enemy was observed mustering in considerable strength upon the heights to the southward of the camp, and displaying several banners. They were a body of fanatical Mussulmen, termed 'Ghazees,' or Defenders of the Faith, whose enthusiasm had been enlisted by Dost Mahomed against the Kaffir, or infidel English, and their renegade king, as the Shah was represented to them. Their position commanded his Majesty's camp; and it was evident from their movements that they were about to pour down in that direction, as if

their animosity were chiefly directed against him. The whole of the Shah's horse, supported by the lancers, and a regiment of Bengal cavalry, moved out immediately with two guns to oppose them. The enemy had already begun to descend into the plain, when they were met by the Shah's cavalry, under Captain Nicolson, and driven back with some loss, leaving one of their standards in our hands.

“Capt. Outram, one of the bravest and most active officers in the service, who, whenever any out-of-the-way duty was to be performed, seemed always ready in a moment to undertake it, and has since gained so much distinction in connection with the affairs of Sind, arrived at the scene of action just previous to the occurrence of this incident. Finding no other European officer on the spot, he prevailed on a body of the Shah's horse to accompany him round the hills in the enemy's rear, where he stationed them, so as to prevent the latter retreating. Intimidated by this manœuvre, and the repulse they had met with, the Ghazees ascended the heights beyond the reach of the horse; and Capt. Outram meeting at this moment a small detachment of native infantry and matchlockmen under an English officer, proposed to him an immediate attempt to force the enemy from their new position. They ascended the rocks in gallant style, Capt. Outram at their head, advancing steadily under a galling fire; and at length, step by step, attained the topmost peak, over which floated the Ghazee consecrated banner of green and white, which was supposed to confer invincibility upon its followers. At sight of this, the whole party rushed forward, cheering vociferously. The

standard-bearer was brought to the ground by a chance shot; the sacred standard itself fell into our hands; and the hopeless Ghazees fled panic-stricken at the loss of their charmed banner, and its inefficacy to protect them. The loss on our part in this affray was about 20 killed and wounded; the Affghans lost between 30 and 40, and about 50 of them were made prisoners.”*

On the 30th of July, the Army resumed its march towards Cabool, elate with the prospect of giving and receiving some hard blows; for it was generally believed that Dost Mahommed would venture battle. But the Ameer, discovering that his troops had been tampered with,† saw that resistance would be vain; and at the head of about 3,000 followers, who still clung to him in his adversity, he fled in the direction of Bameean. His flight was reported in Camp on the 3rd August: “and,”—writes the “Officer of high rank in the Indian Army,” “the intelligence being fully confirmed, it was resolved to send in immediate pursuit of him; and the service being one requiring both talent

* “History of the War in Affghanistan, Edited by C. Nash, Esq., p. 162.” See also “Kennedy’s Narrative,” “Kaye’s History”—the “Narrative of the March and Operations of the Army of the Indus, by Colonel Hough, Judge Advocate General of the Bengal Column,” &c., &c. To save unnecessary annotation, the compiler will henceforth abstain from citing more than the authorities actually quoted. Suffice it to say, that every writer who has undertaken to illustrate our operations in Affghanistan has, more or less fully, adverted to the services rendered by Outram. In addition to the writers cited may be added Colonel Havelock, in his “Narrative of the Affghanistan War.” Dr. James Atkinson, the Medical Chief of the Bengal Division in his “Expedition into Affghanistan,” &c.

† By Shah Sooja.

and daring, Captain Outram seemed, as a matter of course, the officer to be selected to command the pursuing party."

Five hundred Affghan horsemen, and a small party of our own Hindostanee Cavalry, were placed under Outram's command; and twelve officers volunteered to accompany him,—all, as Mr. Kaye truly designates them, "bold riders and dashing soldiers." "And if," adds the same historian, "the success of this expedition had depended on the zeal of the officers, Dost Mahommed would have been brought back a prisoner to the British Camp; for never did a finer set of men leap into their saddles flushed with the thought of the stirring work before them. But when they set out in pursuit of the fallen Ameer, a traitor rode with them, intent on turning to very nothingness all their chivalry and devotion."*

This traitor was "Hadjee Khan Kakur, a man notorious throughout the country for his unparalleled treachery. In early life he had been nothing more than a humble melon-vender; but he was a man of enterprise and courage, and had raised himself to the highest rank by his crafty talents—invariably changing sides, when his interest prompted him to do so. He had intrigued even in favour of the heretic Sikhs during their hostilities with Dost Mahommed, and afterwards

* Vol. I., p. 455. The following is a list of the gallant little band:—Captains Wheler, Troup, Lawrence, Backhouse, Christie, Erskine, Tayler, and Trevor; Lieutenants Broadfoot, Hogg, and Ryves; and Dr. Worrall, men most of whom were destined, ere long, to signalize themselves, some by feats of military prowess, others by their administrative and diplomatic talents, some both as soldiers and as diplomatists.

quitted the service of that chief to join the rulers of Candahar against him. Upon the approach of our armies to Candahar, he again changed sides, and deserted with all his followers to the cause of Shah Shooja, for which piece of well-timed service he received a thousand pounds from us. But nothing could secure the fidelity of this designing chief, who seemed to love treachery for its very sake; and upon our march to Ghiznee he hung aloof in the most suspicious manner, evidently waiting, as was afterwards proved, to see the result of our operations upon that fortress, in the hope that our defeat would give him another opportunity of changing his party. Our glorious success, however, confirmed his wavering fidelity for the moment, and the day after the fall of Ghiznee, he arrived at the British camp with congratulations, and protestations of his earnest attachment to our cause.”*

“How,” writes Dr. Kennedy,—“how it fell that he was allowed to remain in the rear at so critical a moment, I know not; but had he been served as the sixty-five prisoners had been on the evening of the 22nd, there seems every reason to believe that Captain Outram, who set the Army in motion by procuring at Bhooj and Kurrachee the camels requisite for our move from the Hujamry, would have closed the campaign by the capture of Dost Mahommed.”

But Hadjee Khan, instead of “being served as the sixty-five prisoners,”† had been taken again into the royal favour; and to give him an opportunity of

* History of the War in Affghanistan, by an Officer of high rank, p. 188.

† *i. e.*, put to death.

proving his fidelity, he was directed to act as Outram's guide: a duty for which the King conceived him to be peculiarly qualified, from his having once been Governor of Bameean.

"The pursuit of Outram was bold, active, and persevering. He followed the fugitive from the 3rd to the 9th August, on which day the Ameer crossed in his flight the Affghan frontier at Syghan, thirty miles beyond Bamian. The British troops endured the greatest privations, having lived on parched corn for several days, their horses picking up, at the same time, scanty and indifferent forage, in the small spots of cultivation in a mountainous tract. Holding cheap these difficulties, Captain Outram pursued his arduous course from Sheikhabad, across the Pughman range, to Goda, Soofyd Kadir, Joort, and Kurzar; thence he tracked the footsteps of the Ameer by Kaloo, up the tremendous passes of Hajee Guk and Shootur Gurdun to Bamian, leaving close on his right the awful eminences of Kohi Baber, twenty thousand feet in height.

"But all his laudable endeavours and intentions were frustrated by the tricks and subterfuges of Hadjee Khan. It very soon became evident that nothing was further from the thoughts of this accomplished traitor than to aid in the capture of his former master. His excuses were varied and endless. At one time he urged the inability of his troops to proceed at so rapid a pace; at another, he permitted them to roam over the country in search of plunder, and then lamented their absence. Perpetually he urged upon the consideration of the bold leader of the chace the formidable

force, amounting to full fifteen hundred men, which Dost Mahommed Khan, after seeing his ranks thinned by desertion, still retained about him. Though believed to be intimately acquainted with the roads, yet, between Soofyd Kadir and Joort, he suffered the detachment to be led into a defile in the mountains, from which there was no egress, and where they were obliged to dismount on a frosty night, and sit by their horses until the dawn enabled them to retrace their footsteps. He encouraged Captain Outram to believe that it was his intention to effect the detention of the Barukzye by raising the Hazaru tribes in his rear, and under this pretext, urged him to slacken his pace. But when he found that Outram's sagacity and determination were proof against privations, fatigue, entreaties, and every artifice, he at length threw off the mask so far as to tell him that he must not reckon on the aid of his Affghan troops if he attacked Dost Mahommed contrary to the advice of his guide, and that it would not be surprising if they should turn against the British in the *melée*. In one of the numerous altercations between Captain Outram and the Hadjee, the latter used the remarkable expressions which will be long remembered against him. 'I am hated in Affghanistan on account of my friendship for the English. *I am, next to the king, the most unpopular man in the country.*'*"

"Again and again," writes Mr. Kaye, "there was the same contention between the chivalrous earnestness of the British Officer, and the foul treachery of the Affghan

* Colonel Havelock's "Narrative of the Affghanistan War," p. 155.

Chief. At last, on the 9th August, they reached Bameean, where Hadjee Khan had repeatedly declared that Dost Mahommed would halt, only to learn that the fugitives were that morning to be at Syghan, nearly thirty miles in advance. The Ameer was pushing on with increased rapidity; for the sick Prince,* who had been carried in a litter, was transferred to the back of an elephant; and his escape was now almost certain. The treachery of Hadjee Khan had done its work. *Outram had been restricted in his operations to the limits of the Shah's dominions,—and the Ameer had now passed the borders.* Further pursuit, indeed, would have been hopeless. The horses of our cavalry were exhausted by over-fatigue, and want of food. They were unable any longer to continue their forced marches. The game, therefore, was up. Dost Mahommed had escaped. Hadjee Khan Kakur had saved the Ameer, but he had sacrificed himself. He had over-reached himself in his career of treachery, and was now to pay the penalty of detection. Outram officially reported the circumstance of the Hadjee's conduct, which had baffled all his best efforts—efforts which he believed would have been crowned with success; and the traitor, on his return to Cabool, was arrested by orders of the Shah. Other proofs of his treason were readily found, and he was sentenced to end a life of adventurous vicissitude, as a state prisoner in the provinces of Hindostan.”†

Though unsuccessful, the pursuit of Dost Mahommed

* His son, the subsequently famous Akbar Khan.

† Kaye's "History of the War in Affghanistan," vol. i. pp. 458—9.

has generally been regarded as one of the most brilliant and chivalric passages in the Affghan War. And rarely has a nobler instance of heroism and devotion been afforded than when, on the sixth evening of the chase, in the belief that they were close on the heels of the fugitive King, the thirteen British Officers—with a self-convicted traitor for their guide, and surrounded by 500 Affghan horsemen ready to obey his treacherous behests—in calm council agreed to unite their efforts on the morrow; and, charging in the centre of their small body of Hindostanee followers, each to direct his individual attack against the person of Dost Mahomed. “It being evident,”—thus runs the entry in Outram’s diary,—“it being evident that all the Affghans, on both sides, will turn against us, unless we are immediately successful, this plan of attack appears to afford the only chance of escape to those who may survive; and it is an object of paramount importance to effect the destruction of the Ameer, rather than to permit his escape.”*

“*Those who may survive!*” Not one of the gallant band but must have felt assured that the sun which was to light him on the morrow’s journey would shed its setting beams on his mangled corpse. Yet, “they passed the night cheerfully and merrily, though they had little to eat, nothing whatever to drink, and no other bed to lie on than their sheep-skin cloaks.”†

* Vide Diary in Outram’s “*Rough Notes of the Campaign in Sind and Affghanistan*,” p. 130.

† “*History of the War in Affghanistan*,” by an Officer of high rank in the Indian Army, p. 190.

On his return to Cabool, Captain Outram, seeing that the war was virtually terminated for the present, accepted the Envoy's renewed offer of Political employment, on the understanding that, in the event of further military operations taking place, he should be permitted to participate in them. And it was not long till—

“The active services of the gallant Captain Outram had been again called into request. Shortly after the arrival of the Shah at Cabool, certain insurrectionary movements among the Ghilzie tribes attracted his attention, and an expedition was resolved on, to attempt their reduction. A cold-blooded murder had also been perpetrated upon the person of a British officer, Colonel Herring, of the 37th Native Infantry, by a party of these desperate marauders. Capt. Outram was, therefore, placed in command of a body of troops, British and Affghan, and commissioned to depose the refractory Ghilzie Chiefs,—to punish the people of Maroof for their horrible and wanton destruction of a Kafila of Hindoos in the previous May,—and to avenge the assassination of Colonel Herring. He started on this expedition on the 7th of September, and after several days of indefatigable exertion, he discovered that the perpetrators of the last-named atrocity belonged to a tribe of freebooters, called Kaujuks, whose stronghold was situated some distance to the north-east of Ghuznee.

“On the 21st Captain Outram made a night march, in order to surprise these banditti, and arrived at break of day at a deep dell occupied by the gang. His dispositions were made so skilfully that he succeeded in

completely surrounding them ; but they defended themselves with the greatest obstinacy, and maintained their position until all their ammunition was nearly expended, when, upon our men rushing in upon them from every quarter, they were compelled to throw down their arms. Sixteen of their number were left dead upon the spot, and one hundred and twelve were taken prisoners. Not one was permitted to escape ; and forty-six of the most ferocious were immediately transmitted to Cabul for execution.

“ All their camels and property also fell into the hands of Captain Outram’s party, the former bearing marks by which they were discovered to have been stolen from our troops. He fulfilled his other instructions with equal celerity and success, blowing up the fort of Maroof, which was found to be a place of remarkable strength, and taking several of the people prisoners.”*

For these services the British Plenipotentiary, from time to time, communicated to Captain Outram the warm commendations of Shah Sooja.

Thus, on the 6th October, he conveyed “ his Majesty’s unqualified approbation, evincing as they (Captain Outram’s operations) do, the highest degree of zeal, energy, and prudence.”† On the 17th of the same month, his Majesty was “ pleased to express

* History of the War in Afghanistan, edited by C. Nash, Esq., p. 204.

† Captain Outram was, at the same time, instructed to express his Majesty’s admiration of the spirit of the officers who co-operated with them—special commendation being bestowed on “ the gallant conduct of Major McLaren and his detachment.”

himself in terms of high gratification at the energy and zeal displayed by Captain Outram, in operations by which the power and influence of the rebel Ghilzie Chiefs have been completely and for ever destroyed." In reference to the destruction of Maroof, Shah Sooja, on the 7th November, desired the British Envoy to signify his Majesty's "entire approbation of Captain Outram's conduct, and to convey his warmest thanks for this additional instance of zeal and devotion displayed in his cause." And soon after, in transmitting to Captain Outram, by his Majesty's order, the decoration of the Douranee Order of Knighthood, the Envoy wrote as follows:—

"I am desired by his Majesty Shah Soojah Ool Moolk, to convey to you his acknowledgment of the zeal, gallantry, and judgment displayed by you in several instances during the past year, whilst employed in his Majesty's immediate service.

"His Majesty desires to specify three instances in which your merit and exertions were particularly conspicuous.

"First, on the occasion of your gallantly placing yourself at the head of his Majesty's troops engaged in dispersing a large body of rebels, who had taken up a threatening position immediately above his Majesty's encampment, on the day previous to the storm of Ghiznee.

"Secondly, on the occasion of your commanding the party sent in pursuit of Dost Mahommed Khan, when your zealous exertions would in all probability have been crowned with success, but for the treachery of your Affghan associates.

“And, thirdly, for the series of able and successful operations conducted under your superintendence, which ended in the subjection or dispersion of certain rebel Ghilzie and other tribes, and which have had the effect of tranquillizing the whole line of country between Cabul and Candahar, where plunder and anarchy had before prevailed,” &c. &c.

Nor did the Governor-General of India fail to express his cordial approbation of each of Captain Outram's proceedings.

Having fulfilled the duties assigned to him, Outram hastened, by permission of the Envoy, to join the column under General (now Sir Thomas) Willshire, then proceeding to punish Mihrab Khan of Khelat, for certain acts of hostility imputed to him and his subjects during the advance of Sir John Keane's Army. On the 30th October, he arrived in General Willshire's Camp; and offering his services, in the capacity of Aide-de-camp, to that distinguished Officer, accompanied him to Khelat, which was carried by storm, on the 13th of November. The following account of Outram's performances on this occasion is derived from Mr. Nash's interesting volume:—

“Everything now being in readiness, the three columns of attack steadily advanced, preceded by the artillery, which opened a cannonade upon the enemy with such admirable precision, that they were driven from their position long before the Infantry had reached the heights. The Khelatees were observed endeavouring to draw off their guns; and General Willshire sent Captain Outram, who had bravely volunteered upon the expedition, with orders to the

column which was nearest to the gate, to pursue the fugitives, and, if possible, to enter the fort with them—but, at all events, to prevent their taking in the guns. The Captain overtook the advancing column, and galloping on, reached the redoubt just at the moment that the enemy were vacating it, and engaged in attempting to carry off one of their pieces of ordnance. He dashed forward, calling upon Captain Raitt, of the Queen's Royals, to accompany him with his party, and succeeded in compelling the enemy to abandon their gun, although they were too late to enter the fort with them. The whole of our troops were now upon the heights, and the guns were in process of being dragged up. As soon as the latter could be got into position, two of them were directed to play upon the towers commanding the gateway; two others opened fire upon the gate itself; while the remaining two were stationed upon the road leading direct to the gate, for the purpose of blowing it in, which was effected in the course of a few discharges. Upon observing this, General Willshire rode down the hill, and gave the signal for the advance of the storming party. The troops instantly rose from their cover, and rushed in; those under command of Major Pennycuick, being the nearest, were the first to gain an entrance, headed by their gallant leader. They were quickly followed by the rest of the column, who pushed in to their support under a heavy fire from the works, and from the interior, the enemy making a most determined resistance, and disputing every inch of ground up to the walls of the inner citadel. Meanwhile the General despatched Captain Outram, who had been actively employed the whole time in

various parts of the scene, with a Company of Her Majesty's 17th Foot,* and a portion of the 31st Bengal Native Infantry,† to storm the heights, and secure the gate on the opposite side of the fort. This movement was most spiritedly performed. They ascended the rocks, dispersed a party of matchlockmen occupying their summit, then rushed down again to the fort, driving in a party of the enemy with such precipitation, that they had not time to secure the gate behind them, possession of which was thus obtained, and the escape of the garrison entirely cut off. At this moment they were joined by another party, under Major Deshon, who had been sent by the eastern face of the fort with two guns, to blow open this gate also, if necessary, as well as the gate of the inner citadel. The first having been gained as described, the guns were placed in position for bombarding the latter, and their fire was kept up with destructive effect until our soldiers forced an entrance into the place. A furious contest now ensued between the besiegers and the besieged. Mihrab Khan himself headed his men, and fought with desperate valour, although he had previously attempted to make his escape; but he was at length slain by a shot in the neck, from an unknown hand. Many of his chiefs fell with him, and about four hundred of the garrison. In a few minutes more, the British flag was waving above the ramparts of the captured fortress of Khelat."

General Willshire, when acknowledging the services rendered by Captain Outram, expressed himself

* Under Captain Darby.

† Commanded by Major Western.

as "greatly indebted to that officer for the zeal and ability with which he has performed various duties that I (Gen. W.) have required of him, upon other occasions as well as the present."

"Immediately after the fall of Khelat, Captain Outram was commissioned to carry the glorious tidings to Bombay, in doing which he undertook one of those daring adventures which, from their very danger, give so much interest and excitement to Indian warfare. He resolved to disguise himself, and make his way, by the most direct route, which lay through the heart of the enemy's country, to Sonmeanee, the seaport of Lus, and proceed thence by water to Kurrachee, and so on to his destination.

"Having accordingly disguised himself as a holy man, he left the British camp in the dead of the night, accompanied by two Syuds, who had agreed to go with him, together with two armed attendants of theirs, and one servant of his own. They overtook on their route many of the fugitives from Khelat, one party of whom, consisting of the families of Mihrab Khan's brother, and his principal minister, Mahommed Hoosain Khan, recognized the two Syuds as old acquaintances. It happened, unfortunately, that Captain Outram was actually arrayed in a dress taken from Mahommed Khan's own wardrobe; but by a skilful preservation of his assumed character, he managed to escape detection. On another occasion, his companions having reason to suspect they should meet with certain persons it would be most prudent to avoid, at Nal, a village in their route, the party refrained from halting there, and rested in a jungle some distance beyond,

while one of the Syuds, with the two armed attendants, went into the village to procure grain for their horses. On the return of this party, however, they unfortunately missed Captain Outram's place of concealment, and he waited in anxious expectation till evening without seeing them. The other Syud then became so uneasy, that he went to the village to endeavour to learn some tidings of the absent party, leaving the Captain alone with his servant to await their return. Time passed away, and Captain Outram began to be apprehensive that his presence in the neighbourhood had been discovered, and that his companions were detained on purpose to induce him to come in search of them. He had now to consider what was best to be done. The whole of his money and provisions were with the absentees, and destitute as he was, ignorant, too, of the language, and without a guide, he felt his murder was inevitable at the hands of the very first Beloochee who should fall in with him, and detect his disguise. He therefore resolved to proceed to the village, and take the chance of his character as a British Officer protecting him from injury, or, if that should fail, he hoped that the influence of his Syud friends might be of some benefit to him. He sallied forth accordingly, from his hiding-place, but had not proceeded far, when he fortunately fell in with the second Syud, who, having also missed their place of concealment, had been a long while hunting for him. He brought the welcome news that the first party was safe; but they having likewise missed the locality, had gone, under the impression that their companions had preceded them. At length, after a two hours' search

from village to village, the whole party met again; and Captain Outram, anxious to be the first to communicate to Government the news of the brilliant affair of Khelat, they continued their journey throughout the night, without once halting. At length, after escaping numerous dangers, and undergoing various fatigues, now urging forward their steeds to escape some impending evil, frequently remaining all day and night in the saddle, now lying down to snatch an hour or two of sleep, with their little property beneath them, and their horses' bridles in their hands, to be prepared for a surprise, the gallant Outram and his little party reached Sonmeanee. He then took boat for Kurrachee, whence he proceeded to Bombay, and afterwards learned that he had had a most narrow escape; for he had been discovered and pursued by the son of one of the chiefs slain at Khelat, who only missed him at Sonmeanee by a few hours."*

Captain Outram received the thanks, both of the Bombay and of the Supreme Government, for "the very interesting and valuable documents" which he placed before them, "being a sketch and description of the route, and narrative of that officer's Journey through Beloochistan, from Khelat to Sonmeanee;"—a route "the practicability or otherwise of which for the passage of troops, General Willshire had deemed it a great object to ascertain."

* War in Affghanistan, edited by C. Nash, Esq., p. 210. This journey of 360 miles, Outram (who with his saddle bags weighed 16 stone) performed on an Affghan pony, under 13 hands, in seven and a half days. During this period, he was 111 hours on the hardy little creature's back.

For his services at Khelat, Captain Outram received the brevet rank of Major, in November, 1839. But as he shared this honour with others, who had not had the good fortune to enjoy so many opportunities of distinguishing themselves as fell to his lot, the Secret Committee intimated to the Bombay Government that they had recommended his promotion to the rank of Lieutenant-Colonel.* This arrangement was understood to be so definitely fixed, that the Bombay Government, in expressing to Major Outram their "gratification in perceiving that the Honourable the Secret Committee so highly appreciated his past services" addressed him officially as "Lieutenant-Colonel Outram,"† and Lord Auckland, in an autograph letter dated 30th July, 1840, wrote as follows:—

"I am glad to know by my letters from England, that your promotion (to Lieut.-Colonel), though not yet announced on the 2nd June, was determined upon; and I heartily rejoice in your well-earned honour, and congratulate you on it."

Had the "well-earned" promotion in question been bestowed on Major Outram, that Officer would now have been entitled to command a Division of the Bombay Army. For, in accordance with the rule observed in distributing honours for the Sind battles, he would in 1843 have been made a full (instead of a Lieut.) Colonel, an Aide-de-Camp to the Queen, &c. &c. And owing to the exhaustion of the list of Bombay Major-Generals, at least one Colonel whose commission dates

* Despatch to Bombay Government, dated 29th Feb. 1840.

† Letter dated 17th April, 1840.

later than 1843, is in command of a Division, with the rank of Brigadier General.

There cannot be a doubt that the non-fulfilment of the promise, was the result of oversight. And Major Outram has been repeatedly urged by his friends to apply for the honour which it is obvious his Sovereign intended to bestow, and the intended bestowal of which had been communicated by her Majesty's Ministers to her Representative in the East.

V.

SERVICES AS POLITICAL AGENT FOR LOWER SIND.

1840—1841.

IN January 1840, the Governor-General of India (Lord Auckland), in recognition of Major Outram's past services, nominated him Political Agent for Lower Sind, in succession to Sir Henry Pottinger. And the nomination received the expressed approbation of the Secret Committee, who recorded their entire "concurrency in the praises bestowed on Major Outram."

Many and important objects occupied Major Outram's attention, during the first few months of his intercourse with the Court of Hyderabad. These it is unnecessary to detail; but that he satisfactorily performed what was required of him is sufficiently proved by the fact that, on the 2nd October 1840, Lord Auckland intimated to him that, should the failing health of Mr. Ross Bell "incapacitate him for the discharge of the important duties attached to his office, it was his Lordship's desire that Major Outram should assume charge of them, with the full authority that has been committed to that officer."

The compliment thus paid him, derived increased value from the circumstance of Lord Auckland being fully aware that Major Outram had, from the first,

strongly condemned his Affghan Policy, and predicted its disastrous issue. Mr. Ross Bell, as Political Agent for Beloochistan and Upper Sind, was vested with vast powers and responsibilities; but to Major Outram it was resolved to confide even a wider jurisdiction than that over which Mr. Bell's authority had extended. For, in addition to that gentleman's appointment, he was to retain the Political control of Lower Sind.

Within two months from the date of this gratifying proof of the Governor-General's confidence, Major Outram had an opportunity of affording his Lordship an affecting illustration of the success which had attended his firm but conciliatory diplomacy at Hydrabad.

Until it suited the purposes of the Indian Government to encourage jealousies amongst the Princes of Lower Sind, Meer Noor Mahommed had always been regarded and treated as the principal Ameer. And, up to the day of his death (1st December, 1840), he remained the virtual Ruler of Sind: the other Ameers deferring to his judgment, in all matters of general and foreign policy. It was, therefore, but natural that the feelings of resentment with which he viewed the abrupt and invasive entrance into his country, of a British Army, should be enhanced by the marked manner in which the British officials (in obedience to their instructions) were compelled to avoid any recognition of his status, as "Chief Ameer." And nothing was more calculated to exasperate this Prince than the demission to his Court, as British Representative, of the Officer who, one short year

before, had appeared before him to certify Sir John Keane's determination to storm and sack his capital, unless prompt acceptance were given to a harsh, and spoliative arrangement, in utter violation of those solemn compacts in virtue of which we had obtained permission to establish a "Residency" in Sind.

But so successful was the conciliatory demeanour of Major Outram, that Noor Mahommed soon recognized in him a friend, worthy of a brother's love. The Ameer, Mr. Lushington writes, "had of late (that is for some time previous to his death) identified his own interests with those of the British; and the last act of his life (affectingly told in the correspondence), was to commend his two sons and successors to the protection of the British Resident (Major Outram), for whom he felt a strong personal friendship: a commission which that noble soldier fulfilled, and more than fulfilled. 'You are to me as my brother Nusseer Khan,' said the Ameer to him in words stamped with the sincerity of death. . . 'From the days of Adam, no one has known so great truth and friendship as I have found in you.'—To have merited this touching testimony from the rude and distrustful chieftain, was more than to be called by the Conqueror of Sind, '*the Bayard of the Indian Army*'!"*

"His Highness"—thus Outram officially reported a previous interview—"hailing me as a brother, put his arms round me, and held me in his embrace a few minutes, until I laid him quietly down. So feeble and emaciated had the Ameer become, that this exer-

* "A Great Country's little Wars," by C. Lushington, Esq., p. 213.

tion quite exhausted him, and it was some minutes afterwards, before he could speak, when beckoning his brother Meer Nusseer Khan, and his youngest son Meer Hoossein Ali, to the bedside, he took a hand of each and placed them in mine saying, 'You are their father and brother: you will protect them'; to which I replied in general, but warm terms of personal friendship, and that I trusted his Highness himself would long live to guide and support them. But this the Ameer had evidently given up all hope of: for he appeared to regret that he had given Dr. Owen the trouble of coming so far, though very grateful for the prompt manner in which his wishes had been attended to."

A second visit was paid the same evening to the dying Prince. In the mean time the affecting incident of the morning had been communicated to the ladies of the Harem; "and,"—thus reported Outram—

"In the course of the interview, Meer Hoossein Ali, the Ameer's younger son, came from the inner apartments and whispered in the ear of his father, who smiled, and informed me that the Khanum (the mother of his sons) sent to say she hailed me as her brother with much gratification, to which I made a suitable acknowledgment. On inquiry, afterwards I learned that this is considered an extraordinary proof of friendship, such as has never heretofore been displayed except to the nearest relations."*

Outram requested permission to accept the guardianship of the boy Hoossein Ali thus solemnly confided to his protection by the dying Prince. Lord

* 1st Sind Blue Book, p. 267.

Auckland, ever swift to obey his generous impulses, sanctioned the arrangement; and of all the many distressing incidents connected with the Conquest of Sind, there is not one more painful than the violation of the obligations which this arrangement involved. Beyond being a spectator at the battle of Meanee, no charge of any kind could be brought against the youthful Hoossein, who was only sixteen years of age. Outram pleaded for him as his son by adoption; procured his release; and, as he and all who were present at the conference understood, his pardon also. But, soon after Outram's departure, the lad was torn from his aged mother, added to the number of the other Royal Captives, and sentenced to exile. "My mother,"—wrote the unhappy youth, in one of his fruitless petitions—"my mother, worn out with years, cannot have long to live, and the few remaining years of her life will be shortened by separation from me. My betrothed, too, and her parents will grieve for me." "When,"—thus did the broken-hearted mother appeal to Outram—"when Meer Noor Mahommed was alive . . . he besought your favour on behalf of his sons; he regarded you as a brother; *and he assured me that in the hour of distress you would not withdraw your protection from me.* I have no one to look to but yourself. Whatever crime has been committed by my sons, I beseech your forgiveness for the sake of God and pity. I have nothing to hope for but through your compassion. I hope you will look to the tomb of Meer Noor Mahommed, and show mercy to his sons." How Outram responded to her call; and what the faithful per-

formance of his vow has caused him, in calumny, and persecution, and pecuniary loss, the readers of this little volume require not to be told. But this is a digression.

Prior to Noor Mahommed's death, an army was ordered to assemble in Upper Sind, in consequence of the unsettled state of the neighbouring countries. As active operations were anticipated, Major Outram had sought permission to tender his services in a military capacity, to the General commanding. And the Governor-General, "looking to Major Outram's local knowledge, and high personal character," thought that his services would be "of such infinite value as to compensate for the temporary loss of his presence in Lower Sind." But the Bombay Government deemed it "not expedient that he should leave Hyderabad, where his services at that moment were most useful." In this decision the Governor-General was induced to concur; the Secret Committee entertained a similar opinion; and Outram was, for the time, denied any further opportunity of earning distinction in the field.

But though himself precluded from participating in Military operations, he took, in concert with Brigadier Farquharson, prompt and successful measures for strengthening the hands of Major General Brookes, who commanded in Upper Sind. Both Major Outram and Brigadier Farquharson received gratifying commendations from the Indian authorities, and the Secret Committee, for the efforts they had made to reinforce General Brookes' Army. And it may not be superfluous to add that, in the prosecution of these efforts, Major Outram was the first to demonstrate the

practicability of bringing Troops into Sind by land. On his own responsibility, he drew cavalry from Guzerat, across the desert of the Thurr, by way of Jeysulmeer; and infantry and artillery from Kattywar, across the Runn of Cutch.

Amongst the duties which, in the opinion of the Government, had required the uninterrupted presence of Major Outram at Hyderabad, was the settlement of the conflicting claims of the sons of the late Meer Noor Mahommed. In reference to these, the Secret Committee pronounced Major Outram "to have acted with his usual sagacity." And, in the same despatch, they observed that "the documents relating to the renunciation by the Ameer of Meerpore, of the right to levy tolls on the Indus, furnished additional proofs of the zeal and ability with which Major Outram discharges his important functions."

The foregoing pages have borne ample testimony to the esteem and confidence in which Major Outram was held by the successive Governors of Bombay—Mr. Elphinstone, Sir John Malcolm, Sir Robert Grant, and Mr. Farish; and here may be appropriately introduced an extract from a farewell letter addressed to him, on the 20th April 1841, by Sir James Carnac, who was Mr. Farish's successor in the Government of Bombay:—

"I cannot bid adieu to this country, without bidding you, if you will allow me the expression, an *affectionate* farewell. I shall always hail the day when we became acquainted, as one of the brightest spots in my career of life. I entertain for you the most sincere sentiments of regard and respect; and

you will ever find me, I trust, when thinking or speaking of you and your valuable services, influenced strongly by these impressions. I foresee, please a kind Providence, a career before you which will give full scope for the display of all those eminent qualities with which you are endowed.”

VI.

SERVICES AS POLITICAL AGENT FOR THE WHOLE
OF SIND AND BELOOCHISTAN.

1841—1842.

MR. ROSS BELL died in August, 1841. His death had been for some time expected; and as his office was in a state of great confusion, and our relations with Khelat pressed for immediate settlement, Major Outram had been requested to proceed to Quetta (in Northern Beloochistan, and at the top of the Bolan Pass) as soon after receiving intimation of Mr. Bell's demise as he could, consistently with personal safety.

The reader requires not to be told that, owing to the intensity of the heat, and the deadly Simoom which blows over the Deserts dividing Sind from Cutch Gundava, the journey from Sukkur to Dadur is one which not even the natives of the country will make between the beginning of May and the end of September, unless driven to it by absolute necessity. And equally unnecessary is it to say, that no one had ever dreamed of venturing among the wild tribes that occupy the Bolan Pass without the protection of a strong escort. But no sooner did Outram receive the tidings of Mr. Bell's death, than, regardless of every consideration but the interests of the public service,

he started off on a dromedary, attended by one hardy servant similarly mounted; and in five days he accomplished a journey which generally occupied troops three weeks, at a season of the year when most men would have regarded an order to undertake it as little short of sentence of death. The following extracts from Colonel Dennie's Journal, descriptive of a portion of the same journey, made in the beginning of April, ere yet the heats had nearly attained their maximum, will give the reader some idea of the nature of Outram's sufferings, and the extent of the risk he incurred:—

“We ascended from Dadur to that place (Quetta), through the Bolan Pass, an elevation of between 5,000 and 6,000 feet, having previously traversed at its foot, a long, dreadful, desert plain from Shikarpore to Dadur, of about 150 miles.* . . . As for the heat, God be praised you can form no conception of it; *I have escaped*, and can only tell you that I shudder to look back at what I and those with me underwent. . . . Col. Thompson, who commanded one of the regiments of my Brigade, and who followed me a few days in the rear, died instantly in his tent; and Lieut. Brady, H. M. 17th Foot, fell dead in the same manner,—their bodies turning as black as charcoal. Between 50 and 60 persons of another convoy were suffocated by the breath of this same deadly Simoom, which sweeps across the desert at intervals during the hot season, dealing destruction to all within its influence. . . . To give you a correct notion of the temperature, the thermometer stood, in the tent of a young Officer, my

* From Dadur, at the bottom, to Quetta, beyond the summit of the Bolan Pass, the distance is between 70 and 80 miles.

Aide-de-camp, a smaller one than mine, and termed a hill tent, at 125 degrees!"*

Major Outram's first duty, after his arrival at Quetta, was to conciliate Nusseer Khan of Khelat. This fine young Brahoee, the son and heir of the Prince who fell in November, 1839, had himself experienced much harsh treatment from the British. A fugitive wanderer in his own territories, he had, until a week or two previous, resisted the advances of Colonel Stacy, the political officer to whom the affairs of Khelat had in the meantime been confided. And as he well knew the conspicuous part which Outram had taken in those operations which deprived him of a father, and gave

* P. 56. Should these pages meet the eye of any Officer of the 6th Regiment N. I., he will be ready to testify that when Major Outram passed through Dadur, Colonel Woodhouse and his Officers could only obtain a snatch of sleep by drenching their beds and shirts with water;—that they sat at dinner wet with towels round their heads, and only maintained existence by constant *punka-ing*, and an almost constant imbibition of weak wine and water. Colonel Green, Major Hutt, and the Officers of the 21st Regt. who were at Dadur in the following year, must remember well that, in spite of the admirable mud-houses they had in the mean time built for themselves, their sufferings were not much less severe than those of their predecessors. And if such was the deplorable condition of officers under cover, the reader may conceive what were the sensations experienced by Outram on his rapid journey. The Compiler of these Memoranda would sooner be blistered continuously for a fortnight from head to foot than again endure the *horrors* (no other word suffices) he underwent between 4 A. M. and 3 P. M. on the 3rd May, 1842, on rear-guard duty, in company with Captain Taylor and a troop of the 3rd Light Cavalry, on the march from Dadur to the first halting-ground in the Bolan Pass. And yet we were assured we had had but a "feeble imitation of the real Simoomish weather."

him a dismembered territory and a plundered Capital as his inheritance, the probabilities were decidedly against his being speedily reconciled to the soldier in whose hands his destinies were now placed. But Outram's cordiality was irresistible. The Khan saw him, and loved him. His fears were allayed, his suspicions discarded. For in the new Political Agent he discovered one to whom he could unreservedly unbosom his sorrows, and freely communicate his wishes, in the full assurance that the former would receive genuine and soothing sympathy, and that the latter, if not gratified, would, at least, obtain considerate attention.

Taking the young Khan to Khelat, and doing his best to invest the "progress" to the Capital with regal pomp, by inviting Brigadier England to accompany them with his Staff and a large military escort, Outram formally placed him in the seat of his ancestors. And he executed a treaty with him, in the names of Shah Sooja and the British Government, which was cordially approved and applauded by Lord Auckland; as were all Outram's other measures for conciliating the Brahooees, whom the slaughter of 1839, and the sack of Khelat, had exasperated to the highest pitch. So successful were these measures, that the strongest personal attachment was soon felt towards Outram, not only by the Khan, but by all his Chiefs. And had it not been so, lamentable indeed would have been the position of England's and Nott's armies, in the dark days that were to follow.*

* Not the slightest reference to this treaty, or the correspondence regarding it, was suffered to appear in the Sind Blue Books.

By the condensation, under Major Outram, of offices previously independent of each other, the Government had effected a saving in salary of £370 *per mensem*. And by the reduction of his office establishments, as well as by the substitution of arrangements more favourable to Government for those which had obtained under his predecessor, Outram diminished the working expenses of his establishment by nearly £10,000 per annum.

“The zeal thus manifested for the interests of Government” was duly appreciated by the Governor-General; who applauded “the care and ability he had displayed, and the practical measures of economy he had effected, in the several arrangements considered and submitted.”

While reducing the cost of his office establishments, Major Outram succeeded in increasing their efficiency; and, aided by his zealous and able assistants, he promised himself the gratification of extending and consolidating the British influence in the Indus and trans-Indus States, and of securing to them peace, order, and good government, the development of their resources, and an enlargement of their commercial relations.

But ere effect could be given to his measures for the accomplishment of these objects, the Cabool Insurrection broke out; there ensued a crisis unparalleled in the history of the Anglo-Indian Empire; and on Major Outram and his assistants devolved labours and responsibilities which only those thoroughly conversant with the history of that eventful period can duly appreciate.

Emissaries poured forth from Cabool, proclaiming a religious war against the British. The ignorant and bigoted populations of Scinde and Beloochistan were called on, by the fealty they owed the Prophet, to enlist under his sacred banner against the enemies of the faith. And to neutralize the effects of these fanatical appeals ; to provide for the sustenance and safety of the weak and scattered military posts within their jurisdiction ; to inspire confidence in quarters wherein panic threatened to consummate the very evils it apprehended ; to aid in the retrieval of our tarnished honour by providing our generals with the means of prosecuting a war of retribution ; and to do so through the agency of those whom we had wronged, and who were incited to rise against us—such were the duties which Major Outram and his able staff were now called on to perform.

In the very depth of our disasters, Lord Auckland was compelled to leave India, his term of Government having expired. And the following passage is extracted from a letter which his Lordship addressed to Major Outram on the 20th of February 1842, on the eve of his departure :—

“ This is probably the last letter that I shall have to write to you, and I would take my leave of you with an assurance to you, that you have, from day to day, since your late appointment, added to that high estimate with which I have long regarded your character, and which led me to place confidence in you. It is mortifying and galling to me to feel that plans, which you had nearly brought to successful maturity, for great improvement, for the consolidation of secu-

rity and influence, for the happiness of the population of immense tracts, and for your own and our honor,—should be endangered by events of which our Military history has, happily, no parallel. You will, I know, do well in the storm ; and, I trust, that as far as the interests confided to you are concerned, you will enable us to weather it.”

Nor was his Lordship’s confidence misplaced. Major Outram was at that time in Sind, “earnest amongst the earnest to retrieve our lost position in Affghanistan, and active amongst the active to carry out the work of throwing troops into the country which had witnessed our abasement.”* And there are few, if any, who will take exception to the declaration made by Lord Auckland from his seat in Parliament that,—

“To no man in a public office was the public under greater obligations than to Major Outram. A more distinguished servant of the Government did not exist, nor one more eminent in a long career.”

Owing “to the promptitude and zeal with which Major Outram acted,” the stores of which the Candahar Army stood in need, together with 3,000 camels, were on the 10th of April pushed up the Bolan Pass. And unremitting exertions continued to be made by him, and his assistants, to collect such further supplies, and means of carriage, as might leave no excuse for a persistence in the resolution so long entertained by the Governor-General, of withdrawing the British troops from Affghanistan without making an effort to restore the prestige of our arms,

* Kaye’s history of the War in Affghanistan, Vol. II., p. 432.

strained, by considerations which he deems it unnecessary to detail, from producing in this place certain correspondence to which he has been permitted access, he could prove that, in the estimation of the most distinguished Civil and Military functionaries employed in the North Western Frontier, Major Outram did more towards the retrieval of our tarnished honour in Affghanistan, than any single man—except the Generals in the field, and the heroic and chivalric GEORGE RUSSELL CLERK. And it is within the compiler's knowledge that this eminent public servant recognizes in Outram one whose acts and performances were *not* second to his own.

The following tribute to Outram's merits, extracted from the *Calcutta Review* for September 1845, is from the pen of one of the highest and most illustrious of our Indian functionaries, a distinguished soldier, a still more distinguished Civil Administrator, and one who has enjoyed the personal esteem, the profound respect, and the entire confidence as well of the present Governor-General of India, as of his predecessor, Lord Hardinge :—

“ In the year 1838, Outram carried to Affghanistan a character such as could not be paralleled by any officer of his standing in India. His services during the first Affghan War were second to those of no officer then and there employed. And had he remained in the Ghilzee country, or at Khelat, many of our disasters might have been averted. But it is by his Civil Management, first of Lower Sind, and then of both the Upper and Lower Provinces and of all Beloochistan, that Outram has won our highest

admiration. When the European inhabitants of Calcutta trembled for our Indian Empire—when, in the highest places, men grew pale at the evil tidings from Affghanistan—Outram held his frontier post with a firm hand, a brave heart, and cheerful tone that *ought* to have been contagious. Vigilant, conciliatory, courageous, he managed with his handful of troops, not only to prevent the Ameers from taking advantage of our disasters, but to induce them to aid in furnishing supplies and carriage for the *relieving*, then considered the *retreating* Army. The merits of his exertions on that occasion are little understood. He obeyed as was his duty: but he did not the less clearly perceive the ruinous tendency of the Government Orders. He had the moral courage to sacrifice his own immediate interests by stemming the then prevalent tide of cowardly counsel. JAMES OUTRAM in one quarter, and GEORGE RUSSELL CLERK, a kindred spirit, in another, were the two men who then stood in the breach; who FORCED the authorities to listen to the fact against which they tried to close their ears, that the proposed abandonment of the British Prisoners in Affghanistan would be dangerous to the State, as it was base to the captives. These counsels were successfully followed; the British nation thanked our Indian Rulers, while of the two men, without whose persevering remonstrances and exertions, Nott and Pollock might have led back their armies, without being permitted to make an effort to retrieve our credit, CLERK was slighted, OUTRAM was superseded! As cheerfully as he had stepped forward did Outram now retire; and again when his

services were required, was he ready to act in the field, in willing subordination to the officer who had benefited by his supercession.”*

The opinions entertained by the highest living authority on Indian Affairs, regarding Major Outram's services in that country, may be gathered from the following letter addressed by the Hon. Mount Stuart Elphinstone, to one of the East India Directors in the year 1843:—

“ Besides his ample share in the planning and conduct of various military enterprises, his political services for several years have been such, as it would be difficult to parallel in the whole course of Indian diplomacy. We forced a subsidiary grant and tribute on Sind—we made open war on the Brahoes of Khelat—killed their Chief, and took their capital; and on these two powers all our communications with Candahar depended. To keep them quiet, and prevent them thwarting our measures, would have been difficult even in times of peace and prosperity; yet such was Colonel Outram's management, as to obtain their cordial co-operation during the whole of our dangers and disasters in Affghanistan. Our move-

* It is not sufficiently known that Clerk and Outram were ably supported in their protests against the abandonment of our captive countrymen, by Mr. ~~John~~ Campbell Robertson, of the Bengal Civil Service, the Lieut.-Governor of the North-West Provinces during the period of our Affghan reverses. And he, like Clerk and Outram, was made to feel the effects of Lord Ellenborough's displeasure, for urging on his Lordship measures which, tardily adopted as they were, procured for him the thanks of Parliament, and an elevation in the Peerage, and bestowed on his administration the highest illustration it received.

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ments in every direction from Candahar depending on the country supplies we received from them, all of which they might have withheld, without any show of hostility or ground of quarrel with us, had they been disposed for more open enmity—General England's detachment could neither have retired or advanced, as it did, and it is doubtful whether Nott himself could have made his way to the Indus, through the opposition and privations he must have suffered in such case. In an advance towards Cabul, he certainly could not, without the assistance he received through the Sind and Khelat country.”*

And it may not be uninteresting to the reader to know, nor unimportant for our statesmen to be informed, that, low as is the estimate formed in these parts of the British good faith and generosity, there is an Englishman whose name still commands respect, and whose summons to arms in behalf of his nation's interests would be responded to by the Chiefs of the Moostung, Pisheen, and Shawl valleys. Dr. Stocks of the Bombay Army, one of the most zealous, accomplished, and enterprising members of the service to which he belongs, led by his love of science, and taste for adventure, to explore Beloochistan in 1849, found that “*Outram Sahib*” was held in undiminished honour and esteem by the rude people of that country. And he was asked by one of the Chiefs to convey to that officer an offer of service whenever circumstances might occur to render it desirable.†

* *i.e.* Beloochistan.

† Of which the following is a copy:—“Aldeenar (or Alleh Dineh Khoord Sirdar), presents his compliments to Outram Sahib,

The following is an extract from a note addressed by Dr. Stocks to the compiler of these memoranda, in April, 1852 :—

“Of all the English who went up to Khorassan, Outram seems to have commanded the respect and admiration of those rude tribes most; owing doubtless to the combination of English honesty, good feeling, and justice, with his acknowledged political and military ability. None of our other politicals were mentioned with credit; I mean those in Beloochistan. Alleh Dineh said he was ready at Outram’s call, with his whole clan, to open the Bolan, and act according to orders. And indeed there is a good feeling towards us over all Beloochistan owing to our politic though tardy recognition of young Nusseer Khan, who is respected as the worthy representative of a long line (22) of Ahmedzie Chiefs, from A.D. 1500 to the present time.”

The appointment of “Envoy to the States on the Lower Indus,” which, on the 22nd May 1842, the Governor-General intimated his intention of bestowing on Major Outram, so soon as our Armies had been withdrawn from above the Passes, was *not* bestowed on him. Lord Ellenborough, without condescending

and will be always ready, as in 1842, to perform any service that may be required of him, as witness his signet. Given at Ispenglee, near Meru, this 25th day of May, 1850. Seal of Alleh Dineh.” To this is added a postscript from one of the principal Syeds (holy men) of the country. “Syed Wais Shah (formerly of Keravi, now living at Moostung) desires remembrance of former passages and adventures of the road. Many others, be they greater or lesser note, hold yet good memory of Outram Sahib.” Signed Syed Wais Shah.

to offer any explanation, violated the pledge he had spontaneously made. But the cause was obvious. Major Outram had, in the mean time, seriously offended his Lordship. He had persevered in protesting against the retirement policy so long resolved on; and he had continued these protests after even Mr. CLERK had given up remonstrance as useless.* He had, further, presumed to defend one of his Assistants (Lieut. Hammersly) against what he regarded as a precipitate act of injustice on his Lordship's part—an injustice which sank deep into the heart of the noble-minded Hammersly, and ultimately brought him to the grave. Though not personally concerned in the matter, Major Outram deemed it his duty, as the Head of the department, to defend that gallant soldier. And the following extracts from his correspondence with a high Indian functionary will show that he was prepared to sacrifice his own interests and prospects rather than evade the duty:—

“*Sukkur, May 23rd 1842.* See Hammersly's Defence, and my private correspondence with the Government of India on the subject. If the simple justice I solicit for him—of an *inquiry*, at least—be denied, I shall advise Hammersly to appeal against his Lordship's act; and I shall forward the appeal,

* Writing to a friend on the 24th of July, while yet ignorant of the secret authority which Lord Ellenborough had (on the 4th of July) given to General Nott to advance if he chose to do so on his own responsibility, he thus expressed himself:—“I shame to look the natives of this country in the face after our cowardly demeanour to the Affghans. * * * It positively makes me sick to think of our degradation, and of the fate of our poor abandoned countrymen.”

through his Lordship, to the Court of Directors. For though, undoubtedly, the authority which confers political appointments can rescind them, still no authority can with propriety be so exercised as to blast the character and prospects of an officer, without some just or sufficient cause being assigned, and *proved*, if the accused party denies the existence of such cause.”*

Again on the 3rd August:—

“I hope I have rendered all secure for the delicate measure of withdrawing our Armies from above the Passes; and at any rate my disagreeable position shall not cause me to relax one iota in my zeal and endeavours to effect the best for our public interests, although little encouraged to exertion by his Lordship, who not only leaves me in entire ignorance of what is intended, but strikes off *five* of my assistants in General Orders, without even intimating, much less explaining, the circumstance to me. This, inclusive of Hammersly’s case, makes in all *six*. What would his Lordship think if I took no pains to counteract the consequences of having so many offices under me thus *suddenly* deprived of supervision? For instance, what confusion must have arisen, supposing I had allowed Hammersly to throw up his work from the day he appeared in Orders, and had transferred to the Military Commanding Officer, as was directed (whoever

* Under Lord Auckland’s administration the various heads of diplomatic offices were encouraged to communicate with each other, and seek each other’s counsel and advice, on the various public questions that came before them. And these letters were written before Lord Ellenborough had promulgated his prohibition against the practice.

he might be), a Treasury containing 7 Lacs (£70,000) with an outstanding balance of 14 Lacs to adjust; the command of the Bolan Rangers; the management of the Dawk communications through the Pass; the Revenue management and collection of the District of Shawl, &c., &c., &c., &c. Yet I have been reprimanded for allowing him to continue in office *a day after receipt of the Order placing him at the disposal of the Commander-in-Chief*. Why! It would take the most able Civil Servant in India, with all the advantages of efficient establishments, three months to make up the accounts, and give over charge, of such an office. * * * However, his Lordship's will be done; and it *shall* be done by me so long as I *can* do it. But glad indeed should I be to rejoin my regiment, rather than continue a slave in so thankless an office, whatever be the dignity or salary appertaining thereto."

In reference to the offence given to Lord Ellenborough by Outram's persistent defence of Hammersly, it may not be amiss to adduce the following paragraph from the *Calcutta Review*, written by the distinguished contributor who has been already quoted.

"Outram's chivalrous defence of his Assistant, Lieut. Hammersly, is one of the many instances in which he advocated the right, at the peril of his own interests. Hammersly was as brave, as honest-hearted a young soldier as ever fell a victim to his duty. We knew him well; and no one who did so, need be ashamed to shed a tear over his fate. *He was literally sacrificed for telling the truth*—a truth, too, that was of

vital importance to the beleaguered Candahar Army —nay to the interests of British India! Peace be to the memory of this noble fellow!”

The present writer would gladly have abstained from all allusion to the circumstances which caused Lord Ellenborough to withhold from Major Outram the distinguished post that had been promised him, had not inaccurate statements been promulgated on the subject. Thus Sir W. Napier, in his “*Conquest of Scinde*,” writing under imperfect information, was induced to express himself as follows:—

“It was not Lord Ellenborough’s policy to divide power between political and military chiefs; nor to place the latter below the former when war was at hand. Hence the removal of Major Outram was a necessary consequence of Sind being placed under a General; but there were other causes for dismissing him. The Governor-General did not think highly of his talents, and had been forced to withdraw all confidence in him, on specific grounds of a serious and public nature, distinct from the offence he gave by urging his own opinions and views upon his superiors, against all reason. Sir C. Napier, a better man for war or policy, and of a surer judgment in what constitutes greatness, then took the entire charge of Sind and its troubled affairs.”

Respecting the “views and opinions” pertinaciously urged by Major Outram, enough has been already said. And it only remains to be stated that the sole discoverable public act of Major Outram, beyond those above enumerated, with which Lord Ellenborough found fault, was the restoration to the Khan of Khelat,

of the Valley of Shawl, of which we had despoiled his father, and which Lord Ellenborough would have left as a bone of contention between the Affghans, against whom we were prosecuting a war of retribution, and the Khelat subjects, on whose good services we were dependant for the safe descent to the plains of General England's Army !

Major Outram's suggestion to restore Shawl to its rightful owner, had already received the sanction of Lord Auckland. But, before carrying it out, he applied for a renewal of the sanction to Lord Ellenborough. Upwards of two months elapsed without any reply being received ; and, urged by important political considerations, Outram ventured to give effect to a measure which has since been complacently dilated on by Lord Ellenborough's most able and eloquent advocate, as reflecting the utmost credit on his Lordship. Mr. Charles Lushington, in his "Great Country's little Wars," has thus expressed himself:—

"The portion of his dominions taken from him (Khan of Khelat), has since been restored by Lord Ellenborough. It is worth observing that, *to this single act of justice we may attribute the subsequent tranquillity of the country!*"

Nay, Mr. Lushington singles out this measure of Lord Auckland, adopted at Major Outram's suggestion, and for giving effect to which, the latter officer was rebuked by Lord Ellenborough, *as almost the only "spot upon which the eye can dwell with pleasure, in the dark history of our four years' supremacy beyond the Indus!"*

Instead of receiving the appointment of "Envoy to

the States on the Lower Indus," Major Outram was remanded to his regiment, by an order issued on the 19th October, 1842—the day after Lord Ellenborough received intelligence of the safe descent to the plains of General England's Army, which, as Sir C. Napier has declared, and as the Indian authorities well know, owed its safety, in a great measure, if not entirely, to the exertions of Major Outram and his zealous assistants. By that order the Political Establishment was broken up. Some of its members returned to regimental duty: others, under the designation of *aides-de-camp*, were selected to perform political duty under Sir C. Napier, to whom was confided the supreme control of Sind, political and military. And all the honour or reward vouchsafed to Major Outram, and his assistants, in consideration of their past services, consisted in the following not very impassioned compliment, conveyed in a General Order dated the 20th of October:—

“The Governor-General also requests that Major-General Sir C. Napier will express to Major Outram and the other political officers, his thanks for the zeal and ability they have manifested in the collection of the means of carriage and supply, and in their various transactions with the native Chiefs and tribes, tending to facilitate and secure the descent of the several columns of the Army.”

The treatment received by Major Outram, naturally created a considerable sensation in the Indian Services; and letters containing the most gratifying expressions of admiration for his achievements, and sympathy for their unworthy requital, poured in on him from the

most distinguished Civil and Military servants of Government. His own feelings may be judged of by the following extract from a letter addressed by him to his personal friend and diplomatic instructor, Colonel John Sutherland, whose name is a cherished household word wherever the modern history of India is studied :—

“It is amusing to you and me, and these who know how much we owe to his Lordship, to see *him* pluming himself on *the retrieval of the honour of our arms at Cabool*. Had he had his own views carried out, what a different position we should now have been in! I care not now what his Lordship does with me. I have lived to see our honour redeemed, and my personal welfare is a very secondary consideration. Affghan prowess is again estimated at its true value, which his Lordship would have left future ages to believe superior to ours!”

Again :—

“Thank God, I am again independent; and I re-join my regiment with greater pleasure than I left it many years ago, elate with hope, and honourable ambition. This is no affectation. May his Lordship’s coming honours—‘*for the steadfast resolution with which he upheld our honour*’—sit as lightly on his conscience, as do his slights, or my degradation, on my own mind.”

The only regrets and anxieties experienced by Major Outram were on account of his able, zealous, and hard-working assistants. The following extract from a letter addressed to one of them, on the 21st September, will show the deep interest he took in their welfare :—

“ See how determined his Lordship is to adulate the military, and humble the political. He has written a most flattering letter to General England on the passage of the Kojuck, and so he will on that of the Bolan Pass; while we, who ward off opposition, and secure to the Army the means of moving, are looked upon as drones and dirt. Already have Bell and Hammersly died, and some half dozen more of our department sacrificed their constitutions in the service of Government; and Pontardent is likely to be another victim. Yet no sacrifice on our parts can give us consideration in his Lordship’s eyes. But what need we care for his applause, when we know that we have done our duty to our country, and moreover—*good service*. I shall not, however, allow Pontardent, Leckie, French, and yourself, to whom I am mainly indebted for keeping matters straight during the late crisis, to be overlooked. However, and whatever may be my own fate, I will take care that *your services shall* be acknowledged.”

VII.

SERVICES AS COMMISSIONER IN SIND.

1842—1843.

It was Major Outram's duty, ere he left Sind, to place before Sir C. Napier a full and clear statement of our relations with the Princes of that country, and of the measures for the re-adjustment of those relations which had been, for some time, under consideration. How he acquitted himself of this duty is sufficiently indicated in the following extract from a letter addressed to him by Sir C. Napier on the 28th October 1842 :—

“ I cannot allow you to leave this command without, expressing to you the high sense I entertain of your zeal and abilities in the public service, and of the obligations I personally feel towards you, for the great assistance you have so kindly and so diligently afforded me ; thereby diminishing in every way the difficulties that I have had to encounter, as your successor in the political department of Sind.”

Anxious to afford Major Outram a parting manifestation of their sympathy, esteem, and admiration, the Officers of the Force invited him to a public dinner on the 5th of November. Sir C. Napier presided ; and in proposing the toast of the evening, he paid its sub-

ject the highest compliment that one soldier could possibly render to another.

“Gentlemen”—said the veteran warrior—“I have told you that there are only to be two toasts drunk this evening. One, that of a lady (the Queen), you have already responded to; the other shall be for a gentleman. But, before I proceed any further, I must tell you a story. In the fourteenth century there was, in the French Army, a knight renowned for deeds of gallantry in war, and wisdom in council; indeed, so deservedly famous was he that, by general acclamation, he was called the knight *sans peur et sans reproche*. The name of this knight you may all know was the Chevalier Bayard. Gentlemen, I give you, ‘THE BAYARD OF INDIA, *sans peur et sans reproche*—MAJOR JAMES OUTRAM, OF THE BOMBAY ARMY.’”

This honourable and spontaneous tribute derived increased value from the fact that it was not rendered till after Sir C. Napier had perused Major Outram’s correspondence with the Government of India, on all questions relating to Sind and Beloochistan, wherein he had differed in opinion from Lord Ellenborough, as well as copies of the letters which he had addressed to his lordship’s secretaries, and other high functionaries, in reference to the originally contemplated Affghan policy, and to the case of Lieut. Hammersly.

His duty to Sir C. Napier being performed, Major Outram took his departure from Sind. On his arrival in Bombay, he received the congratulations of his own Government, on “the satisfactory terms under which he had made over his late important charge to Sir C. Napier,” as well as an assurance “of the high

gratification which they had derived from observing the eminent zeal and ability with which he had discharged the important duties confided to him during the three last eventful years." And, in the course of a few days, the Governor (the Right Hon. Sir G. Arthur) offered him the only appointment then in his gift, with an expression of regret that he had none at his disposal which, in point of responsibility and emolument, more nearly approached those which he had previously filled "with such distinguished advantage to the public service." Major Outram had, however, resolved on proceeding on a furlough to Europe; and he declined availing himself of the Governor's kindness.

On the 13th of December, the general community of Bombay gave a public entertainment in his honour, which was described in the papers of the day, as the most remarkable demonstration that had taken place at the presidency for many years. It was certainly one of the most enthusiastic. Nor did the enthusiasm of his admirers exhaust itself in this demonstration. For in the course of a few days a second, and, if possible, a still more impressive public reception was given to him at the Club. And those who were present on that occasion will not readily forget the fervour with which the assembled company endorsed the eulogium passed on their guest by the Chairman—a gentleman recognized by successive Governors General, and by the Court of Directors, as one of the ablest and most distinguished members of the Civil Service of India.*

* "Early distinguished"—said Mr. Willoughby—"for intrepidity, judgment, and firmness, his name became soon known as a soldier of

Major Outram was compelled to forego for a time the pleasure he had anticipated from a visit to England. For Sir C. Napier had, intermediately, requested that he might be appointed "a Commissioner for the arrangement of the details of the Treaty which was to be proposed to the Ameers of Sind." Lord Ellenborough had directed him to return to Sind in that capacity. And Outram obeyed.

His proceedings as Commissioner in Sind, the opinions he expressed, and the recommendations he urged, are detailed in his Commentary.* They obtained the unanimous and cordial approbation of the Court of Directors. They have been supported and applauded in Parliament by many of the most distinguished members of all political sections.† And recent revela-

the first promise, and a sportsman with whom few could vie. . . . Well has he been compared by a gallant officer in another place, to the Knight who, above all, bore the character of being *sans peur et sans reproche*—the noble Bayard—the pride of chivalry—the glory of France. For, like him, bold in the field, wise in council, courteous and gentle in chambers, wherever he has moved he has been admired, respected, and beloved."

* "The Conquest of Sind: a Commentary, by Lieut.-Colonel Outram, C.B." Blackwood and Sons, 1846. This book is now out of print. Colonel Outram has been repeatedly urged to prepare a new edition; but unwilling to do aught which might appear to evince a wish to re-awaken the unhappy (and now nearly forgotten) *personal* controversy between Sir C. Napier and himself, he has hitherto resisted the solicitations of his friends.

† Amongst those who have prominently advocated the views of Major Outram in Parliament, may be mentioned, Lord Jocelyn, Earls Grey and Shaftesbury, Sir R. H. Inglis, Mr. T. B. Macaulay, Mr. Hume, Mr. Hawes, Mr. Vernon Smith, Mr. R. D. Mangles, Mr. Sharman Crawford, &c., &c., &c.

tions have lent to them additional and unexpected illustration and enforcement.* It is, therefore, unnecessary to allude to them in this place, further than to observe that, while he zealously applied himself to the task of pacifically carrying out the unjust and impolitic arrangements, with the execution of which he was charged, he did not shrink from protesting against their injustice, and predicting their disastrous results. Thus, on the 26th January, 1843, three weeks before the battle of Meeanee, he wrote as follows to Sir C. Napier:—

“It grieves me to say that my heart, and that judgment which God has given me, unite in condemning the course we are carrying out for his Lordship, as most tyrannical—positive robbery. And I consider that every life that may hereafter be lost in consequence, will be *a murder*.”

And so strongly was he impressed with a conviction of the impossibility of carrying out the details of the new arrangements in a satisfactory manner, that when, the day after despatching this letter, he received, through Sir C. Napier, a communication from Lord Ellenborough, assigning him a monthly allowance of £150 in remuneration of his services, he unhesitatingly declined to avail himself of his Lordship's liberality. “I have not”—he wrote to the General—“been able to effect anything as Commissioner yet, and see little prospect of doing so.” And thus he continued:—“Whatever may be my private objec-

* Vide the two series of Parliamentary Papers relative to Meer Ali Merad, moved for by the Earl of Shaftesbury and Viscount Jocelyn.

tions to receiving what might possibly be construed as a pecuniary favour,* I must, *without reference to any personal feelings whatever*, abstain from accepting public money which I have not earned. I beg, therefore, that you will not be annoyed with me for declining to take advantage of the authority to draw salary as Commissioner. Pray do not suppose that I intend officially objecting to receive the money; or that I purpose taking any notice whatever of the matter. I merely intend allowing the half-sheet of foolscap to remain a dead-letter; or, rather, I have destroyed it, that I might not hereafter be tempted to make use of it. I shall simply draw my Captain's 'pay in the field,' to which I have an undoubted right.†

"I am too glad of the honour of serving under you, and proud of your friendship and confidence, to require or wish for further advantage so long as I continue with you.

"I shall defer sending this letter, however, till you dispense with my services, lest it should induce you to do so one day sooner than you otherwise intended."‡

Sir C. Napier did not consider himself at liberty to modify the policy against which Major Outram had protested. And, believing that no value could be

* From Lord Ellenborough.

† Outram, though Brevet-Major, was only Regimental Captain.

‡ This letter was sealed in the presence of Captain Brown and Dr. Gibbon on the 27th of January, for delivery, by the first of these officers, to Sir C. Napier as soon as Outram left Scinde, or in the event of his falling. It was delivered on the 20th of February, 1843.

attached to the assurances and guarantees of the Ameers, he continued to advance on the capital of Lower Sind, notwithstanding that its Princes had acquiesced in all the terms proposed to them, and had appended their seals to the "Treaty." Exasperated by the spoliative character of that Treaty, more especially by the unparalleled wrongs inflicted on Meer Noostum, the venerable Rais, or Lord Paramount of Sind, and still further incensed at the continued approach of the British Army, the Belooche feudatories that had hastened to the capital to offer their services to their menaced Sovereigns, vowed vengeance against Major Outram, who, attended by a small escort, had been deputed to Hydrabad by Sir C. Napier. The Ameers implored Outram to return to the Army, lest he should be made the object of an attack, from which they might be unable to protect him, and for which the General would hold them responsible. He declined to do so; and on one occasion, when returning from the Durbar, he and his party were saved from the fury of the enraged Belooches only by the personal interposition of some of the Ameers, who, knowing their danger, insisted on acting as their escort. "Had we"—writes Outram—"Had we fallen victims, who shall say that our blood would have been justly chargeable on the men who spilt it? In what capital, even of Europe, could we, visiting it under similar circumstances, and after the occurrence of the events which had recently unhinged men's minds in Sind, have expected to pass in safety through the midst of an infuriated populace?"*

* "The Conquest of Sind : a Commentary," p. 357.

Outram's position as Commissioner had been most anomalous and painful. He had been constrained to take an active, and somewhat prominent part in an invasion which he had strongly deprecated, even when it was merely hinted at as a possible contingency. The invasion had been followed up by the infliction of still further injustice on the unhappy Princes of Sind; and, emphatically as Outram had denounced that injustice to Sir C. Napier, he was now bound to vindicate it in his communications with the victims. On the Ameers he had to urge a speedy settlement of their affairs, while he was engaged in demonstrating to the General that the terms insisted on, as the basis of the settlement, would ruin the Ameers, and revolutionize the country. He was required to obtain assent to demands against which he himself had protested as "*positive robbery.*" And he had to warn the Sindian Princes against resistance, as a measure which would bring on them merited destruction, though he had himself recorded his solemn conviction that every life lost in the field, in consequence of our aggressive policy, would be chargeable on us as a murder.

"Had Outram"—writes the Calcutta Reviewer, previously quoted—"Had Outram, when deputed to Hyderabad, been permitted the *fair discretion* that his position demanded—had he been authorized definitely to promise any reasonable terms, his abilities and his character would have secured an honourable peace. But it was not in human nature that the Ameers should long continue to listen to an Envoy sent to demand everything, and offer nothing. This was not negotiating; it was dragooning. A British officer,

escorted by a single company, was not the proper delegate for such a mission. Sir C. Napier, at the head of his army, was the fitting ambassador."

Outram held three conferences with the Ameers, and made every effort to save them. But the continued advance of Sir C. Napier, who was now within sixteen miles of the capital, and certain circumstances connected with the advance, as reported by the representatives who had been sent to Sir C. Napier's camp, satisfied the Belooches that the General was bent on hostilities; that he meant to attack Hyderabad without any formal declaration of war, and in spite of the acquiescence of the Princes in all his demands.* And they resolved, at all hazards, to oppose a bold front to the unprovoked assault against which they had been warned to prepare. Afraid longer to resist the wild fury of their exasperated feudatories, a majority of the Ameers would appear to have given their assent to a determination they were powerless to overrule. And as it would have been in violation of the most elementary strategic principles to allow Outram's military escort (which had now been reinforced by a company of H. M.'s. 22nd Regt.) to remain at the Residency, and therefore in the rear of the army about to move out to meet Sir C. Napier, instructions were issued for dislodging them. Eight thousand Belooches were accordingly despatched to the Residency to effect this operation, with directions to avoid all unnecessary bloodshed. "If the British fight, kill them;—if they run away, never mind;"—was the order issued to the Belooche Army by Meer

* Vide Appendix.

Shadad, who, to restrain the exuberant zeal of his soldiery, had placed himself at their head, and who seems to have thought that the overwhelming force under his command would deter the escort from offering resistance. *

The British, however, did not "run away." As a matter of course, and as a point of duty, the Belooches did their best to "kill them." And Outram's small but heroic band achieved one of the most memorable feats recorded in the military annals of India—the defence of the Hyderabad Residency.

So studious was Outram of the interests and reputation of his brethren in arms, that he desired Captain Conway of H. M.'s. 22nd Regt., the officer in command of his escort, to report this brilliant achievement, on the plea that he himself was only present in a diplomatic capacity. Captain Conway's report was, however, returned by Sir C. Napier, who insisted on Outram reporting his cessation of his diplomatic functions on the first shot from the enemy, and consequently his assumption of the military command as the senior

* Vide Peer Budhoodeen's evidence in the Supplement to Parliamentary Papers on Scinde. Even Lord Ellenborough himself, while yet ignorant of the real merits of the case, inclined to the belief, that "had the Ameers been entirely masters of their own troops," hostilities would have been averted. The fuller information contained in the Parliamentary Papers leaves no doubt on the subject. And that Meer Sobdar, if not also Meer Meer Mahommed, deprecated to the last even a passive resistance to the anticipated attack of Sir C. Napier, is shown by the eloquent writer of "*Dry Leaves from Young Egypt*," in his 13th Chapter. It is generally understood that the additional papers called for in the House of Commons by Lord Jocelyn, and now in the press, will tend to throw much additional light on this subject.

officer present. To this Outram was only reconciled by the General's assurance that he would more effectually serve Conway, by reporting his gallantry, than by leaving him to report it himself. And to that fine officer, and his intrepid band, did Outram attribute the entire merit of the defence.*

To the defence of the Residency succeeded the battle of Meeanee; and in reporting that action to the Governor-General, on the 18th of February, 1843, Sir C. Napier thus alluded to Outram's performances:—

“ On the 14th instant the whole body of the Ameers, assembled in full Durbar, formally affixed their seals to the draft-treaty. On leaving the Durbar Major Outram and his companions were in great peril; a plot had been laid to murder them all. They were saved by the guards of the Ameers; but the next day (the 15th) the residence of Major Outram was attacked by 8,000 of the Ameers' troops, headed by one or more of the Ameers. The report of this nefarious transaction I have the honour to inclose. I heard of it at Hala, at which place the fearless and distinguished Major Outram joined me with his brave companions in the stern and extraordinary defence of his Residency

* The officers present at the defence of the Residency were Captains Conway, of H. M's. 22nd, and Green, of the 21st N. I., both of whom received the rank of Brevet-Major, and the Companionship of the Bath; Brevet Captain Brown, of the Bengal Engineers, who subsequently became Secretary to the Government of Sind; Brevet Captain (now Major) Wells, of the 15th N. I., the able and gallant commandant of the Poonah Horse; Lieutenants Harding and Pennefather, of H.M's. 21st Regiment.

against so overwhelming a force, accompanied by six pieces of cannon. * * *

“I ought to have observed, in the body of this despatch, that I had, the night before the action, detached Major Outram in the steamers, with 200 sepoy, to set fire to the wood in which we understood the enemy’s left flank was posted. This was an operation of great difficulty and danger, but would have been most important to the result of the battle. However, the enemy had moved about eight miles to their right during the night, and Major Outram executed his task without difficulty at the hour appointed, viz., nine o’clock, and from the field we observed the smoke of the burning wood arise. I am strongly inclined to think that this circumstance had some effect on the enemy, but it deprived me of the able services of Major Outram, Captain Green, and Lieutenants Brown and Wells, &c., &c., &c.

“The defence of the Residency by Major Outram and the small force with him, against such numbers of the enemy, was so admirable, that I have scarcely mentioned it in the foregoing despatch, because I propose to send your Lordship a detailed account of it, as a brilliant example of defending a military post.” *

With the battle of Meeanee necessarily terminated Major Outram’s functions as Commissioner. And he

* It is to be regretted that Sir C. Napier never fulfilled the intention here expressed. In acknowledging Sir C. Napier’s despatch, the Secret Committee expressed their admiration of the defence of the Residency, and their sense of the peculiar appropriateness of the terms “*fearless and distinguished*,” as applied by the General to Major Outram.

returned to Bombay, where he was received with the most gratifying demonstrations of regard and respect by the Government, the Services, and the general community. A public meeting was called, to determine on the best mode of testifying the general sentiment, when it was unanimously resolved to present him with a sword, of the value of 300 guineas, and a costly piece of plate.*

* The following inscription appears on the sword presented to Major Outram :—

“ Presented to Major James Outram, 23rd Regiment Bombay Native Infantry, in token of the regard of his friends, and the high estimation in which he is held for the intrepid gallantry which has marked his career in India, but more especially his heroic defence of the British Residency at Hyderabad, in Sind, on the 15th of February, 1843, against an army of 8,000 Beloochees, with six guns.—Bombay, April, 1843.”

Marked on one side of the blade,—

“ Major James Outram.”

On the other,—

“ Sans peur et sans reproche.”

There are many of Outram's friends who will derive pleasure from perusing the following letter, which he received on the same occasion from the universally respected Lord Bishop of Bombay.

“ *Bycullah, March 29th, 1843.*

“ My dear Sir,—Amongst the friends who assembled in the Town Hall on Saturday, in order to offer you a tribute of their respect, there probably was none who felt more admiration of your conduct in the late campaigns, and in your former situation when you were reducing the Bheel tribes to habits of order, than myself. I felt, however, that I could not consistently take part in the offering of a sword, as it is the object of my office and ministry to keep the sword in its scabbard, and to labour to promote peace. With these views, and with feelings of great respect for the intrepid bravery, ability, persevering activity, and I will add, forbearance towards the weak, which have marked your conduct, I venture to

For his military services during the conquest of Sind, Outram received the brevet rank of Lieutenant-Colonel, and was made a Companion of the Bath; two distinctions "which"—to quote the words of the Hon. Mount Stuart Elphinstone—"had been promised, and

offer you a small tribute of respect, and to request your acceptance of a Book, a blessed Book in which you may find support in the hour of trial, and consolation at that time when the sword must be laid aside, and when external things must cease to interest. In it, my dear sir, is to be found a peace which the world cannot disturb. I pray that this peace may be yours, and with sentiments of much admiration and respect, believe me to be, sir, very sincerely yours,

"THOMAS BOMBAY."

The Books forwarded with the above letter were the Oxford editions of the "Book of Common Prayer" and of the "Holy Bible," bearing the following inscription in the Bishop's handwriting :—

"Thou hast covered my head in the day of battle."—Ps. cxl. 7.

MAJOR OUTRAM,

As a mark of respect,
With the kindest and best wishes
of the Bishop of Bombay.

March, 1843.

"This is life eternal that they might know Thee the only true God and Jesus Christ whom Thou hast sent."—St. John xvii. 3.

It may not be uninteresting to many of the readers of this volume to be informed, that while Outram has earned for himself a wide circle of devoted friends and ardent admirers amongst the Protestant clergy and missionaries in India, the kindness and protection he has invariably afforded to the (too often) neglected members of the Latin communion, reached the ears, and obtained the formal thanks of the present Pope, who caused a gold medal to be struck, and transmitted to him, "*as a testimonial of gratitude for the kindness displayed by you to poor Catholics under your command, or stationed within your Residency.*"

more than promised long ago." "Had he," continues Mr. Elphinstone, "received these honours at the time (1840) he would now (on the principle which has been observed of advancing each officer one step) have been made a Colonel, Aide-de-Camp to the Queen, and K.C.B." Mr. Elphinstone then proceeds to notice Outram's "*political services, which it would be difficult to parallel in the whole course of Indian diplomacy.*" And he observes that, "considering all these services, and the high station held by Major Outram when he performed them, the appearance of his name amongst crowds of subalterns, is rather a humiliation than an honour." And so think many. At all events, the oversight of 1840 has materially injured Colonel Outram; for if, as has been already stated, Major Outram had received the Lieut.-Colonelcy "*promised, and more than promised*" in that year, he would now have been entitled to command one of the Divisions of the Bombay Army.

On the 1st of April 1843, Colonel Outram proceeded to England, to avail himself of the Furlough for which he had applied in the preceding December. And, on his arrival in this country, he lost no time in pleading for a mitigation of the fate of the dethroned, despoiled, and exiled Ameers, whom he knew to be innocent of much that had been laid to their charge.

In support of his representations, he referred to his officially recorded "Notes" of the "Conferences" he had held with the Sindian Princes before the battle of Meeanee. These documents, containing the Ameers' version of the events which had preceded Outram's mission to Hyderabad, and the justification of their

conduct, he had forwarded to Sir C. Napier, on the 11th February, three days before the commencement of hostilities. Sir C. Napier had undertaken to transmit them "*at once*" to the Governor-General, "*because it is fair to the Ameers.*" And Outram never doubted that they had been received by his Lordship, and by him despatched to the authorities in England; but the authorities in England never even heard of them. Outram, therefore, furnished them with his own copies, and requested that, in justice to the Ameers, these should be published along with the other papers relative to Sind, which had been called for in Parliament. And, though fully aware that by pressing this request he would most probably (as he did) forfeit the token of Royal approbation which Her Majesty's Ministers were understood to contemplate bestowing on him, in recognition of his services during the Afghan reverses, he continued to urge, and eventually carried, his point. The "*Notes of Conference*" were published; and a peremptory demand was made on Lord Ellenborough for the reasons which had induced him to suppress the originals. His Lordship, innocent of all attempts at suppression, and amazed at the charge, made a reference to Sir C. Napier; and the missing "*Notes*" were eventually transmitted to the Government of India—not, however, till long after the Ameers had been dethroned, despoiled, and sent off captives to Calcutta and Poma.*

Nor were the "*Notes*" the only, or by any means the most important of the many documents—all essen-

* We have his Lordship's admission of the fact, that these Notes did not reach him until *four* months after the fatal battle of

tially requisite to enable the Governor-General, and Her Majesty's Ministers, to form a correct opinion regarding the Sind policy—that were withheld, until formally demanded from Sir Charles, months after the annexation of Sind. The supplementary volume of the Papers relating to Sind, containing these suppressed documents, affords painful evidence, that, when Lord Ellenborough annexed that country—denounced, dethroned, despoiled, and exiled its Princes; and in lofty panegyric eulogized and sanctioned the whole of Sir C. Napier's proceedings—he was in complete ignorance of the real merits of the case. He knew neither the extent of the exactions that had been forced on the Ameers, nor the nature and cogency of the remonstrances they had offered; the submission they had rendered, nor the efforts they had made to prove its sincerity. And equally devoid of correct information were Her Majesty's Ministers when they confirmed Lord Ellenborough's acts and proclamations in reference to Sind.

But these acts and proclamations *had* been ratified before Outram appeared before the authorities in England to plead for the Ameers. In political ethics such a consideration is held conclusive. Governors and Governors-General must be "*supported*," however foolish or censurable may be their measures. When the sanction of Downing-street has once been given to those measures, even under a misconception, the duty becomes still more imperative. And little favour is

Meeanee. "These notes" (observes Lord Ellenborough) "I never read until I saw them to-day,—June 13, 1853." See "Supplement to Sind Blue Book," No. 135.

generally shown to those whose inconvenient revelations are calculated to lead to discussions regarding the wisdom or justice of "accomplished facts." Outram's services during the Affghan disasters were allowed to pass without the recognition which was at one time in contemplation. Not even did the non-fulfilment of the promise made to him for his previous performances in 1838-39 obtrude itself on the official conscience of Her Majesty's advisers. And Lord Ellenborough solaced himself for the temporary annoyance and alarm he had experienced, by penning "Minutes," in which Outram was depicted as an easily beguiled simpleton, and in which was reproduced the absurd story of his having offered advice, which, if adopted, would have compromised the safety of Sir C. Napier's Army. For all this, Outram was fully prepared. When, alone and for awhile unsupported, he stood forth to implore clemency for the Ameers, he knew that he was sacrificing his personal interests. And it was not in his nature to shrink from the sacrifice. But he did not anticipate that he would be called upon to renounce the friendship of Sir C. Napier, for whom, at that time, he entertained feelings of strong personal attachment.

In pleading for the Ameers, he but gave effect to intentions of which he had long previously apprised Sir C. Napier, and in deprecation of which Sir Charles had never uttered a word. But the demand made on the latter for the suppressed documents, coupled with misapprehensions on his part as to the nature and extent of Outram's representations, led to angry feelings and harsh language. The misunderstanding became

mutual, complex, and insoluble. Serious imputations and irritating epithets were evoked on both sides ; and much unnecessary acerbity was thrown into the quarrel by the officious intermeddling of injudicious partizans.

The compiler of these "Memoranda" would not willingly indite a word calculated to resuscitate the strife. He therefore abstains from recapitulating and refuting the unwarrantable allegations which, in the fervour of partizanship, some of Sir Charles Napier's supporters were induced to make in reference to Colonel Outram. And he has struck from his manuscript the comments on Sir William Napier's "Conquest of Scinde," which at one time he had resolved on reproducing from the Reviews in which they appeared. Those who have a taste for controversy, and are desirous of ascertaining what the great military historian had to say respecting Colonel Outram, and what that officer had to advance regarding both Sir William and Sir Charles Napier, are referred to the two "Conquests of Scinde,"—the one by Sir W. Napier, professing to be an history, the other, by Colonel Outram, avowedly a commentary on that history.*

In the mean time, the Compiler deems it enough to conclude the present section with a brief quotation from the distinguished contributor to the *Calcutta*

* Or they may refer to the *Calcutta Review*, Vol. 6, p. 569 (No. 12, for Dec. 1846), in which Colonel Outram's Commentary was noticed ; or to the *Quarterly* for Oct. 1852, in which most of the facts adduced in the Commentary were reproduced in a review of the very able and interesting work entitled "Dry Leaves from Young Egypt."

Review, whom he has more than once had occasion to cite:—

“The foregoing remarks were written before the appearance of Colonel Outram’s letter to General W. Napier—a letter that was not required to set the ‘Bayard of the Indian Army’ (as Sir Charles Napier in an inspired moment happily designated him) right in the eyes of the Indian public. Still less do they require a further vindication of his conduct, though they will welcome every item of information he may feel justified in giving. We fearlessly assert that every right-minded man, acquainted with the progress of events during the year 1842, not only acquits Outram of the absurd and contradictory charges alleged against him by the Napiers, but recognizes in his conduct throughout the Scinde transactions the spirit of a soldier, a gentleman, and a Christian. The Napiers accuse Outram of jeopardizing the British Army in Scinde; this is mere nonsense. His negotiations, followed up by Sir C. Napier’s acts, were indeed sufficient to endanger his own life. They did so; and nothing but his own brilliant gallantry, and that of his small escort, rescued him from the toils. The British Army was able to take care of itself. Had Outram, however, when deputed to Hydrabad, been permitted the fair discretion that his position demanded, his abilities and character would have secured an honourable peace, &c., &c., &c.*

* Amongst the Appendices to this volume will be found a few remarks on the allegation made by Sir C. Napier’s partizans, that Colonel Outram on one occasion gave advice which, if followed, would have jeopardized the army.

The anticipated "further vindication" above alluded to was contained in "Colonel Outram's Commentary," which received a very cordial eulogium from the *Calcutta* as from other Reviews.

VIII.

SERVICES IN NIMAR AND IN THE SOUTHERN
MAHRATTA COUNTRY.

1844—1845.

COLONEL OUTRAM had been only six months in England, when (November, 1843) intelligence was received of a revolution at Lahore, and of the murder of the Maha-Rajah Shere Sing: events which, in the best informed circles, were considered but the prelude to others which must involve the Indian government in a war against the Sikhs. Ever on the alert, Outram made arrangements for an immediate return to India. And, early in January, he reached Bombay, bearing with him a letter from the Duke of Wellington to the Commander-in-Chief of India, in which he was recommended for employment in the anticipated Punjab campaign. But on reaching the Governor-General's camp, he learned that the storm had blown over; that there was no immediate prospect of hostilities. He had, therefore, to retrace his steps to Nimar, to the political charge and revenue management of which he had, in the mean time, been nominated by Lord Ellenborough.

. This post was so vastly inferior in importance and emolument to those which he had recently held, and

in which he had acted so distinguished a part, that his first impulse was to decline it. But his friends represented to him that such a proceeding would be construed into a display of disrespect, both official and personal, to the Governor-General; and they reminded him that there was, at that time, no higher appointment at his lordship's disposal. He accordingly accepted the proffered office; but, at the same time, intimated to his friends his determination to resign it in six months, and to return to England, unless an opportunity of serving in the field should be intermediately afforded him.

No such opportunity occurred. And, on the 10th of September, 1844—the day on which he had completed his six months' service at Nimar—he resigned his appointment, and proceeded to Bombay for the purpose of embarking for England.

On his arrival at the Presidency, he found that an insurrection had broken out in the Southern Mahratta Country, which threatened a very unsatisfactory issue. He tendered his services to the Government. They were gladly accepted. And it was intimated to him that he would be nominated to the political control of the disturbed provinces, in supercession of the Commissioner, Mr. Reeves, who being a Civilian, was deemed less eligible than a military officer for such a post, while hostilities were in progress. To this arrangement Colonel Outram respectfully, but firmly, objected. He declined being made a source of humiliation to a gentleman for whose talents and character he entertained a high respect, and who was intimately acquainted with the disturbed country, and with the

condition, character, and feelings of the disaffected population. But he expressed his readiness to act in conjunction with Mr. Reeves till the termination of the war, after which, as he informed Government, it was his intention to return to England. Sir George Arthur, than whom no one was more capable of appreciating generous traits, expressed, in strong terms, his sense of Colonel Outram's moderation, and directed him to proceed "on special duty" to the seat of war.

On the 11th of October, Outram arrived in Brigadier Wallace's Camp before Samunghur. He was present at, and assisted in the storm of that Fortress, on the morning of the 13th. And he continued, in addition to the exercise of his diplomatic functions, to render active and important military services in the Field. For these he received the grateful acknowledgments of General Delamotte, Brigadier Wallace, and the other military officers to whom his aid was rendered, as well as the cordially rendered applause of his Government, who expressed their "great satisfaction that he had thereby an opportunity during the military operations that had been in progress, of displaying those high qualities as a soldier for which he had ever been distinguished."

The clemency displayed by Mr. Reeves and Colonel Outram to the vanquished garrison of Samunghur did not receive the entire approbation of Government. For they long continued to labour under the erroneous impression that the amnesty granted by these officers, after the capture of the Fortress, had been extended to the promoters of the rebellion. And there

is reason to believe that they were not altogether pleased with the apologetic and extenuatory pleas which the conjoint Commissioners continued to urge in behalf of the rebels, whom they regarded as, in many respects, aggrieved men. At all events it was deemed proper to renew to Colonel Outram the offer of sole and undivided political command. And when he declined the proffered distinction, on the plea that he contemplated returning to Europe as soon as the war was brought to a conclusion, it was bestowed on Colonel Ovens, the then Resident at Sattara. Had that able officer assumed the appointment thus tendered him, there is every reason to believe, from the nature of several of his subsequent representations that he would have pleaded in behalf of the rebels with even less reserve than Mr. Reeves or Colonel Outram. But he had the misfortune to fall into the hands of the enemy while proceeding from Sattara to enter on the discharge of his new duties. He remained a captive during the subsequent operations; and Mr. Reeves and Colonel Outram continued to act as conjoint Commissioners. Their "prudence and firmness" elicited the warm commendations of Government. And the Governor-General of India (Lord Hardinge) when expressing his "complete concurrence" in these praises, recorded "his entire approbation of Colonel Outram's conduct," and "his opinion of the temper, judgment, and discretion, which marked Lieutenant-Colonel Outram's proceedings on every occasion subsequent to the seizure of Colonel Ovens." The qualification thus implied of the praise due to Outram's proceedings prior to that event, had reference to the

amnesty which his Lordship, as well as the Bombay Government, at that time believed to have embraced the fomenters of the rebellion.

After the storm and fall of the Fortresses of Punalla and Pownaghur, both of which Outram had been amongst the first to enter, it was supposed by the military commanders that hostilities had been brought to a termination. And official intimation having been made by them to this effect, Outram proceeded to Bombay, in the middle of December, with the view of taking his passage to England.

But it soon became apparent that little had been achieved beyond the transference of the war from the Kolapoor country, situated *above* the Western Ghauts, to the Sawant Waree State, *below* them. Thither had fled the fugitive foes whom General Delamotte had dispersed. The disaffected Warree population readily joined them. Matters assumed a very serious appearance. And the Government were glad, once more, to avail themselves of Outram's services.

The nature and extent of these services may be best described in the words of the writer in the *Calcutta Review*, so often quoted in the preceding pages, one of the most distinguished political military functionaries in British India, the able administrator of one of its most important territorial divisions, and an officer for whom the present Governor-General of India, and the present Commander-in-Chief of the British Army, entertain much respect and warm personal esteem. That, to the uninformed, his testimony may appear tainted with the spirit of a partizan, the Reviewer deems

not improbable ; that such in reality is very far from the case he takes occasion to explain. “The tone of our remarks upon Colonel Outram”—thus he writes—“may savour of partial panegyric to those of our readers who have not followed out Outram’s career as we have done ;” “but”—he adds—“no personal feelings can mingle in our praise of a man whom we have never seen, and whom we know only by his public acts.”

Referring to the insurrection in Sawunt Waree, he writes as follows :—

“Fortunately for Government, the man they wanted was at hand. Colonel Outram, who was now, about the end of December, at Bombay, with the intention of proceeding to Europe, at once forgot past neglect and past injuries, and came forward to rescue the Government from their difficulties. He volunteered to return to the seat of war, and there organize and lead a light corps. Nobly did he fulfil the large expectations that were now centred in him. Within a fortnight he was again in the field, the soul of all active measures ; his very advanced guard driving before them the half-armed rabble that had kept three brigades at bay.

“Never was the magic power of one man’s presence more striking than on Outram’s return to the seat of war. It might seem invidious, were we to dwell on the panic that then prevailed at Vingorla and Waree, but the slightest glance at the proceedings in those quarters will show that the insurgents had inspired a ridiculously formidable idea of their own importance. All communications had long been cut off ; the posts were brought *by long sea* from Malwan to Vingorla ;

and many of the inhabitants of this latter place nightly took refuge in boats in the harbour. The troops were harassed with patrolling duty, yet the neighbourhood was rife with murders and robberies, the perpetrators of which sent insulting messages to the authorities. On one occasion a religious meeting was dispersed by a wag suddenly calling out that the enemy were upon them. Vingorla, be it remembered, stands in an open country.

“At Waree, matters were, if possible, still worse; there the troops remained as in blockade, not a soul venturing beyond the lines. All outposts were called in, and the malcontents permitted to consider themselves masters of the field. When the garrison was reinforced by the arrival of the 10th and a part of the Bombay Native Infantry, the authorities determined to occupy the gorge of the valley of Sivapur, in which lay the villages of the insurgent Phund Sawunt, and thus cut off this focus of rebellion from the less disturbed districts. The scheme was a good one, but failed from the manner in which its execution was attempted. A detachment of 200 sepoy set out; they were *sniped* at from the jungle, and one man was wounded; when, instead of closing with the enemy, they took post in a sort of enclosure, and were soon beset by increased numbers. A reinforcement of 200 men joined them, but the combined force, after losing twenty killed and wounded, retreated to Waree. This success, of course, increased the confidence of the insurgents, whose insolence was not restrained even by the arrival, soon after, of Her Majesty's 2nd Regiment. They gave out that they were tired of

thrashing sepoy, and wished to try the mettle of the 'Lambs.' They soon obtained an opportunity of proving their mettle, but the sight of that fine corps was too much for their nerves. The Europeans were then kept idle, first at Waree, then at Dukhun-waree, and full scope was given to the activity of the enemy.

"At this juncture Outram landed at Vingorla; where, picking up two or three excellent officers, he pushed on to Waree, and thence towards Sivapur. From this date, the 14th January, matters took a turn; hitherto the three Brigades had been playing bo-peep with the enemy, and from the tops of the Ghats examining, through telescopes, the stockades below, which the Commanders did not think it prudent to attack. But now, at length, a decided movement was announced for hemming in the rebels in the valley of Sivapur. Twelve hundred men were placed under Outram, with orders to beat up the low ground from Waree towards the forts of Munohor and Munsuntosh; Colonel Carruthers, with a Brigade, was to occupy the Sivapur valley on the other side of the ridge on which those forts are situated; while Colonel Wallace was, on a given day, to descend the Ghats; and it was reckoned that his troops, dove-tailing with those under the immediate command of General Delamotte, would complete the encirclement of the rebels. * * *

* * * * *

"To return to Colonel Outram. No communication was practicable between the troops above and below the Ghats, and he was left with his small band to his

own resources, without definite orders, and with very scanty supplies, to carry out the most difficult operation of the campaign. Merrily and confidently he advanced through the wild sylvan scenes never before trod by European foot. The ears of his people were now daily saluted by the echo of the Artillery on the overhanging Ghats; sounds which could only be supposed to indicate 'the tug of war' above, and loss of ribbons and laurels to those below. But such fears were soon relieved by finding that the firing was only Colonel Wallace's long practice with extra charges from the summit of the Elephant Rock at the village of Sivapur, some three miles distant in the Concan below.

"Each day Outram found points of his route stockaded by the enemy, but they never made a stand, the advanced guard and skirmishers being generally sufficient to disperse the wretched rabble. At length, on the 10th of January, a combined movement was ordered upon the high peak to the west of Munsuntosh. The main attack was to be made by Colonel Carruthers, who, supported by a portion of Colonel Wallace's brigade, was to carry some stockades in his front, and then move up the Dukhun-waree or Sivapur side of the ridge, while Colonel Outram was to make a diversion from the Shirsajee or Gotia valley. This last detachment performed their part, but on reaching the summit of the peak, from which an extensive view was commanded, no sign appeared of either brigade. They saw the stockades which Colonel Carruthers was to have attacked, but which, being now taken in flank, were abandoned—the enemy flying to Munsuntosh, within 1,800 yards of which fort Outram had estab-

lished a post. Colonel Carruthers' brigade had been prevented by the nature of the country from taking their full share in the operations of the day. The next morning another combined movement was made on the village of Gotia, immediately below the forts; again the nature of the country favoured Outram, the advanced guard of whose detachment captured the village with all its stockades, though very strongly situated.

“From these brief details we may infer how easily the war might have been terminated, months sooner, by more decided measures. The enemy had only to be reached to be routed. The troops, both Bombay and Madras, were ready for their work, but a spirit of undue caution and delay prevailed at Head-quarters.

“We cannot understand how it happened, but Colonel Outram was now left, unsupported, to carry on operations against Munsuntosh. One of those accidents which no human foresight could obviate, frustrated his attempt to gain that fortress by a *coup de main*. He carried three stockades below the fort, attempted to blow open a gate, failed, and was driven back with considerable loss. He held his ground, however, high upon the ridge, retained possession of the stockades, and was on the eve of again storming the fortress, when the enemy evacuated not only Munsuntosh, but the adjoining fort of Munohur. Outram had skilfully thrown out parties to command the debouches from the south and south-west faces of the forts, leaving the remaining portions of the cordon to be filled up by the brigades. Colonel Wallace, however, failed on his part, and thus suffered the rebel chiefs, who had all been engaged, to escape over the Sisadrug ridge, close

to one of his posts, into the Goa territory. Outram followed hard upon their track, had several skirmishes, took many prisoners, and on one occasion nearly captured the Chiefs. Again, he scoured the wild country beneath the Ghats, encouraging the loyal, and beating up the disaffected villages. The nature and value of his services during the operations we have glanced at, are not to be measured by the actual opposition experienced or loss sustained, but by the estimate formed by other commanders of the obstacles and enemy to be encountered, and by the fact that the rapid and skilful movements of his small detachment terminated, in a few days, an organized opposition which had for six weeks kept at bay three brigades, differently handled. The total silence of Government, and the non-publication of any opinion regarding the Sawunt Waree operations, might, at first sight, lead to the inference that Outram's management gave as little satisfaction as did that of his fellow-commanders. But the promotion since bestowed on him amply proves that Government took the same view of his conduct throughout the campaign as did General Delamotte, Colonels Brough and Wallace, and, indeed, all his comrades. Outram's is an almost isolated instance of a man receiving not only civil promotion but brevet rank, without his good fortune exciting jealousy; a remarkable exception, only to be explained by his rare qualities as a soldier, and his conciliatory demeanour as a man. * * *

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“If our narrative has kept to Colonel Outram's detachment, it is for the simple reason that they appear to have had all the fighting to themselves. No dis-

credit thereby attaches to the troops under the other Commanders, who were always ready for action, and who, when opportunity offered, as at Samunghur and Panulla, behaved with the accustomed gallantry of the Madras and Bombay Armies.

“We must wind up this hasty, though perhaps prolix sketch of Sawunt-waree affairs. By the capture of Munohur and Munsuntosh the strength of the insurrection was broken. The strongholds of the rebels were taken, their boldest leaders slain or captured, and all others, to the number, as already stated, of forty, fled for shelter to Goa. Outram was then again called on to act the diplomatist. His parties still followed up the remaining small ‘marauding bands, while he himself proceeded to Goa, and by the union of firmness and conciliation, induced the Portuguese authorities to remove their *sympathizers* from the frontier, and to substitute a cordon of such troops as would prevent the Goa territory being made the place of ambush from which the insurgents should at discretion devastate Sawunt-waree.”*

The Government, it is true, did not accord unmingled praise to *all* concerned in the Waree campaign, but they did not fail to bear public testimony to Outram’s services. They declared that—

“The Light Field Detachment, under Lieutenant-Colonel Outram, particularly distinguished itself.”

“The Governor in Council”—the Order proceeded to recite—“also experiences the highest gratification in recording his opinion that the energy, boldness, and military skill displayed by Lieutenant-Colonel

* *Calcutta Review*, No. 7, Sept. 1845.

Outram, and the rapidity and success which characterized all the movements of his detachment, in a particular manner entitle him, and the officers and men under his command, to the thanks and approbation of Government."

And the Commander-in-Chief (Sir T. McMahon) when expressing his entire concurrence in these eulogies, took occasion to communicate "the high sense he entertained of the zeal, ability and energy displayed by Lieutenant-Colonel Outram throughout his services, both in the Southern Mahratta Country, and in the Sawunt Warree State."

Still further "to mark his approbation of the gallant and energetic spirit in which his late operations in the Sawunt Warree territory have been undertaken, and the ability with which they have been carried into execution," Sir G. Arthur, on the 26th February 1845, requested Colonel Outram's acceptance of the post of British Resident and Military Commandant at Sattara, and placed at his disposal six staff appointments for distribution amongst his officers. Outram was induced to accept the appointment; and, on the 3rd of May, his negotiations with the Governor-General of Portuguese India having been brought to a satisfactory termination, and complete tranquillity having been restored to Sawunt Warree, he was directed to "proceed to assume charge of his appointment as Resident at Sattara, where his services were urgently required."

His delicate negotiations with the Portuguese authorities, in which he had been ably aided by Captain Frederick Arthur, and by his accomplished

staff officer Major Stevens, received the approbation not only of the Bombay Government, and of Lord Hardinge, but of Her Majesty's ministers, who felt that, but for the conciliatory policy adopted by Colonel Outram, they might have been involved in a disagreeable misunderstanding with the Government of Portugal. *

An impression exists amongst some of Col. Outram's friends that his appointment to Sattara was intended as an acknowledgment of the extraordinary services rendered by him during our Affghan reverses. It is a mistake. Those services remain to the present day unrewarded, and (officially) unrecognized. Sir George Arthur had it not in his power to confer any appointment, or distinction, commensurate with the merits of performances which, according to so high an authority as Mr. Elphinstone, "*it would be difficult to parallel in the whole course of Indian Diplomacy.*" And when he bestowed on Outram the highest diplomatic and military appointment at his disposal, he took especial care that this act of patronage should in no way prejudice that officer's hitherto unrequited claims, by expressly recording that the nomination was made *solely* in recognition of, and as a reward for, the services rendered by him in 1844-1845.

* Major Stevens, in recognition of the valuable services rendered by him during the Warree campaign, received from Sir G. Arthur the valuable appointment of Commissioner for the affairs of her Highness the Baiza Bhaee. Owing to the absence on sick-certificate of the senior officers, it was Major Stevens's good fortune, as a captain, to lead his regiment into action at the battle of Hydrabad. For his services on that memorable occasion, he was promoted to the rank of major, and received the decoration of the Bath.

IX.

SERVICES AS BRITISH RESIDENT AT THE COURTS
OF SATTARA AND BARODA.

1845—1851.

A sufficient commentary on the manner in which Colonel Outram acquitted himself of his duties at Sattara, is afforded by the fact that he was in May 1847 selected by Sir G. Clerk, the successor of Sir George Arthur, to fill the post of British Resident at Baroda—the highest diplomatic appointment in the gift of the Bombay Government.

The proffered office he accepted with peculiar satisfaction. It secured to him a renewed intercourse with the people for whose welfare he had laboured so earnestly and successfully in 1836-1838. It seemed to open to him a wide field of philanthropic usefulness. And he hastened to enter on its duties, cheered with bright visions of the lasting benefits which he hoped to confer on the Prince and people of Baroda.

But these visions were not destined to be realized. Before he could mature his plans, he was grieved to

discover that the corruption, which in former days he had helped to combat, was not extinct; that the long cherished popular belief in the corruptibility of the Bombay Government still survived; and that this belief was not less potent for mischief than he had found it to be in 1837. The further he carried his inquiries, the more forcibly was the conviction impressed on his mind. And he saw that till a more healthy moral tone could be introduced into the Native department of his diplomatic establishment, and a more elevated estimate of the integrity of Bombay functionaries forced on the Native community, vain must be his efforts to promote the mental or material improvement of the people.

Zealously and successfully did he apply himself to the important and difficult questions that presented themselves for investigation. And the excessive mental fatigue he underwent, co-operating with the proverbial unhealthiness of Baroda, developed symptoms of an alarming nature. His medical advisers deeming a change of climate indispensably necessary for his recovery, he proceeded on sick certificate to Egypt, in November 1848. And as is well known to her Majesty's Ministers and the Indian authorities, he was, while in that country, neither idle, nor, as regards the public interests, unprofitably engaged. The fatigue, hardships, and exposure involved in his Egyptian labours, so seriously aggravated his illness, that for many months his friends, both in India and England, dreaded lest each succeeding mail should bring them tidings of his death. But it was other-

wise ordered. There was yet work in store for him. His life was spared. And in the beginning of 1850 he returned to India.

On resuming his appointment at Baroda, he found it necessary to enter on a series of very arduous and painful investigations. For, during his absence, circumstances had occurred calculated to destroy all confidence, on the part of the natives of Baroda, in the integrity of the Bombay Government.

That body had promulgated decisions which the natives *knew* to be most grossly inequitable, and which subsequent investigations prove to have been so. Criminals whose extreme guiltiness was a matter of universal notoriety on the spot, had been treated, not with forbearance only, but with favour. Matters which to the native mind seemed imperatively to demand a stern and uncompromising scrutiny, had been allowed to pass without investigation. Redress had been withheld from oppressed individuals entitled by "guarantee" to British protection, while their oppressors had received signal marks of favour from the Government. A corrupt native functionary, who was well known by the natives of Baroda to have lent himself to the promotion of some nefarious acts—who had betrayed Colonel Outram's confidence—and who, on his treachery coming to light, had applied for permission to retire on the pension to which his past servitude entitled him—had, almost as soon as Colonel Outram left for Egypt, been reinvested by Government with the functions he had so foully pro-

stituted. Not satisfied with this extraordinary proceeding—for it *was* an extraordinary proceeding, viewed even in the most favourable light—the Government had in an elaborate despatch, full of gratuitous assumptions and baseless hypotheses, vindicated him from the charges made against him by Colonel Outram—*charges subsequently substantiated before a legal tribunal*. In doing so, they had passed on Colonel Outram himself severe and unmerited censures—censures to the present hour unrevoked, though their injustice has long since been demonstrated. And, in arriving at these startling results, they had seen fit to overlook revelations made to them after Outram had sailed for Egypt, which bore the strongest internal evidence of truth—which subsequent investigations prove to have been strictly true—which the natives of Baroda knew to be true when they were ignored by Government—and which, whether true or false, ought in common decency to have formed the subject of a rigorous inquiry.

These unhappy events, the natives of Baroda, who had long regarded the venality of the Bombay Government, or its functionaries, as an axiomatic truth, attributed (it is to be hoped the end will shew unjustly) to the corrupt influence of one of the members of Lord Falkland's Government, who had retired from the service prior to Outram's return from Egypt. And any one who takes the trouble to read from page 1400 to page 1484 of the Baroda Blue Books, will see that there were reasonable grounds for the conclusion at which they arrived. They were enabled to adduce a most imposing array of circumstantial evidence in

support of their belief. And the subsequent conduct of Lord Falkland's Government must have appeared to them (and it *did* appear to them) incompatible with any hypothesis, save that which assumed that his lordship, and his lordship's council, were determined to screen their late colleague.*

For this gentleman, "*whose name had come to be associated with the foulest of deeds and the vilest of men,*" Colonel Outram entertained a great respect. And believing him to be incapable of conduct unworthy of his high character and exalted position, he deemed it due no less to an upright Englishman than unable to defend himself, than to the Government he himself served, and the natives within his own jurisdiction, to do his utmost to unravel the tissue of intrigues which had so seriously compromised the prestige of British justice in Guzerat.

That artifices of a flagitious character had been practised, and that the Bombay Government had been betrayed into very serious errors, was painfully obvious. But the intrigues and treachery which had been in operation, he believed to have been confined to European and native subordinates. And, by dragging the real offenders to punishment, he aspired to vindicate the character of the functionary whose name had (as he supposed) been abused. He

* The Compiler has met with no notice of the Blue Books, in which one tithe of the circumstantial evidence to the prejudice of this gentleman (and therefore demanding full explanation at his hands) is adduced. The able author of "Bombay Briberies" (Wilson, Royal Exchange) has collected but a few salient points—his limits apparently preventing him from entering into minute details.

hoped to satisfy the natives that, though the Government might, at times, err in judgment, it never swerved from rectitude; that the money, year after year, remitted to Bombay for purposes of bribery, reached other hands than those for which it was destined; and that though, on many occasions, incorrect decisions had undoubtedly been given in favour of those remitting bribes, the coincidence was a purely accidental one, and susceptible of satisfactory explanation.

He naturally, but as events proved very erroneously, believed that, in the prosecution of these great objects, he would receive effective aid and cordial encouragement from the Government. Pure themselves, conscious of their purity, and equally convinced of the incorruptibility of their late colleague, it was, he conceived, their obvious interest, as it clearly was their duty, to institute a searching investigation into imputations supported by *prima facie* evidence. The further the investigation went, the more clearly would their own impugned virtue become apparent, the more completely would the integrity of their late colleague be vindicated. Thus reasoned Outram, and he deemed himself justified in assuming that the wishes of the Government were coincident with their duty and their interests. For a few days after his resumption of his duties at Baroda, they had, under the pressure of strong representations, made from distant parts of the Presidency, issued a circular letter in the following terms. The italics are introduced by the Compiler to call the reader's attention to the prominent points of the circular.

“ Government has been led to believe that an impression prevails in some parts of the Mofussil that, by means of intrigues at the Presidency, the arrangements of the local officers can often be defeated or superseded by the parties interested secretly obtaining the friendship of persons in power ; who, it is expected, will, *irrespective of right and wrong*, interest themselves for the party soliciting their favour ; and that, by these means, objects are attainable which, if left to be sifted and reported on, in a deliberate and regular manner, could never be secured. This species of intriguing is termed, in the Mahrattée and Canarese dialects, ‘ *making KHUTPUT in Bombay* ;’ and is stated to be regarded *as a remedy under difficulties of whatever kind. It is even held to be considered as effectual in obtaining the restoration to place of official servants who, for incapacity or dishonesty, have been discharged from Government service ; and to be even capable of effecting the release from gaol of a convicted felon.* A belief in the existence of a system of this nature is calculated *greatly to embarrass the officers of Government, and to undermine the confidence of the Ryots in the system under which they are governed.* I am accordingly directed to request that you will have the goodness to REPORT, *after making any inquiries you may deem requisite, WHETHER you have reasons for supposing that any such belief prevails, generally, or amongst any particular class of persons within the limits of your charge ; and if so, that you will offer any suggestions that may occur to you as to the best means of ERADICATING the same.*”

Thus, specially invited—and an invitation of this kind is a command—to enter on a task which his own sense of duty had already prompted him to undertake, Outram applied himself with earnestness to the work before him.

As a preliminary measure, he entreated the Government to revise certain decisions, promulgated during his absence, in favour of men notoriously corrupt, to the prejudice of those who had suffered from the unrebuked misdeeds of the corruptionists, and in censure of measures he had adopted in his warfare against corruption. He showed that these decisions were eminently calculated to foster the prevalent belief in the efficacy of "*Khutput made in Bombay.*" And he tendered evidence and explanatory statements to prove that they were based on imperfect information, on erroneous assumptions, and on an oversight of facts, declarations, and offers of further elucidation, submitted by himself to Government, both orally and in writing.

But his entreaties were in vain. With the exception of the Hon. Mr. Willoughby, who recorded "*Minutes*" in favour of inquiry, and, and who, unfortunately for Lord Falkland, vacated his seat in Council while Outram's investigations were in progress, the Government evinced a singular want of that zeal for inquiry which the terms of their circular letter, taken in their natural sense, appeared to denote. They would nether revise their decisions, nor assign a reason for refusing to do so.

The immediate effects of this policy, so difficult to reconcile with a belief that the *Khutput* letter had

any other object than to secure soothing replies for submittal to Parliament during the anticipated discussions on the Indian Charter Act, were most lamentable. Its indirect results calamitous.

Warned by the case of the corrupt head of his native establishment, whose honesty the Government had censured him for suspecting, and whom they had thrust back into the post which he had betrayed, Outram was compelled to submit to the continued presence in his office of several clerks, whom he knew to be in alliance with the criminals he was endeavouring to unmask; and who (as has now been proved) were in the habit of furnishing these criminals with copies of such documents, on the records of the Residency, as related to their affairs. While, owing to the lax system which obtained in the Government Secretariat at Bombay, copies could be surreptitiously obtained of all official papers, not even excepting the most recent and most secret "Minutes" of the Governor and his Council. Thus did the Baroda corruptionists become acquainted, not only with every representation made by Outram, but with the disheartening replies he received, and with the feelings with which the individual members of Government regarded inquiries designed for the vindication of their own honour. And as Colonel Outram was then engaged in unravelling conspiracies for the ruin of individuals entitled to British protection, in which the Durbar and the leading nobles and moneyed men of Baroda were implicated, it may be readily conceived that the want of support he received from Government, was turned

to good account by those who were directly interested in frustrating his inquiries.

Perjury is a venial offence in the eyes of the natives of Guzerat — bribery and intimidation recognized modes of securing evidence. And when to the influence of gold, and the alternative threat of loss of place and false accusations, is added the plausibly authenticated assurance, that by forswearing himself the perjurer will gratify the Government, a temptation is held out which few can resist. Such an assurance did the guilty individuals afford to all whom gold and intimidation were insufficient to influence. They had no need to dwell on the arguments which tended to substantiate their boast, that the decisions appealed against by Outram had been improperly obtained; for the cogency of these arguments had already found universal admission at Baroda. But they paraded exultingly, and with effect, the failure of Outram's urgent and reasonable appeals. And no one who takes the trouble to peruse the "Minutes" which his appeals elicited, will wonder that the conspirators should have obtained general credence, when they pointed to these as proving that the Government and themselves mutually understood each other, and as affording a guarantee that Outram's inquiries would be thwarted by the very functionaries whom, in the guileless simplicity of a confiding nature, he considered most interested in promoting them.

A succession of happy accidents enabled the Resident to prosecute his investigations, despite the intrigues by which their frustration was attempted. His progress, however, was slow; his difficulties vast;

his disappointments incessant. Over and over again did he represent to the Government the embarrassments he experienced; and oft and urgently did he implore them to afford some token of their sympathy and approbation, with a view to neutralize the mischievous effects of the popular belief, that "he was working against Government, or rather that they were working against him." But his representations were unheeded; many of his most important communications remained unanswered; and the countenance and support he so much required, in his arduous struggles with a monstrous system of corruption, were systematically withheld from him.

Lord Falkland, indeed, stoutly denies, in more than one of his despatches, that he and his Council failed to afford Colonel Outram ample aid and encouragement. But the Court of Directors have themselves given a sufficient reply to this denial. They distinctly state that the Government had "arrested, *in limine*, an inquiry which might have furnished a clue for the detection of malpractices, of the existence of which there can be no doubt." And, in another case, they censure the Government for having rejected, as "obscure indications, containing nothing susceptible of being followed out to any result," what, in the Court's estimation, "were amply sufficient to justify and require a further investigation." When the last of their despatches, as published in the Baroda Blue Book, was written, the Court conceived themselves prevented by official etiquette from pronouncing an opinion on the treatment Colonel Outram had received at the hands of Govern-

ment during the last two years of his tenure of office ; for his Report on Khutput had not come before them in what was considered a strictly official manner, the Bombay Government having detained the original for upwards of six months, on the ground that they would study it in connection with the other reports on the same subject, all of which had been in their hands very considerably upwards of a year ! But though the Directors were thus, as they believed, precluded from pronouncing on the Khutput Report, and on the damaging revelations it contained relative to the proceedings of the Bombay Government, that document is now in the hands of the public, and any one who will take the trouble to read from 1400 to 1484, may satisfy himself whether the two cases incidentally cited by the Court were the only instances in which Lord Falkland and his Council embarrassed Outram's investigations—facilitated the intrigues and evasive artifices of the criminals whom he sought to drag to justice—and inflicted further and undeserved injury on those victims of oppression in whose behalf he laboured.

The more earnest Outram's entreaties became, and the more his investigations prospered, the more curt and unsatisfactory continued to be the communications of his Government, and the more unkind the language they employed regarding him in " Minutes " destined for the perusal of the Court of Directors, but which there was then little prospect of Outram being ever permitted to see. In their later " Minutes " Lord Falkland's Council did not hesitate to hold their Baroda Resident up to ridicule, as " credulous,"

“Quixotic,” and “ignorant of human nature.” And, in estimating the exhilarating effects of such “Minutes” on the Baroda intriguers, to whom they were regularly transmitted by their agents in the Secretariat, it must be borne in mind that the alleged “credulity,” “Quixotism,” and “ignorance of human nature,” consisted in treating the circular letter on “Khutput” as a sincere exposition of the views and wishes of Government—in believing that the Government were really anxious to ascertain *if* a belief in Khutput actually existed—and in assuming, on the faith of their own assertions, that they fully recognized the gravity of those evils which they had themselves declared must arise from the existence of such a belief; that they truly wished inquiries to be carried out on the subject; that they sincerely desired to eradicate the belief, if found to exist; and that they honestly sought to be directed to the best modes of effecting so desirable an object.

Nor did the members of the Bombay Council confine themselves to charging Colonel Outram with the mental defects above enumerated. They attributed some of the most arduous, important, and successful of those labours which subsequently procured for him high eulogy from the Court of Directors to “*rancorous personal feelings.*” In one of their later “Minutes,” they pronounced him to be out of “his right mind,” and to be the victim of a “monomania;” and they persisted in accusing him of placing faith in the general belief entertained of the corruption of their late colleague, despite his assurances to the contrary. This they did, in apparent oblivion of the fac

that his investigations could only tend to vindicate that gentleman's character if he were wrongly aspersed, and that their own systematic efforts to embarrass these investigations, when viewed in connection with their Khutput Circular, could not possibly fail to impress the public with the belief that they dreaded inquiry as likely to prove ruinous, if not to their own reputation, at least to that of their late colleague. And when the personal hostility towards Colonel Outram, displayed in the "Minutes" of Messrs. Bell and Blane, is considered, the effect of these Minutes, surreptitiously obtained from the Bombay Secretariat by the Baroda corruptionists, may be conceived.*

While Lord Falkland and his colleagues turned a deaf ear to all Outram's remonstrances, they denied him the benefit of the appeals which he desired to make to the Court of Directors. And, thus, the Government practically excluded that body from all control over Baroda, though well known to have made incessant and troublesome references to it on matters of detail in other questions which it was their duty to have determined on their own responsibility. Whether by this arrangement they did or did not (as the Bombay correspondent of the *Times* reported to the leading journal) constitute themselves "*an instru-*

* The terms "personal hostility" are used advisedly. The Compiler defies any honest man, who has read these minutes, to lay his hand on his heart and deny that Mr. Bell and Mr. Blane do evince a systematic desire to place Colonel Outram in the wrong on every occasion, and that they seek for opportunities of thwarting and annoying him, and of prejudicing the Court of Directors against him.

ment of resistless tyranny," the readers of the Baroda Blue Book must determine for themselves.

At page 24 of the Baroda Blue Book will be found—

“A memorandum of letters received from Lieutenant-Colonel Outram, subsequent to his resuming charge of his duties at Baroda (on his return from Egypt), on the 8th of May, 1850, in which he has appealed against the decisions of Government in the cases therein alluded to.”

In this document, seven appeals, or packets of appeals, are enumerated. An analysis of their contents—of the important matters hinging on the decisions in respect of them by the Court of Directors—and of the earnest and reiterated requests of Outram to have decisions propounded, would tend greatly to enlist the sympathy of the reader, and excite his astonishment. But the limits of this volume will admit of little more than a cursory glance at the periods of detention to which they were respectively subjected.

The first appeal is dated the 30th of July, 1850. It referred to a fraudulent transaction (on the part of a Bank enjoying the British guarantee during “good behaviour”) regarding which the conduct of the Bombay Government had been twice commented upon by the Court of Directors: on the first occasion, for ignoring an offence equivalent to forgery; and, on the second, for so wording their despatch as to imply that attempts had been made to investigate that offence, and that no proof of its commission could be obtained, whereas the Government well knew when they penned the despatch that *no* inquiry of any kind had been at-

tempted. It was a case which had powerfully tended to lower the character of the Bombay Government in the eyes of the natives. It was one to which in a great measure was due the fact that the name of one of Lord Falkland's Councillors had "*come to be associated with the foulest of deeds and the vilest of men.*" It was one on which Colonel Outram was particularly anxious to have an early decision. And it was one on which the Court had specially called for information. Yet the Appeal was not transmitted for thirteen and a half months—not till it had become a matter of general notoriety both at Bombay and at Baroda that the felony originally ignored by the Government, and which, in direct disobedience of the Court's orders, they had abstained from investigating and punishing, had been established before a legal tribunal.

The second packet of "Appeals" enumerated in the "Memorandum," contained letters written in April and June 1850. These, it is true, were forwarded in the following October; but care was taken that no benefit should be derived from the home reference. For, though the Court's reply was favourable to the view taken by Colonel Outram, the Bombay Government refused to modify their measures.

The third packet of documents, dated June and July 1850, remained untransmitted till the 3rd of December 1852—that is, until Colonel Outram had been removed from his appointment—and therefore placed in a position to make a direct appeal to the Court of Directors.

The fourth—a most earnest appeal—in which were

detailed many of the very startling and plausible reasons assigned by the natives for believing that decisions could be purchased through the influence of corrupt members of the Bombay Government, bore date the 7th September 1850. But it was detained till the 17th of February 1852, six weeks after Outram's removal from office.

The 6th, under date the 16th December 1850, was not transmitted till December 1852; and the letter accompanying it was not written till the day on which Outram's removal had been resolved on in Council.

The sixth, dated the 31st March 1851, was only forwarded on the 17th February 1852, by the steamer which bore Outram from Bombay, *en route* to England, to submit his grievances to the Court of Directors.

The seventh, containing the degraded Resident's final official protests against the treatment which he, and those natives who aided him, had received at the hands of his Government, was hardly likely to be detained. For Outram carried duplicates along with him. Government had, indeed, endeavoured to get possession of these, and thus to deprive him of the means of setting his conduct before the Directors in its true light without delay. But his remonstrance was so reasonable, and so just, that they could find no pretext for rejecting it.

The validity of the pleas on which the Government prevented their Honourable Masters in this country from obtaining any insight into their Baroda policy, is a matter on which Parliament has authorized the

public to form and make known their opinions. And considerable uniformity of opinion, in reference to this subject, will probably be found amongst the independent readers of the Blue Books.

Disheartening to the last degree had been Outram's position, since his return from Egypt: his representations unheeded at Bombay; his appeals to the Directors untransmitted; and the intrigues and insolence of the corruptionists, whose crimes he endeavoured to expose, daily acquiring vigour and development. For daily did the belief gain ground—and daily were fresh embarrassments arising from the belief—that the Government, enraged at the success with which he had unmasked a villain, in whose behalf they had penned the elaborate, ingenious, but unsatisfactory defence previously alluded to, and alarmed at the disclosures he contrived to effect without their assistance, and in spite of the obstacles they threw in his way—had resolved to disgust him into resignation of his appointment, or to goad him into some act of insubordination, which should afford a pretext for his removal. And so confident were the corruptionists on this point, that, as Outram himself, from time to time, reported to Government, they engaged in a systematic system of subornation, of perjury, to be made use of so soon as his removal was effected, with a view to injure his own reputation, to ruin those honest natives who had rendered him assistance, and to procure a reversal of the convictions which his labours had resulted in establishing. These conspiracies were commenced in the summer of 1850; they were continued with varying industry up to the hour of his

removal; after that event, they were renewed with increased vigour; and, as the Government was duly apprised, upwards of one full year before his removal, the conspiracies embraced clerks in his own office—men who bore him a deadly grudge for the honest zeal which interfered with their unhallowed gains, but whom he had no power to dismiss without the sanction of Government.

But discouraging as was Outram's position, during the events now hastily sketched, he lost not heart. He felt assured that justice would be done him by the Court of Directors, so soon as they should be made aware of the real merits of the case. And he resolved that they should have an opportunity of forming an impartial judgment.

Past experience had taught him the futility of ordinary "appeals;" but, in common with all the heads of offices, he had received a copy of the circular letter adverted to in page 153. The replies it elicited must, he knew, be transmitted to the Honourable Court; and, in the preparation of his own Report, he took care to introduce a detailed account of the investigations he had conducted, and of the obstructions he had encountered, since his return from Egypt.

But though satisfied that his Report must be, eventually, submitted to the Court of Directors, he was aware that great delay invariably occurred in the transmission of such documents. His papers, moreover, were voluminous; and the tardiness with which briefer documents had been replied to by the Government, led him to fear that much time would elapse ere Lord Falkland and his Council pronounced even

an interim opinion on the subject of his appeal. Daily were fresh embarrassments arising from the increasing confidence and boldness of the corruptionists. And he accordingly deemed it his duty, when transmitting his Report, to represent once more the urgency of his position, and the painful necessity that existed for disabusing the minds of the people of Baroda of the conviction under which they laboured, that, by thwarting his investigations, screening villany, and harassing those who aided in its exposure, they gratified the Government, and promoted its views.

The reply to this communication was an order to resign his appointment; and, as those who will take the trouble to examine the Blue Books will discover, circumstances had occurred a few days prior to the transmission of that order eminently calculated to satisfy the public that the immediate cause of the Resident's summary removal was the fact of his having obtained something like a clue to the discovery of the conspiracy for buying over the Government—a conspiracy Outram's investigation of which the Government had already "*arrested IN LIMINE.*" Nor was this belief likely to be shaken by the *intense* anxiety subsequently evinced by the Government to hasten his departure from Baroda, though his official resignation was not to take effect for some time after.

In notifying to him his removal from office, the Government entered into a long series of observations, justificatory of the step. To these Outram replied in a letter,* which most readers will deem tolerably

Vide Appendix.

conclusive — and so conclusive did the Bombay Government consider it, that, in their subsequent communications to the Court of Directors, they saw fit to depart from much that they had originally stated.* The four charges on which they eventually justified Colonel Outram's removal, were—

1st.—That he had displayed such an absence of “respect” for, and “confidence” in, the Government he represented, as disqualified him for discharging the duties of his office.

2nd.—That he appeared to have formed a most erroneous idea of his rights and duties of his position as Resident.

3rd.—That he had shown he did not possess the tact, calmness of mind, and discretion, indispensable to the satisfactory maintenance of our political relations with the Guicowar.

4th.—That he had “persisted in proceedings dictated by the sentiments evinced in the letter attached to the Khutput Report, and not only solely by inditing that letter.”

To this last charge, the Court of Directors have replied as follows :—

“We do not perceive, in the papers sent to us, *any* instance of Lieut.-Colonel Outram having per-

* The Compiler has reason to believe that in a forthcoming analysis of the Baroda Blue Books will be found a clear exposition of the contradictions *and inaccuracies in point of fact*, in which the Government involved itself when endeavouring to assign a valid reason for dismissing a Resident who had sent in an unanswerable appeal against themselves, and who was apparently on the eve of tracing out the conspiracies, his investigations into which they had endeavoured to “arrest *in limine!*”

sisted in proceedings which he had been instructed by his Government to discontinue.”

As the whole of Outram's investigations are detailed in his Khutput Report, the reader must judge for himself whether the more appropriate reward of the proceedings which proved offensive to the Honourable Messrs. Blane and Bell, was his dismissal from office, or the eulogy bestowed by the Court of Directors on “the zeal, energy, ability, and success,” with which his inquiries were conducted. And, in estimating the value of Lord Falkland's denial that he and his Council failed to give Outram every legitimate aid and support, let it be kept in mind, that the Council have put their seal of condemnation on the official proceedings for which aid and support were implored. To suppose that they intentionally rendered the slightest aid, encouragement, or support, to investigations of which they disapproved, is to suppose them to have been guilty of a dereliction of duty. That their doctrines and practice were in perfect harmony no reader of the Baroda Blue Books requires to be told.

The third charge the Court of Directors utterly ignored, in their reply to the Bombay Government. It is, therefore, only reasonable to infer that they recognized in Outram's conduct, through a trying period of two years, those qualities of which it is alleged he displayed an absence. And any one who may take the trouble to read the minute narrative, given in his Khutput Report, of his several investigations, and of his various communications with the Bombay and Guicowar Governments, will marvel

at "the tact" and "discretion" he manifested, under circumstances well calculated to betray him into haste. Nay, even the Bombay Government themselves were constrained to bear testimony to the fact, that in not one of his acts had he done aught capable of giving just umbrage to the Court at which he resided, though that Court was engaged in bringing dishonour on the British name. Thus, on the day of the receipt of the intelligence of Outram's removal, the Guicowar was induced, at the instance of the Minister who had attempted the bribery of high functionaries, to transmit a petition to Bombay, complaining of certain acts of the ex-Resident; yet the Government which recorded the censure now under notice, were compelled to reply, that the proceedings remonstrated against "appear to have been merely a request for the attendance of certain parties at the Residency for the purpose of inquiry, and that Government trusts that no deviation from the usual courtesy, in promptly complying with such requests, will ever be permitted by His Highness to occur."

The inquiry in question was one of those which the Bombay Government had "arrested, *in limine*." That it was so arrested, the guilty Minister obtained early and accurate intelligence. He had, on the strength of this arrest, determined to render nugatory the clue of which, despite the proceedings of Government, Outram had obtained possession. And, with this view, he had ventured to violate the "usual courtesy" observed on such occasions.

I shall cite but another testimony on the part of the Bombay Government to the "tact," "discretion,"

and "calmness of mind," which Outram displayed while unravelling a foul conspiracy in which the courtiers, nobles, and leading merchants of Baroda were concerned, having for its object the ruin of a rich widow entitled to British protection. In his "Minutes" on this case, after taking many exceptions to the views, recommendations, and comments, contained in the Resident's Report, Lord Falkland wrote thus :—

"I now turn to the case itself, which, the more it is studied, must more and more impress the mind with admiration of the extraordinary ability and patience displayed by Colonel Outram in investigating the obscure and secret conspiracies which are the subject of his Report, dated 30th March 1851, in baffling native intrigue on its own ground, and in unravelling with much ingenuity, if not always successfully, the frauds, perjuries, and mass of contradictory depositions, which have been taken and committed from the period when Lar Bhae's first petition was presented to Government in 1847, up to the date of Baba Nafra's trial and conviction in August 1850.

"The task he undertook to perform may, indeed, be termed an extraordinary one. Once persuaded that Joitoe Bhae's tale was true, and that she was the victim of a foul conspiracy, he has *alone and unaided* stood by her; has opposed the active machinations of her powerful enemy, deriving a strong support, as they must have done, from their success with the Acting Resident, and through him with this Government; has openly met the secret hostility of the Baroda Durbar; and finally he seems to have unveiled the do-

mestic treachery of the Native Agent, which would appear to be but too clearly established by the facts and reasoning of this report."

The "*minute*" from which the foregoing passages are extracted, bears date the 10th of November, upwards of a fortnight before Colonel Outram's removal had been resolved on. The "letter" based on it, and which it was Outram's duty to file in the records of the Residency, there to remain in perpetual testimony against himself, was not written for some days after the occurrence of that event. Though every expression of doubt or censure contained in the "*minute*," was incorporated in the letter, it was not deemed advisable that the outburst of admiration extorted from the Governor, even in the exercise of a severe criticism, should be placed on record. Contrary therefore to invariable usage it was suppressed. And but for the publication of the Blue Books, Colonel Outram would not have been in a position to adduce Lord Falkland's own testimony, when vindicating himself from his Lordship's charge of want of "tact," "calmness of mind," and "discretion,"*

We have seen that one of the four charges on

* The magnanimity of Lord Falkland's Council may be judged of, when it is mentioned that very many paragraphs of the "*letter*" above alluded to, are devoted to show that Colonel Outram "*was himself responsible for much of the lady's sufferings!!!*" Colonel Outram vindicated himself from this monstrous and unjust charge in a document pronounced by the Court of Directors to be conclusive and triumphant. Yet in doing so he only mentioned *facts* which were from the first as well known to the Government as to himself. And, in spite of this conclusive reply, the Government still adhered to their original accusations!

which the Bombay Government justified Colonel Outram's degradation is rejected by the Court of Directors, as inconsistent with the evidence before them; and that while they utterly ignore a second of these charges, the body who preferred it have afforded testimony against it. Let us proceed to the third.

It is to the effect that Colonel Outram had formed an erroneous idea of his rights and duties as Resident. This charge the Court of Directors have admitted to be established in respect of one single instance. But in that instance they take care to show that not the slightest inconvenience was, or could have been experienced. And the reader will probably derive some amusement from an examination of the passage in which the admitted error was betrayed.

After detailing many of the difficulties of his position at Baroda—difficulties greatly enhanced by the proceedings of the Guicowar's unprincipled minister—Outram thus proceeded:—

“Had I been on those terms with my own superiors, to which, in former days, I had the honour to be admitted, as well by the local as by the Supreme Government, I should, at a very early period of my intercourse with the minister, have pointed out to His Highness (the Guicowar) the necessity—*for the honour of his own Raj*—of selecting another adviser. In doing this I should have done no more than any other Resident in India in a similar position would have deemed himself justified in doing; I should have been rendering an essential service to the Guicowar; and I should have diminished that intrigue and corruption which tend so much to compromise the character of

the British Government in the eyes of the natives. But I felt keenly that I was not admitted to that confidence, and friendly consideration on the part of Government, which it was once my honour to enjoy. I feared that my conduct might be censured, and my recommendations unsupported. And in such a case I was well aware that intrigues would multiply, and attempts be made to involve me in a dispute with the Durbar, with a view to my removal from a post where I am a source of inconvenience and alarm to the traders in corruption. I have, therefore, been constrained to meet the minister in his own fashion, and to assume his own cordial demeanour; to express satisfaction for such trifling aid as, for appearance sake, he has rendered me; and to appear ignorant of his secret opposition."

And after similar remarks—which of themselves would seem to be a sufficient reply to the allegations of the Bombay Government, that he was deficient in the tact and calmness requisite for maintaining our political relations with the Guicowar—Colonel Outram proceeded to express a hope that the Government would "authorize" him to request His Highness to select another minister.

The passage in which the Court of Directors admit that Colonel Outram evinced a misapprehension of his rights and duties as Resident, is that in which he intimates "*what he would have done*" if, "enjoying the confidence and kindly consideration of Government" accorded to him by previous Governments during the last thirty years, he could have relied on his conduct being approved, and his recommendations

being supported. On this passage the Directors observe :—

“To have taken so grave a step (as recommending the Guicowar to dismiss a corrupt minister who had aspired to bribe high British functionaries, and who had aided in the persecution of British subjects) would far exceed the powers of a Resident; and would require for its justification the probability that some great public evil would ensue from the short delay necessary for a reference to Government. In the present case there was no such necessity; and IF Colonel Outram HAD acted as he thought he had the power to act, he WOULD, *on that ground*, have merited a severe mark of our displeasure. For he must have been aware that the right vested by treaty in a British Resident, of giving advice to a Native Prince, is to be exercised by him in strict subordination to his own superiors, and that it is a breach of duty to take any step which can have the effect of committing Government to a particular course of policy, without having previously assured himself of their approbation.”*

* No careful reader of the Blue Books requires to be reminded of the very extraordinary self-contradictions—transparent fallacies—incorrect assertions—illogical reasonings—by which the Government endeavoured to show, first, that nothing had been proved against the so-called minister, though they had before them evidence of his evil doings; and then that the same arguments which, *under less gross circumstances*, had by Sir G. Arthur been deemed sufficient to justify his calling on the Guicowar to change his “agent,” did not exist in the present case. I have said the “*so-called minister*”—for, as Government knew, the Guicowar had resisted all their attempts to induce him to appoint a responsible minister. Bhow Tambekur was only, and *is* only, a “Carbarry,” or *head agent*.

But Colonel Outram had *not* so acted as to render himself obnoxious to the Court's censure. He had scrupulously abstained from exercising any of his rights as Resident, save in strict subordination to his immediate superiors. He had at no time, and in no manner or degree, committed his Government to a particular course of policy. And the formal acquiescence of the Court of Directors in the allegations of the Bombay Government, to the extent of admitting that, in one single instance, Colonel Outram did *theoretically* over-estimate his liberty of individual action, appears to have been intended to indicate that they regarded as invalid the plea for his degradation, derived from his assertion of what he *would* have done under circumstances the very reverse of those, the existence of which he deplored. The Court's sentence must, in fact, be regarded as a virtual acquittal.

The only charge on which they have really recorded a verdict of guilty against Colonel Outram, is that of having evinced a want of "respect" for, and "confidence" in his Government. And it is obvious, from the whole tenor of their despatch, that (as the Bombay Government could not fail to know) they would never have given their assent to the degradation of their Resident on these grounds, had the Government,

And though he is invested with powers which enable him to exercise, to the prejudice of British wards and subjects, all functions of a Prime Minister—and though the Government wrote of him as though he possessed the rank, dignity, and international claims and position of a Prime Minister—they are well aware that he possesses none of these; that he is exactly in the same position as the Carbarry whom Sir G. Arthur insisted on the Guicowar dismissing.

before adopting so strong and so unusual a measure, made a reference to England. Nay, further, it is a legitimate inference from the words of their despatch, that if Outram's Khutput Report had been before them *officially*—if it had been competent for them to enter into his long catalogue of complaints—they would have promulgated a decision much more gratifying to himself, and much less soothing to Lord Falkland in Council, than that which now stands on record. The Bombay Government, as has been already stated, had not in the end of June 1852, transmitted to the Court the replies given to their important circular of May 1850, though most of these replies had been considerably upwards of a year in their hands. And till the replies in question, with the comments of Government, were forwarded to the Court, that Honourable body deemed itself bound in official courtesy to assume that the Government had much to offer in their own justification in respect of Colonel Outram's complaints. But, while giving due weight to this consideration, the Directors clearly enough imply their belief, that if Colonel Outram's language evinced less respect and confidence than official usage prescribes, the treatment he had received had been calculated to provoke him. They thus write:—

“Lieutenant-Colonel Outram appears to have laboured under the impression that he was not supported by Government, in his exertions for the detection of corrupt practices, and that the supposition that Government looked with disfavour on these exertions prevailed widely at Baroda, and had a tendency to defeat the object of his investigations. But in

communicating to you the impression made on his mind, Lieutenant-Colonel Outram ought to have expressed himself with the deference due from a subordinate officer to the Government which he serves. In this he failed. We are of opinion that the communications of Lieutenant-Colonel Outram were not conveyed in terms consistent with that respect for the Government he was serving which ought to be observed in all such representations."

It is in the power of all who wish to form an opinion for themselves, to judge of the nature of the language made use of by Colonel Outram in his latter communications; and of these only, is a complaint made. And, in judging of his language, they will not fail to bear in mind that he was addressing a Government who had turned a deaf ear to all his representations; refused him the aid he so earnestly entreated; arrested some of his most important inquiries; and prevented him receiving that support from their common masters, which the Blue Books satisfactorily prove he would have received, had his appeals been forwarded. They will bear in mind that those inquiries which were embarrassed by the proceedings of Government, were inquiries which the Directors truly pronounce to have been very important; that they had for their object the punishment of conspirators against British honour and British justice; the redress of foul and terrible wrongs endured for years by individuals entitled to British protection; the vindication of the impugned honour of the Government themselves; the erasure of reproaches reflected from the Bombay Government

in consequence of the acts of that Government, on the Court of Directors itself; the clearance of his own character from erroneous imputations cast on him in his absence, of which he had an *absolute indefeasible* right to claim an official withdrawal, on cause being shown, and which, to this hour, are not withdrawn, though their injustice has been demonstrated; and the exposure and reform of a system of treachery and corruption, in the most important department of the Secretariat, which had for years flourished under the very shadow of the Council Chamber.* They will not fail to notice that the language assigned as the reason for dismissing Colonel Outram, just as he appeared on the eve of successfully prosecuting inquiries, which the Government had “arrested *in limine*,” was far less strong than that employed by him in 1838, when the evils which he deplored were trifling, as compared with those which he sought to remedy in 1852; when he had not achieved those public services which he was enabled to render between 1839 and 1845; and when, consequently, he and his representations were entitled to less consideration and deference. They will keep in view the important fact, that while Colonel Outram’s proceedings, and the “zeal, energy, ability, and success,” with which they were conducted, are extolled by the Court of Directors, the

* That by exposing the shameful abuses existing in their departments, Colonel Outram incurred the ill-will of the Secretaries (who, as is well known, are *practically* members of the Government), must be very obvious to every careful reader of the Blue Books.

Government who dismissed him have been directly censured, in some respects—indirectly reprovèd in many—and commanded to resume those inquiries which they awhile arrested. They will reflect on the fact, that it was Outram's painful but undeniable duty, not to the Bombay Government only, but to the Court of Directors, the British nation, and, above all, the Natives under his protection, to explain to the Government the extent and origin of the universal and practically mischievous belief in their corruptibility that prevailed in his districts; and that, in pressing the unpalatable truth on his superiors, he over and over again protested his own convictions of their unblemished purity, and over and over again reiterated with much earnestness, that though he felt his Reports must give pain, he begged that he might not be supposed to be wanting in respect.

And bearing all these points in mind, they will cordially concur in the following sentiments expressed by the Court of Directors in their reply to the Bombay Government:—

“But,” add the Court, in continuation of the remarks above quoted, “we regret that you did not take an early opportunity of reprimanding him, and requiring him to withdraw any objectionable expressions which rendered him justly liable to your censure.”

That Colonel Outram did not contemplate disrespect, that his conscience acquitted him of intentional disrespect, are facts sufficiently proved by the care he took in framing his Report on Khutput, specially designed for the perusal of the Directors, to quote from

all his strongest and most earnest appeals. That he would have readily divested his reports of all offensive expressions, on their being pointed out to him, is clearly implied by the Court in the passage just quoted. It is equally implied in the previous declaration of the Court, that, in no instance, had Colonel Outram persisted in proceedings which he had been ordered to discontinue. And it was a conclusion which their past experience would have justified the Government in forming.

In April 1851, Colonel Outram had forwarded to Government a very strong Appeal, in which he showed them the strong mass of circumstantial evidence with which the Natives justified their belief in the corruptibility of Bombay functionaries, and the extent to which the recent proceedings of Government had strengthened that belief.

After forwarding this Appeal, Colonel Outram proceeded to Bombay, to endeavour, by personal solicitations, to effect those public measures which had been denied to his official entreaties. And he was (privately) informed by his friends in office that his Appeal had made a deep impression in Council; that the Government were now satisfied of the necessity of supporting him; but that there were some expressions in his letter which had been personally distasteful to the Governor; and that, by the very minuteness and amplitude of his proofs, he placed the Government, as it were, in the disagreeable position of standing on their defence, or of appearing to be driven into acts which ought to appear spontaneous. And it was suggested to him that a solution of the Baroda diffi-

culties—satisfactory to himself, and not humiliating to Government—might be secured by his offering to modify his Report. He accordingly waited on his Lordship, assured him of the respect he entertained for him, and declared his readiness to do so. Lord Falkland expressed himself gratified, and confident that the Baroda questions would be disposed of to the satisfaction of all parties. Outram, hastening to the Secretariat, called for his Reports, erased the words which he was told had annoyed the Governor, and struck out whole paragraphs and pages of its most cogent matter. He left nothing undone which was calculated to give to the change of policy he had been led to expect, the appearance of being the un-compelled and spontaneous act of Government. He had, however, barely returned his emasculated Report, when the Government adopted proceedings which were in direct opposition to those he had been led to anticipate, and which tended more and more to rivet on the Native mind at Baroda the belief which he was endeavouring to eradicate.

Thus, as we have seen, a theoretical mistake which led to no practical results, and required but to be pointed out; and the employment, under circumstances of unwonted difficulty, of strong language, which a reprimand would have prevented his repeating, are the only two faults on Colonel Outram's part conceded by his Honourable Masters. In making this concession, they take care to extol the "zeal, energy, ability, and success" of labours which were throughout unaided, and sometimes impeded, by his Government. And they vindicate him from cen-

tures and aspersions, cast on his proceedings and motives by the Government who dismissed him.

In addition to the indirect censure thus cast on the Government, they more than once pass open condemnation on that body for thwarting inquiries it was their duty to promote. And there are few readers of the Blue Books who will not feel assured that, had the Honourable Court been in a position to comment on Colonel Outram's Khutput Report, the condemnation would have been more severe, more extensive, and more emphatic.

In concluding their despatch, the Court addressed the Government in the following words:—

“ Taking this view of the case, we express our hope that, when Lieutenant-Colonel Outram shall return to India, you will find a suitable opportunity of employing him where his talents and experience may prove useful to the public service.”

The Court were well aware that, with the exception of the Commissionership of Sind—which is not likely to be vacant for many years—the Baroda Residency is the only appointment in the gift of the Bombay Government which Colonel Outram could accept without official humiliation, and without such degradation in the eyes of the Native and European community as would seriously injure his usefulness. To have ordered Lord Falkland to replace Outram in the position he had filled with “zeal, energy, ability, and success,” and from which he had been removed on the extraordinary pleas we have just investigated, might possibly have appeared tantamount to recalling his Lordship. There were reasons, both political and

personal, why so extreme a measure should be avoided. And, viewing the whole context of the case, it appears reasonable to suppose that the Court's language was adopted with a view to enable Lord Falkland to reinstate Colonel Outram in such a manner as to give the reinstatement the appearance of a voluntary act.

Had Colonel Outram's brevet lieut.-coloneley taken place on the 2nd June 1840, as he had reason to expect from official and private communications, he would now have been in a position to claim a Divisional Command; and he might have returned to India, careless as to whether Lord Falkland chose to act on the intelligible hint given to him by the Court. But these expectations were not fulfilled; and every sincere friend of Outram strongly dissuaded him from placing himself in a position to be insulted by Lord Falkland's Government. There was no guarantee that the Governor would comply with the obvious wishes of the Directors. And though the known honourable sentiments and high spirit of his Lordship afforded a strong presumption that he would wish to restore Outram to the post in which he had rendered such signal services, he must have a high estimate of human nature, who would attribute similar inclinations to his Lordship's colleagues. Gentlemen who could pen such Minutes as have been noticed in the foregoing pages, were likely to form peculiar notions respecting the official post most "*suitable*" to a "*monomaniac*"—a man under the influence of "*rancorous personal feelings.*" And they were *not* likely to replace him in a position where he must be entrusted with the conduct of those inquiries

which they had deemed him worthy of disgrace for instituting, which they themselves had been reprimanded for “arresting *in limine*,” and to the reinvestigation of which they have, much to their annoyance and humiliation, been ordered to lend their best aid and energies.

It is not within the scope of these “Memoranda” to allude to the grave questions rendered moot-points by the publication of the Baroda Blue Books; to inquire if it be justice to the natives of India to maintain, on enormous salaries, European Residents whose functions (as recognized by the Bombay Government) might be adequately performed by subaltern officers, on salaries of £600 *per annum*; to ask whether the “support” of controlling bodies is more worthily due to the zealous executive officers who carry out their views, or to the administrative boards that thwart their wishes; to inquire what course the East India Directors deem open to a faithful public servant, whose efforts are frustrated, and whose appeals to themselves are suppressed by the local authorities; to raise a discussion on the degree to which the acts of the Bombay Government have tended to make the British name odious and contemptible in Western India; or to point to the many indignities with which Outram’s zeal has been rewarded—the unjust censures that still remain on record against the officer whose public services have been recorded in the preceding pages — or the improbability of any other servant of the Bombay Government being found likely to incur the humiliation and pecuniary losses which have, in his case, been the result of carrying

out the wishes of his honourable masters, despite the antagonistic influence of his more immediate superiors.

All these are grave points, which may, and probably will, be slurred over by the English public for the present; for they are points brought to issue in a controversy between, on the one hand, a body possessing powerful influence with those on whom the decision rests, headed by a nobleman having many alliances, both political and personal, and on the other, a soldier who has no weight save that which his own merits have achieved, and no friends but those whom his virtues have secured to him. But they are points which will one day claim and obtain elucidations, if not in time to avert, at all events to explain national calamities. They do not, however, bear directly on the subject of Colonel Outram's services; and they are, in the mean time, left to those publicists whose more immediate province it is to discuss them.

But it may not be uninteresting to the readers of this volume to be informed that, in addition to the anxiety and humiliations which Colonel Outram has had to undergo, in consequence of the not very heavy faults conceded to his accusers by the Court of Directors, he has been subjected to a pecuniary fine of upwards of £4,000. His salary, as Resident at Baroda, was of nearly that amount. Since the 1st of February, 1852, he has been placed on the allowances of a regimental Major. And the diminution of income thus incurred, is but a portion of the pecuniary mulct inflicted on him by the Bombay Government. For the loss sustained by the necessity of suddenly breaking up his establish-

ments, and proceeding to this country to plead his own cause, and that of the afflicted victims of Baroda corruption, cannot be estimated at a lower sum than £1,000.

To some, these may appear mere and vulgar trifles undeserving of notice. And as such they will probably be regarded by Outram himself, whose liberality, carelessness of self, and contempt of money, have kept him poor while controlling wealth, and whose conscience made him allot to charities, the prize-money assigned to him on the conquest of Sind.* But there are others who will note them with interest, as affording another illustration of the peculiar fate which has through life adhered to Outram. Not once, but many times, has he been called on to make grievous sacrifices for principles which others shrunk from enunciating — principles which were eventually destined to find public recognition and acceptance — but in the recognition and acceptance of which he, his merits and his sacrifices, have invariably been overlooked.†

* The amount of Outram's share of the Sind prize money was £2,728.

† It will not fail to be observed that in all the documents and discussions relative to Colonel Outram (that have as yet been laid before the public), the utmost that has been urged in his favour is *in extenuation of his so-called offences, and in mitigation of the punishment supposed to be due to him for telling unpalatable but momentous truths in plain language.* It seems to have been overlooked by those who have treated of the matter, that not only the Court of Directors, but the British Parliament and the British Nation, owe no small debt of gratitude to the officer whose incredible labours, under most disheartening

In conclusion, it is but just to a gallant officer to mention that though, in the Blue Books, Sir John Grey—the Commander-in-Chief of the Bombay Army, and nominally a member of Lord Falkland's Government—is represented as having "*concurring*" in the Minutes of the Council, such was not the case. Mr. Willoughby, in his evidence before the Commons' Committee on Indian Affairs, appointed in 1851, explained most satisfactorily that the real object in giving a seat in Council to the Commander-in-Chief is, not to secure the benefit of his advice, but to afford a pretext for increasing his already vast emoluments; that the Commander-in-Chief appends his signature as a mere matter of form to documents of which he cannot possibly have the slightest knowledge. In this way, Sir John Grey's signature was obtained to several "Minutes" condemnatory of Outram. But when he became aware that Outram's dismissal had been resolved on, he took especial care to record his ignorance of the grounds on which this measure was sought to be justified. And he reminded his colleagues that he had taken no part in their discussions.

circumstances, in a deadly climate, have resulted in the exposure of astounding and melancholy abuses, and in the reformation of sad and long-established evils. Hardly, if at all less, do they owe gratitude to Mr. Anstey, to whose "*irregular energies*" the publication of the Baroda papers is exclusively due—and in spite of an act of discourtesy and indiscretion on the part of Colonel Outram himself, which would have deterred most men from moving further in the matter.

may be estimated by the slow and irresolute measures which have suffered the Santal rebellion to continue for so many months the opprobrium and the menace of the Government of Bengal. It should be the task of the Home Government at such critical moments to breathe its own life and vigour into the flagging energies of its Indian deputy; but the Home Government of India cannot inspire life and vigour into others, for those are the very qualities which its constitution forbids it to possess. It is framed on the narrowest principles of jealousy, and the weakest and most exploded notions of checks and balances. At the end of the last century the East India Company had become too greedy, too scandalous, and too unscrupulous to be any longer tolerated in the form of a mercantile association exercising absolute and irresponsible power over India. The form was preserved, but the substance was altered. With the national propensity to adhere to what exists, and rather to encounter any inconvenience or any absurdity than effect any vital or radical change, it was determined that because the East India Company had shown itself unfit to govern it should continue to exercise all the functions of government, only under the control and superintendence of a Minister of the CROWN. Any other nation would have reasoned that if this body was so incompetent for its duties that it required another body to take care of it, it were better set aside, and the superintending body put in its stead. The notion of treating a Government of a mighty empire as a lunatic requiring the care of a committee, or a child placed during a perpetual infancy under the custody of a guardian, was a thoroughly English idea, worthy of the nation that had almost declared the Prince of ORANGE a Regent for King JAMES, and still carries on the business of Parliament in the Norman French of the PLANTAGENETS. The effect was what might have been expected—a stagnant and inert conservatism, which seems to

think to this day that it has accomplished all the objects of a civilized and Christian Government, if it does not fall very far behind the ablest of its Mahomedan or Hindoo predecessors. Its standard of excellence has been deplorably low, and, as is generally the case with people who set up to themselves a low standard, humble as its aspirations have been, they have been far beyond its performances. A system of revenue management founded on inequalities, oppressions, and absurdities which AKBAR would have regarded with disdain, is not yet eradicated from the Presidency of Madras, where whole districts of the best land remain desolate because Government exacts a rent too heavy to be paid. Export duties are imposed on Indian produce, and the tools of the artificer must be taxed before they can be used. The administration of justice is burdened with every conceivable technicality, and the practice of the criminal courts seems to rest upon confessions extorted by torture. But, while moving thus slowly in the march of improvement, the relations to each other of the constituent parts of the Indian Government have gradually changed. The Company has become less, and the Board of Control more powerful, and now the same jealousy which invented the Board of Control in order to fetter the action of the Company, seems to retain the Company in order to neutralize, as far as may be, the powers of the Board of Control. To us the whole thing appears to be founded on a confusion of ideas, or rather on the application of that which is true in one case to another to which it has no analogy. Because the system of checks and balances is found to be applicable to legislative proceedings, it is assumed that it must be equally valuable to executive government; whereas, in the first circumspection is more valuable than despatch; and in the second a single mind acting promptly and decisively is the thing most to be desired. The double government is not only inefficient, but irresponsible.

It wears a perpetual mask, and nobody can tell whence its measures proceed, and whether the Company in whose name they are carried on is the unwilling victim or the ready coadjutor of the Board that is privileged to fight behind its shield.
