

that no alterations or amendments could be safely made in the present institution, would be to contend that error and imperfection ought to become the objects of our veneration.

Another point of the honourable Proprietor's speech he must also object to; namely, his observations with respect to the Indian seas. He professed he could not conceive upon what principle an honourable gentleman in this Court could object to the system upon which the communication was kept up between this Country and America previous to the secession of that country from the British Crown. He had not now with him the authority upon which he replied to the statement of the honourable Proprietor; but he would find that the commerce and navigation carried on between the American colonies and this country before that period, were carried on by ships belonging to America, and manned by American seamen, and not at all by English ships manned with English seamen. However, he thought it necessary to notice the honourable gentleman's observation, for the purpose of shewing, that whilst Great Britain at this moment was using every exertion to man her navy, and to supply her fleets with the necessary complement of men, the honourable gentleman made use of an argument which was incompatible with the security and

advantage of that country, he was so solicitous should derive benefit from her intercourse with her East-Indian colonies. It certainly did appear strange to him that the honourable gentleman should propose that the Indian fleets should be navigated by British seamen at a time when the supply of sailors was by no means commensurate with our wants. For his own part, he no necessity of employing British seamen in carrying home the East-Indian commerce during a time of war and a scarcity of seamen, when the subjects and the inhabitants of India could equally serve the purposes of the Company; he was to consider that the great advantage which the India Company was to derive through the medium of its Charter, sprung from its commerce; and he really did not see what difference it could make to them whether their ships were navigated by native Indians or British seamen, provided they could get their cargoes home. He should be sorry to think that this country could be excluded from the use of her own subjects, and be compelled, as she certainly would be in that case, to employ subjects of a hostile power. But the fact really was, that a very small portion indeed of British seamen were employed in navigating the Indian fleets. The greater part of their crews being made up of native Indians and foreign sea-

men ; which, however, never could be the case, were we not obliged, from necessity, to employ our own subjects in more important occupations. Before he sat down, he would propose to the Court an amendment, which he hoped some honourable gentleman would do him the favour to second, which was,—to leave out those words to which he had, in the beginning of his speech, called the attention of the Court ; and if the Court was not able to explain the amount of the six millions' odd hundred thousand pounds, stated in the Petition to be the profit of the Company's trade, he should likewise move, that that sum should be left out, and a mere general statement of profit substituted in its stead. For the present he was unwilling to trouble the Court any longer ; and he would only request the question to be put from the Chair upon his amendments.

The *Chairman* begged to be informed by the honourable Proprietor, whether he (the Chairman) properly collected his amendments, which he now proposed to stand as follows :—In page 17 of the Petition, instead of the amount of profits being stated at £6,289,405, it should be generally stated, "*Profit.*" Secondly, in page 20 of the Petition, the following words should be left out :—"Your petitioners submit, that they would not be justified in becoming parties to any

system which, on consideration, would be likely to prove an illusion:" and thirdly, in the 22d page of the Petition, to leave out the words, "Your petitioners submit, that it cannot be contended that any persons can have a right, except with the consent of your petitioners, to use the settlements, factories or seats of trade, &c." These, he understood, were the only amendments the honourable Proprietor wished to have made in the Petition. However, he should inform the honourable gentleman that, in the first instance, in point of form, he should move his first resolution.

Mr. *Hume* said the Chairman had stated his objections very correctly; and he concluded by moving that the words to which he objected in the 20th page should be left out.

The *Chairman* said he understood that that was the honourable gentleman's *second* resolution, and not his *first*.

Mr. *Hume* said he would wish it to stand as his *first*.

Mr. *Abel Chapman*, in explanation to the observations of the honourable gentleman who spoke last, said he had to regret that the honourable Proprietor should have so far mistaken what he (Mr. Chapman) had said, as to suppose that he meant to contend that any system should be so perfect as not to require emendation, or be



open to inquiry on the part of those who might suppose there was room for improvement. So far was he from entertaining such an opinion, that he admitted the Gothic superstructure of the constitution of England itself, perfect as it was in all its parts (and indeed so perfect did he think it to be, that he was of opinion it merely required due attention to be paid to its operations and movements to make it the most perfect system of government it was possible for human wisdom to invent), was open to amendment and improvement. He was not so sanguine in his views of that constitution as to suppose that the system was so perfect that no alteration whatever could be made in it with advantage at no time nor season; nor did he contend that the system of administration of the Company's affairs in India was so perfect as not to be open to alteration and improvement. The Company were now going to Parliament with a Petition to have their Charter renewed. Many alterations might be made suitable, but not inconsistent with the system of administration established in India. No man, he believed, who knew any thing of human institutions, could suppose that the constitution of the Company was so complete in all its parts as not to admit of alteration and improvement; but the question was, whether the alterations sought

by the petitioners of Parliament against the Company would not, instead of improving, utterly annihilate the British power in India. He admitted that, by some regulations which the wisdom of Parliament might suggest with a view to open the trade to private merchants, might be attended with advantage. Regulations might be adopted of this nature, which might do no serious harm to the interests of the Company; but he would go the length of saying, that the constitution of the India Company could not with safety be altered. Now, with respect to the honourable Proprietor's observations touching the carrying-trade between America and England, that was a subject upon which he happened to be very familiar, having been in America, and having had an opportunity of observing that branch of commerce at the period of which he spoke.

Mr. *Hume* here attempted to interpose and explain the ground upon which he had objected to the honourable gentleman's observations; but was called to order by the Chairman, who requested that the honourable gentleman, who was in possession of the Court, might be suffered to continue his explanation.

Mr. *Chapman* then resumed his explanation.— He said that so far as related to America, he had to observe that when the commerce and trade of

this country to America was opened to the outports, it was thought that the commerce would be attended with very great advantage to England: but the consequence of that measure was that the commerce which had been hitherto carried on in British bottoms was carried on in American built ships manned by American people; the effect of which was, that the Americans became the carriers between the two countries. He would take the liberty of stating, that he now knew an elderly gentleman living in London, and who was a Virginia merchant at the time the trade to Virginia was carried on in British bottoms, and he was positively assured from that gentleman—indeed he knew it from other very good authority, that when that trade was opened the whole advantage of it accrued to the American people. Great Britain beheld in the event of the fatal American war the consequence of that policy. America, by being thus suffered to become the carriers to England, built a powerful shipping, which from a commercial navy was afterwards converted into a political navy. Feeling so strongly as he did upon this subject, he would not hesitate to say, that the same consequences that took place in America would ensue in India if the trade was opened to the outports into the Indian seas. The same symptoms which

indicated a separation between America and England would surely follow such a step with respect to India. By opening the trade to the outports, ships of great force would be built in India, which upon an emergency could be converted into a political navy and applied to the purposes, which he feared would be engendered in the minds of those who felt themselves so far from home and out of the reach of controul from the mother country. This was by no means a chimerical notion ; for, he would ask, was there any thing different in the feelings and sentiments of human nature in the East from what they were in the West ? Suppose a similar disposition broke out in India, to that which finally triumphed in America, how was it possible for this country with the utmost efforts of her strength to repress insurrection and revolutionary tumult in a quarter of the world so distant from Europe ? Did not the history of man, in all ages, times and countries, shew that he was fond of power and would use it, if he could by any possibility attain the object of his wishes ? He hesitated not to declare, that the moment there was a free and open commerce between England and India, a pretence would be sought to shake off the power of the mother country ; and he predicted with confidence that those ships which were built for

commercial purposes, would be converted into ships of war. But he could not suppose that the foresight of Parliament could be so blinded as not to consider these important views of the question and not adopt such remedies as would put out of question the identity of India with the power of the British empire.

He requested pardon for having trespassed at such length in explanation; and threw himself on the indulgent consideration of the Court. (*Hear! hear! hear!*)

The *Chairman* begged to attract the attention of the Court to the hon. gentleman's (Mr. Hume) objection, which formed the subject of his present amendment. "I shall," said he, "confine myself to one observation on the point now under the consideration of the Court; namely to the amendment of the hon. gentleman, whose speech of this day, is entitled to the respect of everybody present. The hon. gentleman proposes that we should omit (I am not exactly correct perhaps in reciting the precise words), "we are not justified in becoming parties to any system (mark what follows) which, *upon consideration*, should appear to the petitioners likely to prove an illusion."—If I thought there was any thing repugnant in this declaration—any thing that manifested a disposition on the part of the Directors and of

this Court;—any thing hostile to an agreement with the Ministers of government—any thing which could throw an impediment in the way of a liberal view of this question, or thwart an investigation into the Company's claims, I should be of opinion that those words ought to be disclaimed ; but it appears to me that there is something *conciliatory* rather than *hostile* in the expressions, because, in my judgment, they manifest a disposition to meet the Ministers as far as they can be met upon principles consistent with the security of this establishment: and therefore when the Directors or when the Company came to the resolution of stating, “ that they will not consent to become parties to any thing that appears like an illusion,” they appear to me merely to assert that which they think to be correct. If the Court of Directors and of Proprietors think this is an illusion, why are they by a total silence to imply that it is *not*? when this matter becomes the subject of explanation, it will be then time enough for the Company to state wherein what they think the illusion consists, and why they will not consent to become a party to any measure which, upon consideration, shall appear to promote it. These are the simple grounds upon which it does appear to me, the proposition of the hon. gentleman can be main-



tained; I am not aware that the hon. gentleman's amendment has yet been seconded.

Mr. *Rock* begged pardon for not having before this time seconded the motion of Mr. Hume, which he would have done as soon as it had been made by that hon. gentleman, but for the obtrusion of other objects upon the attention of the Court. He would now however second the motion, because he thought he saw a disposition on the other side of the bar, to retain words in the Petition, which might subject the claims of the Company to cavil and objection, from a quarter perhaps the most fatal to their views. He conjured the Court to recollect that they were going to Parliament in opposition to the declaration to His Majesty's Ministers. It would be advisable therefore for the Court if possible to come to an unanimous resolution upon this subject. If the words now proposed to be left out of the Petition by the hon. mover, were still to be retained, notwithstanding what the Court had heard in objection to them, he, for one, must conscientiously refuse his assent to the Petition altogether; for he would never agree in a Petition to Parliament, which contained a determination on the part of the Company, of the nature now pointed out, nor would he give his voice in favor of a proposition to continue the government of

India in its present form, if he thought there was any disposition in the Company, to reject all propositions for opening the India trade to the Out-ports. Besides this objection to the Petition, he would venture to state, that some of the allegations contained in it had not been proved. He alluded to the declaration upon the subject of the state of the Company's trade. It was not made out upon satisfactory evidence that the Company were carrying on the trade to the extent averred in the Petition. However, with respect to the other objection, unless the words alluded to were left out he should feel himself obliged to give his negative to the Petition.—He saw no reason for keeping them in, as the Chairman had said they were of no importance.

Mr. *Parnther* said, that if he thought there was any thing contained in the Petition, which was calculated to interrupt the unanimity which, for every reason, ought to prevail in the opinions of the Court, he should not be disposed to oppose the amendment now proposed by the honorable gentleman. But if he conceived the real meaning of the words to be that which he understood the honorable gentleman had put upon them, namely—should government establish something contrary to those words, the Company, therefore,

were not to go on with the government of affairs in India; most undoubtedly he should be for excluding the proposition from the Petition; but he understood, the declaration conveyed in those words, meant only, that they would not be privy, or become parties in any way whatever, to the institution of a system, which they thought would turn out to be an illusion. If they had so explicitly declared their opinion, and if government chose to institute another system, was there any thing in those words which made it inconsistent with the duty of this Court to become the supporters of that system, if Parliament thought it right to form a new one; or such as should be different from that by which India was at present governed? If the system offered was a bad one, doubtless the Company must make the best of it; but, if they thought that system so bad as to be completely inadmissible, he would submit that the Court was perfectly justified in making such a declaration; but that declaration did not necessarily infer that the Court would not accede to the terms proposed by Parliament. Viewing, therefore, the words in that sense, he thought they ought to stand in the Petition unaltered.—(*Hear! hear! hear!*) He could not help saying, that if there was any thing which

could make that opinion stronger in his mind, it was because there was nothing contained in the Petition which was not the opinion of the most enlightened men; and he would venture to say, that there was nothing in that opinion which would not do honour and add greater dignity to that situation in which those enlightened men were placed. The subject could not have been placed in better hands, because it came from those who were thoroughly acquainted with the whole system and the whole policy of affairs in British India; and considering that declaration as coming from the clearest conviction, and the most solemn argument, "that it would be an illusion," he could not but feel that it was highly important those words should be retained. He gave them credit for that declaration; and in so doing, he thought it would be highly improper and indeed preposterous, that the declaration of those men, who had the best means of forming a conclusion upon the subject, should be excluded from the Petition to Parliament. He therefore, for none, should vote for the continuance of the words.

The *Chairman* again addressed the Court. He said the hon. gentleman who had seconded the motion, had alluded to what he observed early in

the debate. Certainly he did state that the words were of no very great importance; but, as they had been placed in, the Court of Directors did not think they ought to be left out; without the sentiments of the Court of Proprietors expressed their dissent to them. The words objected to were these: "Your petitioners submit that they would not be justified in becoming parties to any system, which, *on consideration*, should appear to them likely to prove an illusion."

Now, by these words, he submitted, the Company had left an opportunity open for the most ample discussion of their affairs; and they had also left themselves free to adopt any measure which did not appear to be inconsistent with their interests. By these words the Company were bound to nothing: and he would ask the hon. gentlemen who moved for leaving them out, whether they would have the Company become parties to any system which they were convinced, after fair consideration, would prove illusive? He hoped not. He thought it necessary for his own justification, and for the justification of the Court, to express his sentiments; and he begged pardon for having again obtruded himself on their attention.

Mr. Rock said he certainly wished the Court

to be unanimous in their Petition: and nothing would be more desirable to him than the exclusion of every thing which might give rise to a difference of opinion. He wished, therefore, to understand what the Court alluded to, when it said it would not become a party to any system which they thought an illusion? What system was it?—what was the system they conceived to be illusory?

Sir *Theophilus Metcalfe* said, that in consequence of the conduct of the honorable Proprietor, who spoke last, he could have expected no less than the line of conduct he was pleased to adopt this day. With respect to the words proposed to be left out, by that honourable Proprietor (Mr. Hume) he had thought that they were of so little importance that if the objection to them had originated in any other quarter than that from which the opposition now came, he could not conceive that the Company would have any objection to leave them out: but when the Court considered that the hon. Proprietor had displayed remarkable talents and abilities on this great question, and that he had stood forward with a degree of singularity upon this subject; that he seemed disposed to question every statement of the Company's affairs; that he was always ready to occupy the time of the



Court in reading papers, and raising difficulties, he did not think it very regular now for the hon. gentleman after so many opportunities of discussing the Petition, to find fault with its construction: and hence, he said, the Court would not be surprized if, upon all these considerations, he should think the hon. gentleman's objection so little deserving consideration. Every man must confess the difficulty of framing a Petition so as to bear the scrutinizing examination to which that honorable Proprietor wished to subject this. It could not be expected that any Petition, however free from exception, would meet the ideas of every man. The most that could be expected was, that a general Petition should be drawn up and submitted to the Court of Proprietors for them to judge of its merits. Such a Petition had been drawn up and submitted to the Proprietors, who were all pleased to approve it, with the exception of one individual; and he thought it would be admitted to him that the fair sense of the Court had been taken upon the subject.—(*Hear! hear! hear!*) But yet that honourable gentleman expressed the great anxiety he felt for unanimity upon this question. The Court however would judge of the sincerity of his feelings by the amendment he had submitted.

He confessed himself to feel a difficulty in rising to address this Court upon a subject that had already elicited so much ability, and called forth so much sound argument; because it might appear that he could produce nothing new upon a question which seemed entirely exhausted: but he assured the Court, that if it had not been for the opposition this petition had met in its present stage, and the mode in which that opposition was manifested, he should not have at all trespassed upon the attention of the Court. But as he had risen, he certainly should not abuse their indulgence by any lengthened obtrusion upon their notice.

The honourable gentleman (Mr. Hume) must excuse him if he was no friend to the composition that had been just published under his sanction, when he observed that honourable gentleman, upon every occasion, to oppose every thing he could in the way of the Company's views: and when he recollected the tenor of all his speeches, he thought he might safely look upon him, not in the light of a friend to the interests of the Company. He did, however, hope for better things from him: and that when he got rid of that zeal which now seemed to warp his judgment, he would become a friend instead of an enemy. He made no doubt that his sentiments and opinions upon this subject would

change ; and that the Company would, ere long, find him a faithful and worthy member of their body. It was true, that the honourable member had not been long amongst them, and it would scarcely be expected that he would enter into the spirit of this subject with the same warmth as the old and approved friends of the Company. Seldom was it found that new converts, either in matters of religion or systems of opinion, were very zealous in pursuing them at first ; because they still retained a natural tendency to early impressions. The time, however, would come, he hoped, when he would adopt sentiments less adverse to the interests of his Country, and the advantage of this Company.

It had been reported, and the idea very widely circulated, that the India Company and the Ministers, on account of some difference of opinion between them, were, at this moment, in open and violent hostility towards each other. Now such a report every one must see could answer no good purpose, and might be attended with very bad consequences : and because he anticipated that a very unfair use would be made of such a report, he thought it necessary to give a public denial of it, which he now did, by declaring that it was not the fact. He would appeal for the truth of this denial to the Chairman, and to the gentlemen

who were members of the deputation to Government, whether the conversation which they had had with the Minister was not of the most respectful and conciliatory nature, and whether every civility and polite attention was not shewn, that could be manifested, towards persons in their high and responsible situation? This was a fact which they must all allow; and it would be bad policy indeed, if, in a question which involved so much of their interest, and which was so nearly connected with the affairs of the public, to enter into any thing like an acrimonious discussion upon a question so ably, and with so much temper, argued in that room. On the occasion he alluded to, not a violent expression, nor an intemperate word, escaped from either side upon the subject. His attention had been drawn to this matter in consequence of the unfounded rumours abroad upon the subject, and he was glad of the opportunity to declare that there was not the slightest pretence for the report in circulation. Every one must allow that the Minister had a public duty to perform, as well as a private one; and as a part of the administration with which he was connected, he had a right to form such an opinion as the report of the case of the East India Company required. For his own part, he thought, that if the Ministers were open to

conviction by the most solid arguments, and the soundest reasoning; those reasons and those arguments would be found in this Petition, and they would not suffer themselves to be led into error and mistake upon this great question by the gross misrepresentations of revolutionary and designing men. He made no doubt, that when the Company's Petition came fairly under the consideration of the Legislature, and when the matter came before both Houses of Parliament, they would see the wisdom of continuing that system, which the most profound statesmen, from the reign of Queen Anne till now, had adopted and encouraged. They would recognise, with approbation, the maxim of those statesmen, "that it was impossible our East India possessions could be advantageous to the mother country, unless the intercourse was carried on through the medium of what was vulgarly called—a *monopoly*." Such was the maxim, such the opinion of the most illustrious statesmen this country ever saw. But that vulgar notion, which had obtained, as to the import of the word *monopoly*, he was not surprised at, when he considered that those who affected to be very conversant in East India affairs did not understand the true meaning of the word, as applicable to the Company. The word *monopoly* was an invidious term, and perhaps a

just object of jealousy, if it was to be taken in the sense it was vulgarly used. But that interpretation of it in the present case was inadmissible, because all it meant was *protection*—(*Hear! hear!*)—That was the distinction to be taken when the word was applied to the East-India Company; but he hoped, when these points came to be considered with fairness and impartiality, the Minister would follow the example and sound policy of his predecessors; and instead of granting the object sought by the enemies of the Company, their agents, and their advocates, whose wish, it seemed, was to ruin and destroy the British empire in India, they would adopt a different line of conduct, and reject those counsels and suggestions which, if adopted, would be destruction and fatal to the power of this Country in India.

Whilst he was up, he hoped the Court would excuse him if he occupied their time a little longer, to remark upon a circumstance which happened some years since. When Mr. Fox succeeded Mr. Pitt in power, it was expected that a statesman, who had hitherto differed from Mr. Pitt in every political question brought before the Legislature, would carry with him into office feelings of hostility towards the East-India Company, who were much indebted to the discernment and counse-



nance of Mr. Pitt. But the fears thus entertained were dissipated early ; for Mr. Fox, as soon as he came into power, entered into all the doctrines, and expounded all the opinions of that great statesman upon this question. The reason he (Sir Theophilus Metcalfe) drew this fact under the consideration of the Court was to notice the very remarkable fact, that these two great statesmen, (for great indeed they were) hardly ever concurred upon any one point of politics, yet united in sentiment upon this question, and agreed unequivocally that the East India Company must remain unmolested in the enjoyment of their privileges. This was, indeed, a strong fact. Here were two illustrious statesmen who were not only the luminaries of their time, but the luminaries of British history ; men who might be said to divide their opinion upon almost every subject they spoke, and who were hardly ever known to agree with each other. Still these two men concurred on this one point ; and it was remarked at the time, that they complimented each other on the progress made in their sentiments towards unanimity. Surely, then, when men like these held it as a leading feature of their politics, that the commerce of the Company was to be held sacred, and was not to be touched, was it to be endured, that their rights were to be wrested

from them by the advocates from Liverpool, from Bristol, or by any other set of men whatever?

With these precedents in view, he would not be so unjust to the Minister of the present day, as to suppose him capable of thinking a measure of this kind was more advisable or more just now than it was at the period when those great statesmen lived. When this momentous question came to be fully and fairly discussed, he did hope with confidence to find that the Ministers of the present day did not think differently from their great predecessors. If there was any one Minister from whom the East-India Company had a right to expect a greater opposition to their claims, it was from Mr. Fox, for reasons too obvious to render a detail of them necessary; and, when *he* came into power, it was predicted by persons now within these walls, that in all probability the affairs of the East-India Company would languish under the influence of his counsels. The contrary, however, was the fact; for from the moment he took his seat on the Treasury bench, he espoused the cause with as much warmth, and became their advocate with as much zeal as ever Mr. Dundas did, who was supposed to be the Minister most favourable to their views that ever sat in the cabinet. Mr. Fox's expression in the

House of Commons was, "The East-India Company *must* be supported." This was a strong declaration, when it was recollected from what quarter it came. Mr. Fox was satisfied of the policy as well as the prudence in supporting the Company with all the authority of Parliamentary sanction. For his own part, he was afraid that those persons who demanded so loudly an open trade to India little understood their own interests; and being mistaken in their own views, it was not surprising that they were blind to the interests of their Country. He had considered this subject patiently, deliberately, impartially, and with no narrow nor selfish view. The result of his attention to it was, a firm conviction that the compliance with all the demands of the petitioners to open the Outports, would bring the East-India Company to ruin; and the ruin of the Company at home would inevitably ruin all their settlements abroad. If they were ruined at home, the undoubted and inevitable consequence would be the loss of the Indian empire. But admitting, for the sake of argument, that the trade was *partially* opened; for it might be said, that it was not meant to throw the trade open to all descriptions of persons, but merely to a limited number of the Outports; would it not follow, he would ask, if such were allowed to be the case, that the

clamour would be ten times greater than that which was raised against what was called *East-India monopoly*. Would not those ports which were not admitted to the same privileges say, in that case—"Here is an instance of gross partiality: *those* ports can have no better right to the privileges than we have?" They would say, and they would justly say, that this was an instance of the grossest partiality, because it would be holding forth a pretended alleviation of the pressure of the times, without giving to those who would be equally affected with that pressure the same opportunity of relief, while the Company itself would be as much affected as if *all* the Outports were open. He certainly felt unanimity to be a very essential object to attain, because he was sure that the Ministers were not by any means their enemies. *They* had a very difficult card to play; and whatever line they took, they must expect to meet with opposition. It was true, the Company had resolved upon a Petition, certainly couched in very firm language—a Petition which gave a very just picture of the state of the Company, and its claims upon the justice of the Country; but he was sorry to observe, that amongst a vast number of Proprietors out of doors, a degree of unaccountable apathy was manifest upon this question; and he was astonished, when he con-

sidered the number of Proprietors extended over the United Kingdom, so much indifference should be evinced to their own interest, as well as to the interest of their country. He only wished, however, that it could be ascertained who were the friends and who their enemies, in order that they might guard themselves against the designs of seeming friends. It had been contended, that the East-India Company had merely Claims, but no Right, in this question. He was not prepared to go into the latter part of the objection; but Claims the Company certainly had, and those Claims founded upon such firm grounds, that no sophistry, no argument could divest the Company of them; and whatever might be the apathy in those to whom he was compelled to allude, he besought every Proprietor present to consider himself as the identical man upon whom depended the safety of the Company.—(*Hear ! hear ! hear !*) He had very little doubt in his mind that Parliament itself, whenever it came to consider the question, would view it upon general and liberal grounds of policy, and not upon principles of prejudice or partial benefit. He was persuaded that whenever they did come to decide upon the question, they would resolve that a system ought not to be abandoned which had extended the British power in India, in-

creased the revenue of the mother country, extended her traffic over the Indian empire, and brought great wealth and other substantial benefits, not only to her Capital, but to her whole United Kingdom. He trusted the Court would agree with him, that such a system ought not to be abandoned slightly; but he hoped that many days would not elapse, ere this question would be determined by the Legislature in such a way as would confirm the claims of the Company upon the Legislature; and as would give a lasting security to the British empire and her valuable interests in that distant part of the world.

The *Deputy Chairman* (Mr. Thornton) said, he once thought it would be of very little importance whether those words complained of by the honourable gentleman were or were not adopted in the Petition. He acknowledged his having stated to an honourable and most respectable Proprietor in the Court, that if there was a difference of opinion upon the question, and that honourable gentleman thought proper to move that those words should be left out, he was convinced there would be no objection, because he (Mr. Thornton) considered them to be immaterial, and, like many other sentences in the same Petition, might safely be left out, or safely kept in; but from the manner in which it was proposed to expunge



them—from the quarter which proposed it—from the honourable gentleman's opportunities of discussing this question before—from all his observations, and, particularly, when he placed this objection in the front of his observations—when he delayed another for the mere purpose of forcing *this* into the foremost rank, he could not help thinking that the honourable gentleman's amendment ought not to be adopted—and when he considered that, by expunging these words, the *true* meaning and interpretation of them might be wrested out of doors, it was no wonder that what he once thought to be wholly uninteresting should now become matter of real consequence and serious import; and it behoved the Court to be cautious in every step they took, in every word they blotted—for even the wisest minds might be swayed and misled by the representations that could be artfully and ingeniously laid before the public as the reasons for expunging them. The Court of Directors had a great responsibility upon their hands. They were bound, if the public themselves were blind to their own interests, to give that warning—to light up that beacon which those words assumed. If the object, sought now by so much clamour and noise by those gentlemen from the Outports, was granted, he would venture to predict, that those

misguided and deluded men, in the space of three or four years, who had sacrificed their fortunes on such destructive speculations, might come, with some appearance of justice, to the Courts of Directors and Proprietors, and say, "Why did you not hold out this warning? You knew the danger—you must have anticipated the event—why did you suffer us to be deceived by this specious illusion? With the candour, the honour, the humanity of British merchants and fellow-subjects, why did you not press it upon us, that we were eagerly rushing on to our own ruin?"—(*Hear! hear!*) This, he submitted, would be the consequence *now*, in particular, if these words were taken out of the Petition. These deluded men would be almost justified in goading the Company with such a complaint, if these words were not only not kept in, but if they were not strongly marked in the Petition; they were introduced for the purpose of shewing that the Company would not make themselves a party to a public delusion; they must now be maintained to proclaim publicly, that whatever may be the opinion of an individual, the rest of the Company continued to deprecate the illusion. Ought not those gentlemen from Liverpool, who, by their own petition, acknowledged that they might be ruined in many cases, which opinion Lord Buckinghamshire him-

self held in his letter to the Court; for he acknowledged in that letter that there might be a partial ruin—ought not, then, these men to be grateful for the warning declaration of the Company? Mr. Thornton himself thought the ruin would not be so partial as his Lordship represented, but *general*; and indeed many of the other petitions glanced at the very same apprehensions. It was for their sakes—it was for their safety that the words should be retained. To expunge them now, after they had been so animadverted upon, would be in some measure to countenance the illusion by an act of their own. They would actually make themselves parties to that delusive experiment which those unfortunate petitioners, as well as themselves, would have every reason to deplore.—(*Hear ! hear !*)

The allusion of his honourable friend, who spoke last, to the opinions of certain great statesmen, had put him in mind of another great statesman's declaration upon this important subject. He recollected it well; it was deeply imprinted on his memory. The late Lord Melville, speaking of the advantages and disadvantages of a change in the system of affairs in India, and particularly pointing out the impolicy of an alteration in that system, said, "that substantial and permanent benefits ought not to be sacrificed

to occasional, and perhaps delusory schemes of gain." These delusory schemes of gain were those now in question. They were what the words in the Petition alluded to; and he sincerely hoped that as a caution to such as were likely to be deluded, they would stand, what the hon. objector had himself unintentionally drawn them forward to be—the prominent features of the Petition. (*Hear ! hear ! hear !*)

Mr. *Grant* said that as he was under the necessity of attending some pressing Parliamentary duties in the House of Commons, he should take the liberty shortly to address the Court. And he trusted he should be allowed to trespass on their attention. He meant to reply to what had fallen from the hon. Proprietor who began this discussion, and who called upon the Court to leave the words alluded to out of their petition. He would also avail himself of this opportunity to answer another hon. Proprietor (Mr. Rock) who asked him what was the meaning of this *illusion* talked of in the Petition?—To that hon. Proprietor's question he would first direct his attention: and tell him that the Directors of the East-India Company considered *the opening of the trade to India* as an *illusion*; they considered it to be an illusion on the part of the merchants, and they considered it as some sort of illusion on the part

of the government; considering it in respect to India and to China it must be called an illusion in a double sense. The Directors used the words in their petition without meaning to give offense either to government or to any persons to whom their observation might apply. If it was the intention of the Court to reject *all* plans offered to them, and if such were the import of the words objected to by the hon. gentleman (Mr. Hume), he would have a right to suggest such an alteration in the Petition, as had been proposed by him: but if any plan was to be proposed or adopted, which, after the best sense of the Court that could be taken, should seem to them to be wholly inconsistent with their interests, and which they would wish to deprecate as unworthy their sanction, they would have a right to declare that they would not become parties to any measure which should deprive them of the means, and the power in their hands. The sense of the Court had been already taken upon this part of the Petition, and the hon. gentleman having had so many opportunities of objecting to it before, it was now too late to say that it ought to be excluded, just at the time when the Petition was brought before the Court for final approbation. But considering that there was no foundation for the hon. gentleman's objection, he, for one,

should agree with the question for continuing the words.

He trusted he might be permitted to say a few words on the observation of the hon. gentleman with respect to the other proposed alteration in the Petition. He (Mr. Hume) had stated that the sum of £6,289,405 alledged to be the surplus profits of the Company was not satisfactorily made out, that the Company was mistaken in the amount of those profits, and that the fact was wholly erroneous. Now the hon. gentleman was, himself, entirely mistaken in his views of the subject, because he had taken the amount of the Company's *import* trade, instead of *export*: and if it had been so mentioned in the Petition as matter of import, the £6,289,405 would have been found in the documents given to the public, before even the suggestion of the hon. gentleman for an alteration in the Petition, and there would have been no occasion to state that which was open to examination. The hon. gentleman had argued from false premises, because if he had examined the accounts before the Proprietors touching the scale of the Company's income, he would have found himself perfectly convinced of the truth of the statement in the Petition: but the hon. gentleman seemed in his calculations upon this question to go rather upon the matter

averred in the petitions against the renewal of the Company's Charter than the Petition laid before the Proprietors. Now, what was the argument of the merchants claiming to be admitted to a participation in the trade to India?—they said that the increase of the Company's territory since 1792, instead of producing a proportionate increase of their trade, occasioned in fact a decrease. The territory of the East-India Company had been increasing before the year 1792, and therefore the Court was to understand the meaning of those merchants to be, that while the Company had increased their territory, their trade had decreased. This argument he acknowledged could not be answered by mere statement or assertion. But there was a far better answer to it to be found in the Report made by the Company upon this subject; and there it appeared clearly that this assertion was wholly unfounded in truth; because in the year 1793, and since that time, instead of there being a *decrease* in the trade there was a manifest *increase*. This was matter of reference and did not depend upon mere oral statement. At present without going farther into the subject, he was convinced there was no reason whatever for making any alteration in the Petition.

He would only farther observe that the ques-



tion was of such vast importance 'that it ought not to be delayed in its decision by questions certainly of very great importance, but which could not be considered at the same time with the subject of the Company's Charter. The question he principally alluded to was that which respected the East India Company's ships. That was a large question, which the Court had not now the means of deciding. But if they had, before they adopted any plan upon the subject, they would necessarily have occasion to bestow upon it a great deal of painful attention. He submitted, that the Court was not called upon at present to consider that subject, because it formed no part of the business before them. And after all, it was not their opinion that would decide that question, for it would be decided by other parties. But one thing was certain, that if the object contended for by the Outports were granted to them, it would be impossible to prevent the mischief that would arise from those Outports building ships, and bringing them home to this kingdom. It would be impossible to controul them in what was so important to the welfare of the mother country ; while, on the other hand, the East India Company never built their ships in India.

Mr. *Impey* said, he was sure there was no man who could be more sensible of the importance of

unanimity in their proceedings than he was; and he hoped the unanimity that had prevailed in the Court on the various discussions before it, would not, at this period, when those discussions had come almost to a close, be disturbed, by what he must call, a *stratagem* of the enemy.—(*Hear! hear! hear!*)—An observation had been just made, that if the Court approved of this Petition upon the whole, they ought not to cavil at particular parts of it, and enter into useless deliberations upon any unimportant or slight alteration. In that observation he fully concurred. He begged now to reflect upon the line of conduct the Court had pursued, which had been voted so unanimously. In these Resolutions there were many points that both he himself, and many others, might have altered for the better. But because he, and those gentlemen, conceived those resolutions contained the case of the Company substantially, they had abstained from making objections of minor importance for the purpose of exciting debate. Since he last had the honour of addressing the Court, he had read the Petition with great care and attention, and he was proud and happy to bear his testimony to the great ability displayed in the composition of all its parts. It did appear to him to be impossible that the case of the Company could be stated with more comprehensive

reasoning, more strength of argument, or more persuasive eloquence, than were to be found in that Petition; and whatever might be the event of the contest into which they were now forced, whether the Company were to be confirmed in the enjoyment of all their settlements, privileges, and immunities, or whether they were to be stripped of all those advantages which they had proved themselves so worthy to possess; that paper would be a splendid monument for the firmness and eloquence in which it is couched, and of the claims which the Company have been able to advance to the justice and gratitude of the country.—(*Hear! hear!*)—The Petition, in the first place, contained a short abstract of the history of the Company, and that, without doubt, was peculiarly necessary; because it gave information, not only to the public, but even to the Ministers and Legislators of the Country. It was an undoubted and notorious fact, of which he and many others in that Court had daily experience, that there was the grossest ignorance pervading the public mind upon the subject of East India affairs; and this ignorance was not confined to the great public; for they had occasion every day to remark how very ignorant even well informed and well educated men were upon the subject of India affairs. Whilst these men would

be ashamed to converse, or even open their mouths, if they were not well acquainted with the history, the power, and the polity, of the Greeks, Egyptians, and Roman empires, they betrayed no sort of shame at being wholly ignorant of the steps by which the East-India Company had attained unrivalled power in India, established stations that astonished even those who were acquainted with them, and instituted a system of polity that would do honour to the wisest studies of government. During the last half century, while the British nation had been engaged in many bloody contests, involved in scenes which had been as various as they were numerous, and frequently as disastrous as they were glorious; such was the character of the administration of the Company's affairs in India, that they had overcome all the opposition of their enemies, and established peace and tranquillity upon a footing not to be shaken by external relations. The names of *Clive*, *Hastings*, *Cornwallis*, and, though last not least, *Wellesley*, were names that would shine with peculiar splendour in the British annals. Those men had established in that Country a system of politics, and secured the Empire upon such a basis that nothing but our own indiscretion could destroy.—(*Hear! hear!*)—<sup>10</sup>  
The Petition went on to state the rights of the

Company; and he was sure that no language was wanted, and none failed to be used to make the application of those rights commensurate with the history of our Eastern settlements. The Court had been told by those who were not eminent for their friendship to the Company, when the subject had been before agitated within those walls, "that their lease was out," and that observation had been repeated on a recent occasion in that Court. He was the more desirous of noting that remark, because it shewed the fallacy of the reasoning upon which those persons wished to deprive the Company of the advantages they so justly enjoyed. Those persons should be informed, that there was no truth in their assertion, and that the application of it was inconsistent with the grounds upon which the Company's claims were founded. These persons should be informed, that the key of India was the *purchased property* of the India Company. They should be informed, that the India Company held not their possessions by the right of conquest, which was, indeed, a tenure that might be doubted; but by purchase. Such was the means through which they came possessed of St. Helena, Bombay, Madras, Bengal, and Calcutta, the great emporium of British India. Perhaps those bold speculators, who now sought to invade their rights,

might be a little shaken in their hopes of rivalling the British East-India Company's trade by any means within themselves. They might, indeed, rival them if they could go to their ports, under the protection of the Company's cannon; but he had better hopes of the wisdom and generosity of the British Legislature, than to suppose that they would not *hesitate* and *deliberate* upon the expediency of divesting the East India Company of what he (Mr. Impey) called their unalienable rights, in those ports and batteries, by which their settlements and trade were protected; especially when they came to recollect that they were erected by their ancestors, and continued for two hundred years last past in the same proprietors.—The Petition also stated the Company's claims; and he would venture boldly to state, that never, in the history of mankind, were there any subjects of any empire that could advance such rational and such just claims upon the justice and gratitude of their country. What, he asked, were the claims they advanced? What were their merits? What the justice of their cause? A vast empire, supported by privileges of the most valuable kind—extended by a series of the most brilliant military successes—regulated upon the soundest principles of political wisdom—equally calculated to

promote the welfare of the Empire itself, and procure lasting benefit to the mother country: an establishment which had been now long flourishing, and this too, without any expence or trouble to the parent country: a possession which was maintained to it by the East India Company in the nature of a trust!—Such were the claims they had to advance upon the justice and gratitude of their Country. He had heard, and he had read, of the ingratitude of nations to their most meritorious servants; he had heard of the execution of a Phocion, and the banishment of an Hannibal; but happy he was to say, that those acts of injustice and ingratitude were the acts of declining States: they were symptoms which indicated the progress of their ruin and dissolution. But he could not imagine that this glorious nation, which had maintained the most arduous struggle in the annals of the world, to uphold the liberties of Europe against the machinations of a powerful enemy, would act so ungrateful a part towards a Company which had added the proudest jewel to the British Crown. And for what purpose, he would ask? For the purpose of a commercial speculation!—(*Hear! hear!*)—If this unwise step should be resolved upon, he hesitated not to say, that it must be carried into execution upon principles not only in direct contradiction



to modern experience, but in contradiction to the experience of the whole world.—(*Hear! hear!*)

The honourable gentleman (Mr. Hume) who had opposed the whole course of their proceedings in this important question, had thought proper to notice, with disapprobation, those words in the Petition, “that the petitioners submit, that they would not be contented to become parties to any system which, on consideration, should appear to them would be likely to prove an illusion.” He would ask the honourable gentleman, whether he meant to say, that the Company *would* be justified in becoming parties to such a system, if they thought it an illusion? Entertaining, as the Company did, so unanimous a sentiment upon this subject, and having decided that the measure proposed by Ministers would be a delusion upon the merchants seeking an open trade, as their hopes could not be gratified; and, believing that it would be a complete delusion to suppose those gentlemen could carry on the trade when they entered upon it; the Company could not be justified in becoming parties to such a measure. If he understood the opinion of the Court correctly, and if he duly appreciated their interests, they would indeed be most unjustifiable if they did not state to the Le-

gislature what their sentiments were upon this subject. It had been said, "that it was the duty of the Company to obey the Legislature, whatever its decision might be." But he did contend, that it was not the duty of the Company, in a matter of compact, to agree to *any* terms which such a legislature might think it necessary to dictate. Would the honourable gentleman go the length of saying, if it was proposed, that the India Company should continue to direct the affairs of India, without the China trade, that the Company could perform their appointed trust upon those terms? Should they, he would ask, be justified in becoming parties to that delusion upon the public? How did the present disposition of Ministers differ from that, if the petitioning for a free trade for the outports would ultimately lead to the destruction of the Chinese trade? In his opinion, if the East-India Company were decided upon this point, it would be illusory and unjustifiable, in the extreme, in them not to state to the Legislature that they were unable, on such conditions as were proposed, to carry on the business of the Company. He was sorry to observe, when the Court last met, that the same honourable gentleman who had taken, what had been called, so singular a line of conduct in this Court, persisted in asserting that the Directors had been

wrong in respect of the negociation they had had with His Majesty's Ministers. He was sorry that he should persist in that assertion; because, in the present stage of the business, it could be attended with no good end: and, certainly, it very ill accorded with the professions of friendship the honourable gentleman held out for a system of which he had been pleased to express his strongest approbation: but, he would say, that if the Court were unanimous amongst themselves, he did not despair of a satisfactory adjustment of this subject. For his own part, he highly approved the conduct of the Directors in the negociation. It was not true, that they held out any feeling of reluctance to meet the proposal of Government; on the contrary, they had stated, that they would undertake to come to an amicable agreement with the Government, if the proposal should be effectually insisted upon, and even if they thought it absolutely ruinous.

He was sorry to find that he had unfortunately given offence to the honourable gentleman by some expressions used by him (Mr. Impey) at the last Court, in which he called the honourable gentleman an enemy to the East India Company. He assured the Court he had no wish whatever to detract from the character of that honourable gentleman, by such a declaration. Indeed, at first, he was

not conscious that he had made use of any such expression, or that any observation had fallen from him which could procure such an effect upon the honourable gentleman's feelings; but he found, from the printed report of the debates, words were imputed to him, and which, he dared to say, were used, to this effect: "that it was not *every enemy* of the East India Company who was so *liberal* as the honourable gentleman;" or, in other words, that the honourable gentleman was more liberal than other enemies of the East India Company. The words he could not recall; but he hoped the Court would give him leave to justify them as well as he could. In the first place he certainly never thought that in accusing the honourable gentleman of being an enemy to the Company he could be considered as having cast an imputation upon his moral character. Every one knew that Adam Smith was an enemy to the India Company. Every body knew also that Mr. Burke was no friend to the Company; yet no man thought proper to make that a subject of imputation upon their moral characters. All he could mean by what he said was merely an imputation upon the honourable gentleman's *intellectual*, and not his *moral*, character: and if the honourable gentleman conceived that these words in the Petition relating to the *illusion* should be

left out, all that could be said was, that the blame must be thrown upon the whole Court if they could not concur in his sentiments. But he really thought, when the honourable gentleman had made up his mind to act the part he had taken in the Court, he ought also to have made up his mind to be considered as an enemy of the Company. That honourable gentleman had opposed their statements, and thrown every obstacle he could, in the way of their proceedings, and every word of the honourable gentleman shewed as all must admit, that the honourable gentleman was an enemy of the India Company. If that was the case he was at a loss to reconcile the conduct of the honourable gentleman with his expression, when he declared that he threw the imputation back into the teeth of the person who had designated him as an enemy to the Company. The inference of this was, that they were the enemies of the Company who advocated their cause ; and, to simple minds, it would seem from thence, that the honourable gentleman was the *only friend*, and that the East-India Company were enemies to themselves !—(*Much laughter.*) But the honourable gentleman was not only not contented with assuring the Company that *he* was not their enemy, but he would have the Court believe that the merchants of the Outports

were not their enemies. Now, if the merchants were not their enemies, he much lamented that the Company had been so egregiously deceived with respect to their intentions, and it would have been much to their satisfaction if they had been apprized of this, in order that they might not only avoid ruin by their own means, but that they might have the satisfaction of falling by the daggers of their own friends—like Cæsar, whose assassins hailed him with obsequious reverence at the moment when their poignards were raised for his destruction.—*(Hear ! hear !)* If he had inclined to be poetical upon this subject he could remind the Court of an adage which they must all remember :—

“ An open foe may prove a curse,

“ But a pretended friend is worse.”

And as the honourable gentleman pretended to be one of the warm friends of the Company, he would beg leave to ask, what were the tributes of that friendship? The continued opposition of the honourable gentleman had made him their friend, just as too great partiality for his enemies had instructed him in the duties of their interest; and the disinterested feeling of the honourable gentleman reminded him of another couplet from

an eminent poet, which tolerably well depicted the sources of his friendship :

“ And set our interests and our passions free,  
“ My friend may have the meat that injures me.”

Now, he would take leave to ask, whether the honourable gentleman, if he had looked at the petitions of the Outports, would not admit, that there were in them many calumnies and many assertions hostile to the East-India Company ? For he had not heard that honourable gentleman shew the slightest indignation against any of them, which he certainly would have done had he been sincerely the friend of the Company. The Court had a right to ask this of him ; and if he really entertained those sentiments of friendship for the interest of the Company's claims, he trusted he would no longer oppose them,—no longer disseminate language and principles which might be seriously injurious to those whose friend he professed to be. If the honourable gentleman should pursue the same line of conduct, it would be impossible to believe that there was any sincerity in his declarations ; and he must at once be pronounced to be an enemy ; on the other hand, should he alter the line of conduct which he had hitherto pursued,



and prove himself the sincere friend of the Company, it was unnecessary to say that the Court would be thoroughly gratified by his exertions. He (Mr. Impey) was sorry to have taken up so much of the time and attention of the Court. The crisis was near approaching when they would come to the formal business of presenting the Petition to Parliament ;—a Petition which, if it was in substance true, no man ought to cavil at its inferior points. He anticipated an unanimous vote upon this question, and that the Petition would be presented to Parliament unaltered.

The amendment, as moved by Mr. Hume, was then read by the Clerk ; and the question was put by the Chairman, “ that those words stand part of the Petition,” when it was negatived with only *two* hands in its favour.

Mr. *Hume* again rose and said, that, seeing the disposition of the Court, he should not persist in moving what he conscientiously conceived to be sound objections to the Petition and the right course of proceeding on the present occasion. If simple assertion was to be brought forward, and stated in opposition to what he had offered as facts, and given from the actual accounts laid before the public and the House of Commons itself ; and, if simple declaration, on

the part of honourable gentlemen, were to be received as proofs in answer to what he had offered as facts in the case, he thought it was wholly unnecessary for him to attempt any thing further in that Court. This, however, he would undertake to say, that he could not admit, for one moment, the imputation that any unworthy motive had actuated him in any part of his conduct; and if he did not think that, in withdrawing from the East-India Company a part of their various expences and commercial engagements, and allowing a participation of the trade to the Outports, would be attended with benefit to the country as well as to their best interests, he should not for a moment have ventured to oppose any thing offered to the Court. Already he had stated an instance of the strongest and most important nature, for the purpose of shewing the necessity of alleviating the national distresses of the country; and he should not, at this time, renew his observations upon that subject. Upon the matter of illusion, it was considered by honourable Proprietors, who spoke in the course of this day, that the opening of the trade to India was an illusion. He could have given an instance, as strong as ever was known, and as ever occupied the attention of any political body,

for the purpose of illustrating the subject, and shewing the fallacy of that idea. He alluded to events in Spain, when that country was the centre of all trade for the commerce of Europe. What, he would ask, was the cry of ruin and starvation—

Mr. *Parnter* spoke to order, and said that the honourable gentleman had already spoken, and there was no question before the Court.

The *Chairman* said he understood the honourable Proprietor to say, that he did not mean to persist in his other amendments.

Mr. *Hume* said, in his other amendments he certainly did not mean to persist.

The *Chairman* said, if that was the case he would submit to the honourable Proprietor that any further speech was unnecessary.

A cry of *Question* now prevailed through the Court.

Mr. *Hume* thought it might appear very extraordinary if, having come before the Court to propose amendments, he had retired and declined supporting them, without assigning his reasons for such conduct. As that would appear extremely inconsistent, he hoped he should be allowed to state his reasons for withdrawing the amendments, and why he would not press the

question.—(*Cries of Question! question! question!*) He would not take up the time of the Court, as he saw it was determined he should not be heard.—(*No! no! no!*)

The *Chairman* begged it might be understood that there was not the slightest disinclination either before or behind the bar to hear any thing the honourable Proprietor might think it necessary to suggest; but, learning that he meant to withdraw his amendments from the consideration of the Court, it did appear to him that his observations were somewhat irrelevant. He begged pardon for making use of that expression; but he really thought the course the honourable gentleman was now pursuing was wide of the question before the Court, which he apprehended was simply to approve of the Petition. If the honourable gentleman had persisted in his amendments, he might have taken a more extensive scope of argument; but as he had very kindly and considerately, for the benefit of the Court, declared that he would not take up their time, by further opposing the Petition, he (the *Chairman*) should submit whether the question ought not now to be put upon the Petition?

*Mr. Hume* said he had only two points to urge; but as there was no disposition to hear what he

had to say, he certainly should not trespass upon the attention of the Court.

Mr. *Randle Jackson* spoke to order. He said, if the honourable gentleman was to be allowed to sit down or stand up whenever he pleased, there would be no end of their discussions. Nothing, he was persuaded, would be more painful to that Court than, on a question of such great importance, that an impression should go forth of any honourable gentleman being compelled to sit down, because the Court would not give him a hearing. The honourable gentleman certainly was perfectly right in attempting to assign his reasons for not persisting in his proposed amendments; but, according to the declaration which had now fallen from the Chair, he was bound, as a matter of respect to the Court, and as a rule of public debate, to confine himself strictly to a declaration of those reasons why he did not persist in his amendments. He (Mr. R. J.) was anxious it should not go forth to the public, that the declaration now made by the honourable gentleman was founded in truth. Such a declaration would indeed appear to be very extraordinary, when it was recollected that the honourable gentleman had distinctly avowed and acknowledged he had been heard to the full extent of his own wishes. Such was the ad-

mission of the honourable gentleman upon a former day, which he supposed the honourable gentleman would hardly venture to deny, and which a publication, since sent forth into the world by that honourable gentleman, fully confirmed. The Court, therefore, must not allow him to depart from his own admission. Certainly, from the disposition manifested by that honourable gentleman, it was pretty certain that if his inclinations were indulged, he would talk down a summer's sun ;—(*a laugh*)—yet he had enjoyed the opportunity of being heard fully and fairly to the extent of his own wishes, he (Mr. Jackson) himself being among the auditors of his repeated speeches upon this subject ; and certainly he admitted it to be desirable that he should have been heard, because it was important to the character of the Court ; and, feeling it equally as important that the honourable gentleman should not be allowed to declare out of the Court that he had not had a patient hearing, he did hope that he would now be attended to with all the respect due to talents like his, and that the Court would listen to such reasons as his best judgment might suggest.

Mr. Hume said that if, on a former occasion, he had acknowledged that he had been fully and patiently heard, that acknowledgment was

due to the indulgence and kindness of the Court ; but the allusion which the honourable Proprietor had made as to his having intimated that such indulgence was not bestowed upon him, that was not the time of which he complained. It was on a subsequent occasion when, he was sorry to say, that a very different disposition was manifested towards him ; but, at present, he was discouraged from proceeding in the observations he was about to make, when he observed that, however irrelevant the observations of other Proprietors were, and many such he had heard in the course of this debate, the rigid rule, which was now adopted against him, had not been enforced towards others. However, as he saw some symptoms of a disposition now to hear him, he should allude to the fact he had intended to bring forward before. It was a notorious circumstance in history that there was a similar outcry in Spain, when that country was the emporium of commerce, to that which now assailed the ears of every one upon the subject of East-India affairs, when it was proposed to remove the trade of that country from *Cadiz* to *Corunna*, the arguments and the outcry on that occasion were, that destruction was to take place, to the commerce of the country.

He had now stated every thing he wished to



state; because he was satisfied, that if he ventured more the Court would again think he was wandering from the subject. It was perfectly impossible that he could be deemed regular, after what had fallen from the Chair; and as he could not hope that gentlemen would go along with him in a concurrence of sentiment, he certainly should not trespass longer on the attention of the Court.—(*Cries of Go on! go on!*)—The honourable gentleman continued: and said, that he thought it was perfectly unnecessary and useless for him to go on, when he perceived the feeling of the Court towards him. He was aware, that when he stated his reasons for moving his original amendment, the honourable gentleman, who sat within the bar (Mr. Thornton), had declared, that in point of opposition, nothing would induce him to agree with his (Mr. Hume's) amendment.—(*No, no! no such thing!*)

The *Deputy Chairman* (Mr. Thornton) said, he wished to be understood, that it was not on account of opposition to the honourable gentleman that he did not agree with his amendment; because he should think that a very unworthy motive, which never could operate on his mind. But it was from the manner in which the honourable gentleman proposed to give up a *previous* motion, that he could

not give his sanction to a suggestion which he thought would be extremely detrimental to the Country. He therefore begged leave to set the honourable gentleman right, by assuring him, that he had no unworthy motive for opposing his amendment.

Mr. *Rock* now attempted to address the Court ; but his voice was drowned by the cry of *Question ! Question !*

Mr. *Hume* again rose. He said, he was only stating *one of fifty* reasons why he was discouraged from proceeding, and why he was deterred from going on with such observations as occurred to him. He had taken down the honourable gentleman's (Mr. Thornton) words, and he took them down right, he was sure. The words, he said, were these : " that previous to coming into Court he saw no particular objection to those words being left out ; but now, seeing the quarter from which the proposition came, and the manner of its being done, he, for one, hoped the amendment would not be adopted." He appealed to the Court, whether he was not correct ? The hon. gentleman had said, that although he admitted that the words were immaterial, they became matter of great consequence, because the proposal to leave them out came from him (Mr. Hume). Surely, when such a disposition as this

was manifested towards him, was he not justified in saying, that there seemed to be no inclination to give him a patient hearing? This shewed, notwithstanding the sincere professions he had made of good-will towards the Company, that the honourable gentleman proceeded on the idea of his being an enemy. He appealed to the recollection and justice of the Court, whether the *sole* ground of his proposition was not his wish that the Court should be unanimous in their sentiments upon the subject of their Petition, and that they should agree to nothing which should afford ground for any thing like *cavil* on the part of those who were enemies of the Company. He wished clearly to be understood, notwithstanding what an honourable gentleman had said, that he was a *new convert* upon this subject, he was by no means so indifferent to the interest and welfare of the Company for that reason. That honourable gentleman had remarked, that new converts were not generally so sincere in their sentiments, and so zealous to propagate their faith as the old disciples of the system. The honourable gentleman was mistaken in his ideas upon *that* subject; for it was generally remarked, that new converts were remarkable for their zeal in the new doctrines they had embraced, and he trusted the Court would find in him as worthy a

disciple as any of the most zealous of their friends. But really he should consider himself obtruding on the time of the Court, if he were to go through all the observations he should wish to have made in support of the other objections to this petition. Trusting, however, that these points to which he had taken exception would be explained elsewhere in the way an honourable gentleman had stated, he should not now trespass any further on the time of the Court.

The question was then put upon the Petition, and carried, with only one dissentient vote.

A second Petition to Parliament, to enable the Company to raise money, if it should be necessary, to meet the bonds that had been paid, and other calculations relating to the East India Company's affairs, was then laid before the Court, read, and agreed to.

The Chairman stated to the Court, that there were two other Petitions to be read, which were merely Petitions to the House of Commons to receive the Petitions which the Court had just approved of.

The Petitions were then read, and agreed to unanimously.

The *Chairman* then said, he had only to move that the Company's seal be affixed to the Petition.

Mr. *Hume* asked, whether it was not usual, in Petitions like the two last agreed to, for the Petitioners to pray that they might be heard by their Counsel, if necessary.

The *Chairman* said, he believed not; but if the Petitioners against the Company wished to be heard by Counsel, then it would be necessary for the East India Company to have Counsel also.

Mr. *Hume* observed, he had merely mentioned it, as it occurred to him it might be necessary.

The *Chairman* replied, that the Company must wait for the occasion, if Counsel should be necessary.

The question for putting the Company's seal to the Petitions was then carried unanimously.

The question, "that this Court do now adjourn," having been put by the *Chairman*,

Mr. *Randle Jackson* rose. He begged pardon for rising at this hour of the day to trespass on the attention of the Court: but he did it with a view of calling their notice to the further papers just published by the Company (No. 8.), respecting the negotiation for a renewal of the East India Company's privileges. Those papers purported to contain an answer to the arguments urged in the Petitions from the Outports against the renewal of the Company's Charter. The Company having been informed by one of His Majesty's

principal Secretaries of State, in his letter of the 4th of January, that they might have the Petitions presented to Parliament in the course of the last session laid before them, for the purpose of ascertaining the species of arguments which had induced His Majesty's Ministers to be of opinion, that the import trade from the East Indies should not be confined to the Port of London; and as the Company felt it their duty to submit to the Legislature such representations as they thought necessary for the security of their privileges, they had availed themselves of that offer so made to them. The Court, he was persuaded, would bear testimony to the ability and the convincing arguments contained in those papers, in answer to the demands of the Outports. The difficulty of their task must have, indeed, been very great, when they considered the mass of Petitions, heavy beyond all example, which the Court of Directors had to peruse. Perhaps their reply to the propositions contained in those Petitions was the completest answer that could be given upon such a subject. He would not now enter into a recapitulation of the important details contained in those papers, though the statements were as succinct as it was possible for the most lucid arrangement, and the strongest language to make: and though the reasons set forth were of the most conclusive nature, in favour of

the Company, and would not fail, he hoped, of making a deep impression upon the minds of His Majesty's Ministers, yet he was afraid that the papers were too voluminous to allow a general perusal of them; and, consequently, the object of the Court would be defeated, however powerful the argument, and however convincing the reasoning. He therefore thought it was of the greatest importance to their cause that this report should on some future occasion, be compressed into a more substantial and concise form, or thrown into a few short but expressive resolutions, in order that those who *run* might *read*—to induce the public and every one interested in this question, to hear the reasons, and read the argument of the Company—this was a most desirable object to attain; especially when he considered the extremely important propositions contained in that Report. [For this Report, see the Appendix.] He would not detain them by reciting those propositions, which struck his mind to be the most important; but among others, there was one which he could not resist stating to the Court. It had been notoriously said, but fallaciously argued, that the East India Company possessed what was vulgarly called, a *monopoly* in the trade to India. Any man who read that report dispassionately, would be convinced of the erroneous impression which



had gone abroad on this subject. He would find, upon the most satisfactory documents contained in that report, that no less than £33,000,000 of money had been employed in commercial transactions, without the Company's having any participation with that measure. Besides this, there were a variety of other most important statements upon the subject of the China trade, which shewed how fallacious the views entertained by the public were. The subject also of what was called *the Company's rights*, was most ably treated. It was asked, what rights had the Company? When they talked of rights, what did they mean? "They had no rights," it was said. Surely the public should entertain a just view of the subject. Such a corporation as the India Company must have great and important rights, notwithstanding the expiration of their Charter. Surely the possession which they enjoyed and had acquired in India; the commercial relations they had established under the sanction of the charter granted them in 1793, were rights as dear to them, and as valuable as the privileges enjoyed under the Charter of the Corporation of London. Therefore, when the Court talked of rights, they meant those rights claimed under existing charters; and when they talked of being ruined by the deprivation of their charter, they called those grounds

upon which they sought a continuance of it, not *rights* but *claims*; and certainly, in point of justice, this was the fair principle upon which their appeal could be made to the justice and the gratitude of the country. What were the claims of the Company? They had established a system of government unexampled in the history of any colonial settlement. They had provided regulations advantageous to themselves and to their mother country, and they had created a population beyond all calculation great. These were the grounds upon which, not the Company's *rights*, but their *claims* were founded. The Company was much misrepresented when it was stated that they called that a right by which they desired the continuance of an exclusive trade to India. Such was not the case. The Company merely called them claims, and not rights. This, and a variety of other misrepresentations, in which the Company had been subjected, the paper he now alluded to would completely explain. He took this occasion to vindicate the Company from any disposition on their parts to reject all alterations in the plan by which they enjoyed the exclusive trade to India; but he apprehended that it was impossible a more perfect system of government could be established than that now acted upon in India,

had turned out to be; and he thought it was impossible to make any alteration in the political system by which the East was governed, without endangering the security of our empire in India. Desirous, however, as he was, that the report to which he had adverted might be attended with the greatest possible advantage in removing those misrepresentations and prejudices by which the public judgment was warped upon this subject, he felt a strong wish that it might be reduced to such a form which, while, on the one hand, by its brevity, it lost none of the spirit of the original, and, on the other, insured the certainty of its intended effect. He should not now, however, trespass upon the time of the Court by offering any proposition upon the subject; but certainly, at some future Court, without its being called for the purpose, he should propose something in the nature of these four short resolutions containing the spirit of the report. With this intimation, perhaps he would at the next Court, or the earliest convenient season, take the liberty of offering some proposition of that nature.

The Rev. Mr. *Thirkwall* begged to remark, with respect to the papers alluded to by the honourable Proprietor, that, for his own part, a more luminous publication, or more convincing arguments he never read. They were such as

impressed upon his mind the strongest conviction of the unanswerable merits of the India Company's cause. He would submit, therefore, that instead of abridging them of one word, as the honourable and learned gentleman proposed, they ought to remain in their present unexceptionable shape. Every part of them was intelligible to him; and, being himself a man of very plain understanding, he was persuaded that every body present must be equally impressed with their truth, and the force of their reasoning. As the papers were so very intelligible, he was persuaded there was no man who felt any interest upon this subject would hesitate in reading every part of them. He therefore thought the honourable gentleman's proposition was rather impolitic; and so far was he from thinking that they ought to be compressed, that if the learned gentleman would not, he *would*, move, that the Report should be printed and circulated.

Mr. *R. Jackson* said he by no means wished to excite discussion. He had merely offered his reasons for thinking that the report would produce a greater effect upon the public mind if it was in a more compressed form. He was afraid that in its present shape it was so very voluminous that it would not be read. His wish was by no means to suppress any thing contained

in it ; on the contrary, his desire was that it should be read. But if it would not be read in its present state, he was desirous of answering the purpose of the Report by publishing certain resolutions containing the substance of it.

Mr. *Impey* wished to make one observation. It did seem to him, that no proposition like that suggested by the honourable and learned gentleman would have the effect which the Report itself would have upon the public mind. He could not conceive that a Report, which contained thirty or forty pages, and about nine propositions, was of such a length as to intimidate persons interested in this question from reading it. Certainly it was a most material Paper to the cause of the East-India Company ; and there was no person, he was persuaded, who would take the trouble to read it, who would not be struck with the importance and the weight of the arguments contained in it. He believed there were few minds, even the most unenlightened, to which its statements would not be intelligible. Perhaps it might be thought rather voluminous ; but, in his opinion, it would be impossible to compress it without the effect intended being materially lessened. No person, who entertained a due sense of the importance of this vast question, could feel any disinclination to peruse a

document even of much greater length. He therefore should rather have expected that a motion would have been offered for printing and circulating a Report so important to the views of the Company.

Mr. *Hume* rose amidst a cry of "*No question!*" for the purpose of addressing the Court. He said he was convinced what he was about to do was irregular; but he assured the Court that he would not have felt disposed to say one word, had not the honourable gentleman who spoke last but two (Mr. Jackson) used so many on the subject. The honourable gentleman had begged the question in so many instances, that he could not help making one or two observations.—(*A cry of question! question!*) However, as he now saw there was no disposition to hear him, he should certainly sit down.

The *Chairman* begged to remind the honourable gentleman that there was no question before the Court. His honourable and learned friend (Mr. Jackson) did not bring any question under the consideration of the Court. He had merely given notice that he should perhaps, on some future occasion, submit to the Court certain propositions. The Court was not, however, debating those propositions at the present moment. Therefore he apprehended the honourable gentleman

(Mr. Hume) would be rather irregular in again addressing the Court. An honourable gentleman on his right hand (Mr. Thirlwall) did propose making some motion this day; but his honourable and learned friend (Mr. Jackson) did not do so; and, with respect to the other honourable gentleman's motion, he would take the liberty of submitting to him, as at the present moment the Court was so much thinned by the departure of Proprietors, whether it would be proper to come to a resolution of the nature suggested by him under such circumstances. However, he would leave it to his discretion.

The Rev. Mr. *Thirlwall* said that, with the deference he felt for the opinion of the Chair, he certainly would forbear following up his opinion with a motion.

The Court was then adjourned *sine die*.





## APPENDIX.

### *Copy of a Petition from the EAST-INDIA COMPANY to the Honorable HOUSE OF COMMONS.*

To the Honorable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled,

The humble Petition of the United Company of Merchants of England trading to the East-Indies,

SHEWETH :

That your Petitioners, in approaching this Honorable House with an application for a continuance of the system by which the relation between Great Britain and the East-Indies is now regulated, hope they may be permitted to state the outlines of the history of the establishment of your Petitioners, as well as their present situation, as to their property and rights, their functions and obligations.

That the first adventurers in a trade from England to the East-Indies, by the way of the Cape of Good Hope, were incorporated by Her Majesty, Queen Elizabeth, by her royal letters patent, bearing date the 31st day of December 1601\*, by the stile of "The Governor and Company of Merchants of London trading into the East-Indies," to whom, by the same instrument, the exclusive right of trading to that country was granted by Her said Majesty for a term of fifteen years from Christmas then last past.

That the corporate capacity of the said Governor and Company of Merchants of London trading into

\* Printed Charters, 4to. edition, page 3.

the East-Indies, with the privilege of the exclusive trade, was renewed, revived, and confirmed to them, in perpetuity, by several charters, or letters patent, granted respectively by their Majesties, King James the First, King Charles the Second, King James the Second, and King William and Queen Mary\*: subject, nevertheless, to a provision, that if the continuance of any of their charters, in the whole or in part, should not be profitable to the realm, that, upon three years warning to be given to the said Company, all the said charters should cease, determine, and be void.†

That the said Governor and Company were empowered by their Charters to establish factories and settlements in the East-Indies‡; to have the government of such factories and settlements, and to appoint governors; with a judicial power to equip and maintain military forces, by sea and land, for the defence of their settlements; with the power of making peace and war with any princes or people who were not Christians, within any places of their trade; to make reprisals from those persons, in those parts, from whom they should sustain any loss or injury; to erect castles, fortifications, forts, and garrisons; and also to coin Indian money§.

That, by virtue of these powers, the said Governor and Company made settlements, and built forts and factories at different places in the East-Indies, at a very great expence; which settlements, forts, and factories, with some territory annexed to them, were purchased from the native princes of the countries within their limits. The sovereignty remained with their respective chiefs, but the immediate government of those acquisitions was exercised by the Company, under the powers which are before mentioned to have been

\* Printed Charters, 4to. edition, 31st May 1609, page 27; 3d April 1661, page 54; 5th October 1677, page 108; 9th August 1683, page 116; 12th April 1686, page 125; 7th October 1693, page 141; 11th November 1693, page 152.

† Ibid. 28th September 1694, page 181.

‡ Ibid. 3d April, 13th Charles II. 1661, page 54.

§ Ibid. 5th October, 28th Charles II. 1677, page 141.

granted to them by charter; and the said Company also made a settlement in the Island of St. Helena, on its being abandoned by the Dutch, about the year 1651.

That the property and sovereignty in and over the port and island of Bombay having been ceded by the King of Portugal to His said Majesty, King Charles the Second, as part of the dowry of the Infanta of Portugal on her marriage with King Charles, His said Majesty, by his royal letters patent, bearing date the 27th day of March 1669 \*, granted and conveyed unto the said Governor and Company, their successors and assigns, the property thereof, with all the rights, profits, territories, and appurtenances, and constituted them the true and absolute lords and proprietors of the port and island, in the most unlimited manner; saving to His Majesty, his heirs and successors, his royal sovereignty of and over the inhabitants there: but His Majesty granted the authority of immediate civil and military government of the place to the Company. And St. Helena having been taken from the said Company by the Dutch, in the war of 1674, was retaken by a force belonging to King Charles the Second, who, by his royal letters patent, bearing date the 16th day of December 1674 †, regranted that island, with all the rights, profits, territories, and appurtenances whatsoever, unto the said Governor and Company, their successors and assigns; and His Majesty constituted them the true and absolute lords and proprietors thereof, saving the allegiance due to His Majesty, his heirs and successors: and the said charter contained powers and authorities for the government and defence of the said island.

That, by an act of Parliament, passed in the ninth year of the reign of His late Majesty, King William the Third ‡, for raising a sum of two millions, by loan, for the public service, it was enacted, that all the subscribers to the said loan should be entitled to traffic,

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\* Printed Charters, page 80. † Ibid. p. 96.  
‡ 9 and 10 William III. cap. 44. sect. 61.

and use the trade of merchandize, in such places, and by such ways and passages, as were then already frequented, found out, or discovered, or which thereafter should be found out or discovered, and as they severally should esteem to be fittest or best for them, into and from the East-Indies, in the countries and parts of Asia and Africa, and into and from the islands, ports, havens, cities, creeks, towns, and places of Asia, Africa, and America, or any of them, beyond the Cape of Bona Esperanza to the Straights of Magellan, where any trade or traffic of merchandize was, or might be, used or had, and to and from every of them. And, by the said act \*, His Majesty was empowered to incorporate any of the subscribers, who should desire it, to trade with a joint stock: and it was enacted †, that at any time, upon three years' notice, after the 29th day of September 1711, upon repayment by Parliament of the said sum of two millions, or such part thereof as should be advanced, all the corporations to be created in pursuance of that act, and the benefit of trade thereby given, should absolutely cease and determine: and it was enacted ‡, that all such persons as should have a right of trading by virtue of that act, should have the sole and exclusive trade within the limits before mentioned.

That the said sum of two millions was subscribed within the time limited by the said act; and thereupon, by a charter, bearing date the 5th day of September 1698 §, His said Majesty was pleased to incorporate the larger part of the subscribers to the said loan, by the stile of "the English Company trading to the East-Indies;" and, by the said charter, powers of making settlements, and governing them, and maintaining military forces for their defence, were granted to the English Company, similar to those which are before stated to have been granted to the Old Company, since distinguished by the appellation of the London Company, the sovereign right, power, and dominion over

\* Sect. 62.

† Sect. 79.

‡ Sect. 81.

§ Printed Charters, p. 188.

all the settlements to be made, being reserved to His said Majesty.

That the above act of parliament and charter would have operated to have extinguished and determined the corporate capacity and privileges of the London Company, but the act contained a provision, that they should have liberty to trade till the 29th of September 1701: and the London Company having subscribed the sum of £315,000 towards the sum of £2,000,000 to be raised, became entitled to trade in respect of it; and therefore, by an act of Parliament passed in the twelfth year of the reign of His said Majesty, King William the Third \*, their corporate capacity was continued to them, subject nevertheless to be determined upon the redemption of the fund established by the said act of the ninth of His said Majesty's reign.

That the said English Company acquired and settled several factories in the East-Indies at a very large expence †.

That, previous to the erection of the English Company, the London Company had carried on their trade with the East-Indies in competition with the Portuguese and Dutch and French Companies, and also in competition with unlicenced adventurers from Great Britain, who traded there, notwithstanding the exclusive grants which the London Company was in possession of, and which unlicenced adventurers, at times, acquired considerable ascendancy amongst the native powers ‡; and, after the incorporation of the English Company, they became also competitors in the said trade:—and no European nation having then acquired any considerable territorial dominion, the whole of the trade by Europeans was carried on entirely at the despotic will and sufferance of the native princes of the Mogul empire, the government and officers of which almost constantly shewed their favour and protection

\* Private Acts, 12 Wm. III. cap. 23.

† Indenture quinquepartite, p. 316, they were made over to the United Company for £70,000.

‡ See Annals of the East-India Company.

to such of the competitors from whom they could obtain the largest presents; and, in proportion as they protected one of them, they oppressed the others: as an instance of which your petitioners shew, that the servants of the English Company in India, by means of corrupt influence with the ministers and servants of the Mogul, procured all the principal officers and members of the presidency of the London Company at Surat, then the chief seat of their trade in India, to be imprisoned for several seasons, and wholly to interrupt their commercial transactions\*.

That the London Company and the English Company finding that, if their competition had continued, ruin must have ensued to both, agreed, about the year 1702, to unite together. The union was effected by force of two several indentures, dated respectively the 22d day of July 1702; one being an indenture tripartite made between Her late Majesty, Queen Anne, of the first part, and the said London Company of the second part, and the said English Company of the third part†; and the other being an indenture quinquupartite made between the said London Company of the first part, the said English Company of the second part, and certain persons, trustees of property belonging to the London Company of the third, fourth, and fifth parts‡; and by force of an act of Parliament passed in the sixth year of the reign of Queen Anne §; and of an award of the Earl of Godolphin, the Lord High Treasurer of Great Britain, dated the 29th day of September 1708.

By the terms of the union, all the property and rights belonging to both Companies, at home and abroad, including the settlements, forts, factories, and territories which they had acquired, as is above stated, were valued, and in consideration of the value of the property of the London Company being paid or allowed in account to them, they, by proper legal instruments, transferred and made over all their pro-

\* Annals; vol. III. pages 519, 543, 563.

† Printed Charters, page 243. ‡ Ibid. p. 316.

§ 6th Anne, cap. 17.

erty to the English Company : and the English Company were allowed in account of the value of their property, and the property and rights of both Companies were thenceforth vested in them, for the benefit of the united concern. And the London Company having completed the transfer of its property, surrendered its corporate capacity ; and from thenceforth, the English Company took the stile of “ the United Company of Merchants of England trading to the East-Indies,” which is now the stile of your Petitioners.

Your Petitioners crave leave to draw the attention of the House to some part of the subjects, of which the property of your petitioners consisted at the time of the union of the two Companies in 1702, and which they derived by transfer from them, with the cognizance and sanction of Her Majesty, Queen Anne, and of the Parliament. Amongst other things, your Petitioners were then entitled to, and possessed of, the Islands of Bombay and St. Helena, the sovereignty of which was vested in the Crown of Great Britain : they were entitled to, and possessed of, the factories of Surat, Swally, Broach, Amadavad, Agra, and Lucknow : on the coast of Malabar they were entitled to, and possessed of, the forts of Carwar, Tellicherry, and Angengo, and the factory of Calicut : on the coast of Coromandel they were entitled to, and possessed of, the fort St. George, with the castle, fortifications, and territory thereto belonging, on which a large city, called Madras, was built, the houses of which belonged to, and paid rent to, your Petitioners ; Fort St. David, being a strong fort and factory, and about three miles compass of the circumjacent country, on which several small towns and villages were erected ; the factories of Codolore, Porto Novo, Pettipollee, Madapollam, and the fort and factory of Vizagapatam. In Bengal, your petitioners were entitled to, and possessed of, Fort William, and the town of Calcutta, with a large territory thereto belonging ; the factories of Balasore, Cossimbuzar, Dacca, Hughly, Maulda, Rajamaul, and Patna. All these possessions were subject to the sovereignty of the Great Mogul. On the island



of Sumatra your Petitioners were entitled to, and possessed of, York Fort at Bencoolen, and a factory, with a territory of about five miles thereto belonging, and a factory at Indrapore.

That after the union of the two Companies, your Petitioners conducted themselves so as to conciliate and acquire the confidence of the natives of India,\* and for a considerable period of time they had no occasion to use the right which they enjoyed, of maintaining a military force, except for purposes little beyond those of police, and as guards of their fortifications against surprise; but, near the middle of the last century, it became necessary for your Petitioners to enlarge their military force, and to exercise the power of war, and of making political engagements with some of the native powers, to support the British interests in India, and in order to counteract the intrigues of the French, who had become auxiliaries to other native powers, with the design of driving your Petitioners out of the East Indies, and of excluding the British nation wholly from Asiatic commerce; but, by means of the forces raised and maintained by your Petitioners, and at their sole expence, your Petitioners completely defeated those objects, so that, at the conclusion of the war, which ended in the year 1763, the French were left without one single settlement, and almost without influence in any part of Asia.

In the year 1757, the Nabob of Bengal permitted your Petitioners to establish a mint at Calcutta\*; and, in the same year, the said Nabob made over to your Petitioners the property in certain lands in Bengal, generally called the twenty-four Purgunhas†, and the saltpetre lands of the whole province of Bahar‡: and, in the year 1758, your Petitioners obtained a grant from the said Nabob for the free tenure of the town of Calcutta, discharged from the rent to which, to that time, it had been subject§. In the year 1759, the Soubah of the Decan made over to your Petitioners the

\* Printed Treaties, page 9.

† Ibid. page 10.

‡ Ibid. page 12.

§ Ibid. page 23.

whole of the circar of Masulipatam, with eight districts, as well as the circar of Nizampatam, and the districts of Condavir and Wacolmanner\*. In the year 1763, the Nabob of Arcot made over to your Petitioners several districts of land surrounding Madrast, which lands have since been called the jaghire of your Petitioners: and such transfer was confirmed, in the year 1765, by the said Nabob, and also by the Great Mogul†. In the year 1764, the Mogul made over to your Petitioners the country of the Guuzepoor and the rest of the Zemindary of Rajah Bulwant Sing§. In the year 1765, the Great Mogul granted to your Petitioners the country called the Northern Circars||, and in the following year, such grant was acceded to by the Soubah¶: and, in the year 1765, the Great Mogul appointed your Petitioners, in perpetuity, to the office of Dewan of the provinces of Bengal, Bahar, and Orissa, such appointment being made as a free gift\*\*; and, by virtue of such grant, your Petitioners, in the execution of the office, acquired the right of collection of all the revenues of the said provinces, for their own use, free from any account thereof to be rendered.

Your Petitioners crave leave to remark, that no part of the property in any of the forts, factories, or territories, which became vested in your Petitioners at the time of the union of the two Companies, nor any of the territories nor rights, lastly hereinbefore mentioned to have been granted to your Petitioners, were acquired by conquest, but by purchase, by means of pecuniary payments, or by services rendered to, or other good considerations moving the grantors.

That, about the year 1767, a claim was made, on the part of the Public, to the beneficial interest in the territorial acquisitions and revenues then lately obtained there; and thereupon agreements have been made, from time to time, that the possession of such acquisitions and revenues should remain with your Petitioners, upon a participation of the profit of the revenue be-

\* Printed Treaties, page 347. † Ibid. page 348. ‡ Ibid. page 362.  
§ Ibid. page 37. || Ibid. page 361. ¶ Ibid. page 367.

\*\* Ibid. page 43.

tween the Public and your Petitioners, as mentioned in several Acts of Parliament, made and passed at different times since 1767\*, without prejudice to the claims of the Public or of your Petitioners.

That previous to the year 1773, the government of the settlements and acquisitions in India was conducted under the uncontrouled direction of your Petitioners, by virtue of the powers of government, which they derived from their charters; but ever since the year 1773, the mode of the immediate government of India has been regulated by Parliament†: and from that time to the year 1784, in pursuance of directions of acts of parliament, the Lords Commissioners of His Majesty's Treasury, and one of His Majesty's principal Secretaries of State, in their several departments, were made acquainted with the correspondence and orders sent to and received from India by your Petitioners, in any way relating to the management of the revenue, or civil or military affairs and government of your Petitioners in that country: and from the year 1784 to the present time, all acts, operations, and concerns, which in any ways have related to, or concerned the civil or military government or revenues of the territories and acquisitions in the East Indies, have been placed under the superintendence and controul of certain Commissioners appointed by His Majesty, in pursuance of acts of parliament passed for that purpose‡; and your Petitioners have been restrained from giving any orders or directions relative thereto, without the concurrence of the said Commissioners: and in cases in which the said Commissioners have been of opinion, that the subject matter of any of their deliberations, concerning the levying war or making peace, or treating or negotiating with any of the native princes or states in India, communicated in orders to any of the governments in India, have been of

\* 8 Geo. III. cap. 57; 9 Geo. III. cap. 24; 13 Geo. III. c. 64; 19 Geo. III. cap. 61; 20 Geo. III. cap. 56; 21 Geo. III. cap. 65; 33 Geo. 3. cap. 52.

† 23 Geo. III. cap. 63.

‡ 24 Geo. III. cap. 25; 28 Geo. III. cap. 8; 31 Geo. III. cap. 10; 39 Geo. III. cap. 52.